

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM**

**MAY 8, 2020**

**9:00 A.M.**

**Commissioners Present:** Noah Lockley – Chairman, Ricky Jones-Vice-Chairman, Joseph Parrish, William Massey, Bert B. Boldt, II

**Others Present:** Marcia M. Johnson-Clerk of Court, Erin Griffith-Assistant Finance Director, Michael Moron-County Coordinator, Michael Shuler – County Attorney, Lori P. Hines-Deputy Clerk to the Board.

**Call to Order**

Chairman Lockley called the meeting to Order.

- 1. To comply with CDC and Government social distancing requirements, the general public will not be allowed in the commission meeting room for this meeting; therefore, this Board of County Commissioners special meeting will be conducted via conference call. To listen to the meeting or comment during the "Public Comments" section of the agenda, call 1-888-585-9008 and when prompted enter 364022831#. At the conclusion of the special meeting, a link to the meeting's audio file will be posted on the county's website. This link is the recorded audio file, not a live feed. Any person who wishes to appeal a decision by the Franklin County Board of County Commissioners with respect to any matter considered at the meeting must have a record of the proceedings. He or she may need to ensure that a verbatim record of the proceedings is made.***

**Prayer and Pledge**

Commissioner Jones said a prayer followed by the Pledge of Allegiance.

**Public Comments**

Mr. Moron asked anyone that wants to speak to indicate by entering star9 on their phone. He reported there are 159 people on the call. Chairman Lockley stated each person has 2 minutes to speak.

Mr. Tom Moses, a resident of St. George Island, said to continue to limit beach hours in Franklin County is a standout on the panhandle when you can drive 30 minutes east or west and find things open. He stated this decision continues to provide economic stress beyond the Governor's orders to Franklin County and the residents. He reported residents of Franklin County are traveling to Panama City Beach to enjoy the beach while local businesses are suffering economic hardship because the tourist dollars are not coming into the county. Mr. Moses stated the Board has made a decision that is sending local dollars out of the county. He felt it was an unintended consequence and he asked the Board to fix it. He explained as a vacation rental owner and resident this is shaping up to be another year of losses following Hurricane Michael. He stated this event will be much worse to the county as a whole. Mr. Moses complained that they are changing the time they are allowed to speak during the meeting.

Mrs. Alice Collins, Collins Vacation Rentals, said it is critical they make a good decision today. She urged the Board to ask the Governor to open vacation rentals and treat them the same way as hotels and other lodging facilities are treated. She stated this is an unfair situation and they were singled out. Mrs. Collins said there are families waiting to visit here and she encouraged them to ask the Governor to stand with them.

Mr. Douglas Dedrick, a resident of Franklin County, said he owns a vacation rental in Carrabelle and concurs with the other comments. He stated they need to get the beaches open and push the Governor to get the vacation rentals open.

Ms. Cindy Whiteman, a resident of St. George Island, questioned why this meeting suddenly came up and why they are going against the Governor's Executive Orders. She stated they must follow these orders for the safety and wellbeing of the citizens of Franklin County. She reported they are putting aside everything they have been doing to consider the economic situation but they must also consider health. Ms. Whiteman said the whole situation in the state has not changed so why are they asking the Governor to make the short term rental ban go away.

Ms. Julie Krantz, a resident and business owner on St. George Island, stated the rental ban affects all the business on the island and their employees. She reported it is unfair that the short term rentals have been affected versus the hotels. She said the biggest concern is there is not a plan and time line available from the Governor and that is causing people to cancel reservations way into the future. She reported people are moving their vacations to other places that do not have these short term rental bans and this is revenue they will not be able to recoup. She said that should be part of the argument for why they need to lift the short term rental ban. Ms. Krantz explained they have options to still be safe because their homes are spaced far enough apart and if people are fearful they can stay home. She reported they need to look out for everyone else also and think about the people that are unemployed.

Ms. Deborah Fay, a resident of Carrabelle, disagreed with the rental owners that are calling for business but acknowledged it does seem bad to have a 72 hour wait between rentals. She requested the Board strengthen the ban on the lodging and limit it to essential workers. She explained this is a health crisis and it is selfish to say if you are worried then stay home. Ms. Fay reported she is staying home but still has to go out for essential items and does not want to be infected from someone that imported the virus here when they could have avoided that. She stated the health impact outweighs the economic impact and she asked the Board to keep things tightened up for the health of the community. She said their physical health should be the number 1 priority.

Ms. Cheryl Cloud, a resident of Franklin County, stated when they publicize people have 3 minutes to speak then change it that makes it difficult so they should publicize the correct amount of time. She explained their job is to look out for their safety and wellbeing and not just their health but also their ability to work. She stated the tourist dollars are leaving and going to other counties and the beach closure is not good when they can go to other counties that are open. Ms. Cloud reported this is an unfair and discriminatory business practice for short term rentals. She asked the Board to consider more than just her health.

Mr. Moron reported Consolidated Communications is having an area wide outage that is impacting land lines.

Ms. Brenda Karlin, a resident of St. George Island, stated she is a proponent of opening the beaches and businesses. She said she also supports having representation with the Governor to do away with the essential versus non-essential differentiation. She reported if they continue the beach closure then some guidelines should be provided to the Sheriff's Office for enforcement. Ms. Karlin stated there should be no driving on the beach or excessive speed with the SUV's. She explained the SUV's should also be identified as being the Sheriff's Office. She reported individuals calling the Sheriff's Office should also be required to provide evidence about how they are being endangered by the virus from a person being far away before a deputy is sent out.

Mr. Pierce Withers, a resident of Alligator Point, stated it would be helpful for people wanting to participate in the meeting if they would make the instruction on the Agenda which says speakers have 3-5 minutes to speak consistent with the practice of the meeting. He explained that would help with speakers not being cut off while they are speaking.

Mr. Michael Sparks, a resident of St. George Island, said he is waiting for the County Commissioners to understand the economic long term disaster that is happening and that no money is coming in to save them. He stated the long term rental ban is playing into what the large corporations want. He said they are going to drive out the rental businesses and go into an economic disaster if things do not get moving. Mr. Sparks reported none of the Commissioners are business owners and understand the effects of this. He asked the Board to be different and stand for freedom, independence and protect the economic value of their

sanctuaries. Mr. Sparks reported if that goes too long then there will be other things like foreclosures that will happen.

Ms. Adriane Elliott, City of Apalachicola Commissioner, said it seems counter intuitive to be asking the Governor to lift the rental ban. She read some excerpts from the Governor's Executive Order #20-112 which addresses Phase 1 reopening. She reported they should be limiting their personal interactions and avoiding meetings in large groups of 10 or more. She stated they should be avoiding non-essential travel and adhering to the Center for Disease Control (CDC) guidelines. Commissioner Elliott said the businesses that are restricted are bars, pubs, nightclubs and vacation rentals. She asked how many owners of bars, pubs and nightclubs have been fighting to have their businesses reopened. She said she is a bartender and understands the economic loss the community is facing. Commissioner Elliott stated she understands if small businesses collapse they could face the possibility of corporations coming in and scoping up what is left and destroying the community. She explained there are different approaches and a large number of vacation rentals house between 11-20 people and they should not encourage gatherings of more than 10 people. She reported they do not want to bring people in from areas of high infection and encourage them in large groups to stay here. Commissioner Elliot stated none of the restaurants are supposed to have groups of more than 10.

Ms. Lucinda Roenicke, owner of vacation rentals on St. George Island, stated if they open vacation rentals fully and without restrictions it will help the economy. She said without the vacation rentals everyone is losing money. Ms. Roenicke reported it is unconstitutional that hotels, time shares and inns can operate while vacation rentals are banned. She explained their guests can enjoy a vacation while still practicing social distancing. She stated if they do not encourage people to visit Franklin County now they will find other locations to go to and never return to Franklin County which will be devastating.

Chairman Lockley left the meeting at this time.

Mr. Craig Rodrigue, a property owner at St. George Island, said as he watches everyone try to micromanage the situation they need to consider that the other people want to protect themselves too. He stated he is in the healthcare field and they are not saving lives but trading lives. Chairman Lockley returned to the meeting. Mr. Rodrigue said everyone needs to protect themselves and the other people should act responsibly too. He reported they need to allow people to operate and if they go bankrupt their business is gone and there is no money coming to bail them out. He questioned how many people the county is getting ready to fire because they are losing massive amounts of tax revenue. He stated they need to not take their pay checks because government takes their pay checks and then tells everyone else not to work. Mr. Rodrigue reported they are going to have to make big decisions and a county job is not a safe job either.

Ms. Amy Hodson, St. George Island Lighthouse Association, inquired if the beaches are open is there plans in place to sterilize the restrooms and public areas at the public beaches at Carrabelle and St. George Island.

Mr. Mike Swinehart, an owner of vacation rentals on St. George Island, reported the livelihood of Franklin County is based on vacation rentals and tourist revenues. He stated the vacation rentals are not densely populated and were arbitrarily banned by a recommendation that came out of a committee of large corporations, resorts, and hotel executives. He said at the same time it is okay to open hotels, motels and time shares with greater density that do not exist in Franklin County. Mr. Swinehart reported St. George Island is unique and has low density and is not representative of the other areas of Florida. He stated Franklin County needs to take steps to make sure that nature is represented and he requested the Board take this action.

Mr. Mark Hubbard, a resident of Georgia, said he has visited St. George Island since the 1970's and now he owns a property here. He stated he does not understand how the government can tell him how he can and cannot use his property. He reported he does not think this is constitutional but he does support this Board.

## **Representative Jason Shoaf - Discussion**

### **2. Short Term Rentals Discussion - Board Discussion and Possible Action**

Representative Shoaf said he appreciates the work of the Board through this pandemic, Hurricane Michael and the BP Oil Spill. He asked the Board to stand with him and the other 7 Florida House members in the panhandle in asking the Governor to treat vacation rentals the same as hotels, time shares and RV parks. Representative Shoaf reported this is a special area where they do not have resorts and hotel chains but main street and all the businesses supported by the vacation rental industry. He explained currently the Governor's order does not allow for this and he is asking for the Board to write a letter of support or pass a Resolution supporting this action. Representative Shoaf said they want to send a message to the Governor that here in north Florida they want to treat the vacation rentals the same as hotels and time shares. Commissioner Boldt stated he supports developing a letter or Resolution of affirmation. He reported there are a lot of knowledgeable people that have done their homework and sent their concerns and their decision making is based on good science. **Commissioner Boldt made a motion to authorize a letter of affirmation. Commissioner Jones seconded the motion.** Commissioner Jones re-affirmed this is not government trying to go against the Governor but working with the House of Representative members in the panhandle. He stated they are affirming that they are in this together, that their situation is unique and that they are asking that those considerations be taken into account. Commissioner Boldt agreed this is not government control but good responsible decision making. Commissioner Massey stated at the last meeting Clerk Johnson spoke about the money coming in and the possibility of laying off county employees. He said they cannot afford to lay off people in these departments and must have money to operate so people need to go by the rules and stay apart. He reported people

leave Franklin County and shop other places and then come back into the county. Commissioner Massey said they must work together to get things going because it is bad now with no money flowing. Commissioner Boldt explained Franklin County is unique in its geography and there have been no cases of the virus originating here. He stated the 2 cases of the virus in Franklin County were imported here. Commissioner Boldt reported if the hospitals starts to see an increase or the county sees an increase then that will be a sign to make a change in what they are deciding to do today. Chairman Lockley explained the situation they are in is unique and it is not time to be shifting the blame. He reported the state is over the county and they must do what the executive orders say. Chairman Lockley stated he is glad Representative Shoaf is here to help them and he supports trying to get some help. He reported people should not put the blame on the county because the county did not do this. Commissioner Massey stated they shut it down for the people but now they need to work together to get the money flowing and keep people safe. He explained there are a lot of people that have no money coming in because businesses are not open. Commissioner Massey said if people are scared then they need to stay in. He reported if it gets bad then they will have to re-address it but they need to get something going. Chairman Lockley stated they cannot do anything until the executive order is dropped. Commissioner Massey asked how long it will be before Representative Shoaf knows something. Representative Shoaf said it is at the Governor's discretion. He explained he will be approaching Gulf County and Wakulla County this week and he is hoping to have all 3 counties and all 7 House Representatives together to deliver this message. Representative Shoaf said he appreciates the Board's support. Commissioner Parrish stated they need to look at the economic impacts of COVID-19. He reported the vacation rental companies are all responsible for seeing that the CDC guidelines are followed. He explained if they are successful in getting vacation rentals open that does not mean things return to normal because they must encourage people that rent to adhere to the guidelines and protect themselves and others. Commissioner Parrish stated just as Commissioner Boldt mentioned if cases start spiking they will need to take action to bring the cases back down. He reported the county does not have major hospitals and has very limited resources to respond to a major outbreak. Commissioner Parrish said the responsibility and burden is placed on the people renting and what they should be doing so they do not have a spike in cases. He stated the virus is still out there so they must be vigilant and obey the CDC guidelines to keep the numbers down. Commissioner Boldt reported another way to compliment this is for everyone to put on a mask. He stated the vacation rentals should hand out masks to their renters. Commissioner Massey agreed everyone must work together because if this goes on for a year the county will be shut down and no one will be working. Chairman Lockley said they have to work together but they must go through the chain of command. He explained they can send a letter asking but that does not mean it will get approved but this is the best they can do. **Motion carried; 5-0.** Chairman Lockley asked Representative Shoaf to do what he can. He stated these are scary times and they appreciate his work. Mr. Moron said they will submit the letter to Representative Shoaf this afternoon.

**County Coordinator - Michael Morón – Report**

Mr. Moron said the Board is at their capacity and 200 people are listening to the meeting. Mr. Moron presented his report as follows:

### 3. Beaches & Boat Ramps Opening - Board Discussion and Possible Action

Mr. Moron stated he informed each Commissioner this week that he talked with Mr. Joshua Hodson, St. George Island State Park, and they opened the beaches at the state park effective this morning. He said the Board agreed they would look at this matter after a week and review any changes made by the Governor. He asked if the Board is ready to open the beaches all day. He expressed his opinion that there will be less confusion between the state park beach and the county public beach. Mr. Moron stated the Sheriff has done a good job and taken a lot of grief enforcing the times the beach was open. He reported the state's move to open the state park beaches is a signal to the county to decide if they want to open the county beaches like the other neighboring counties with no restrictions. He explained they will have to see how it works and if they get positive cases then they can meet again and make other decisions. Mr. Moron stated when he discussed this item with Attorney Shuler he suggested the Board consider the boat ramps also so they do everything at the same time. He reported the Sheriff has done a good job of controlling the boat ramps. He said Attorney Shuler has 2 separate ordinances that sunset the ordinances for the beaches and boat ramps. Commissioner Jones asked if they will be adopting an ordinance to sunset the other ordinances. Attorney Shuler explained the first motion would be a motion to adopt the emergency ordinance sun setting ordinances #2020-12 which is the beach ordinance. He reported a separate motion is needed to adopt a second emergency ordinance sun setting Ordinance #2020-09 restricting the use of the boat ramps. Attorney Shuler said the effective dates for the ordinances is May 8, 2020 at 12:01 p.m. **Commissioner Parrish made a motion to adopt the emergency ordinance sun setting Ordinance #2020-12. Commissioner Jones seconded the motion.** Commissioner Boldt stated there was a petition in relation to Alligator Point encouraging the closing of the little mini accesses to beaches at Alligator Point. He explained there is crowded but limited parking at these accesses. Commissioner Boldt reported he has discussed this matter with Attorney Shuler and the Sheriff. He said the petition encourages them to consider not permitting parking in these areas and to only allow these areas to be used by the residents of Alligator Point. Commissioner Boldt stated all people going to the beach should be deferred to Bald Point State Park. He asked if they should customize beach access relative to the geography at Alligator Point and those tiny public accesses. Chairman Lockley said if it is going to be like that then that is a private section. Attorney Shuler questioned if this is a special meeting with a limited agenda or scheduled as an emergency meeting. Mr. Moron stated it was scheduled as an emergency meeting with specific items. Attorney Shuler reported they are free to have a discussion but they should not take action on this item. He informed the Board he received a telephone call and email from someone at Alligator Point related to this subject matter and he has not had sufficient time to investigate and give consideration to this matter. He advised the Board to take action on the ordinances first and then if they want to have a discussion about the beach accesses at Alligator Point with no action then that is fine. He did not recommend the Board take any action at this time as they only had public notice of these 2 subject matters

which is the boat ramp ordinance and the beach opening. **Motion carried; 5-0. Commissioner Jones made a motion to open the boat ramps and adopt an emergency ordinance sun setting Ordinance #2020-09. Commissioner Massey seconded the motion.** Commissioner Jones said he received an email from the state Division of Forestry that said effective this morning at 8:00 a.m. all the boat ramps are open in Tate's Hell State Forest. **Motion carried; 5-0.**

Mr. Moron reported Weems Memorial Hospital received \$3.05 million from the federal government and they have confirmed the money is in the bank this morning. He explained the Weems Memorial Hospital CEO will be here on May 19<sup>th</sup> to discuss what the money can be used for and what their plans are for the money. Commissioner Massey asked if they would have received this money if they had gone with Sacred Heart. Mr. Moron answered no, this money was designated for rural hospitals. He explained they did not have to apply for the money it just came here because the county had a rural hospital. Commissioner Boldt reported it affirms on all the federal and state levels that the county needs a hospital. He stated they have certified hospital beds standing by for the virus and the federal government is reinforcing it with these funds. Commissioner Boldt said this is a huge affirmation for Weems Memorial Hospital remaining as a hospital entity in this county.

### **Commissioners' Comments**

Chairman Lockley stated he is glad the hospital got the money because it would have gone to the neighboring county.

Chairman Lockley said he wants the people to know they are Commissioners and take orders but also have to do things for public safety. He explained the public does not see but they are in contact with people in Tallahassee to assist them with doing things. Chairman Lockley reported the Board has already talked to people there before the citizens voice their complaints. He explained they are limited on what they can do and they have heard the state representative talk today and he has to talk with the Governor. Commissioner Jones left the meeting. Chairman Lockley said the state representative is in their area and they talk to him and there is a procedure they go through. He reported people get frustrated and say the County Commission is not doing anything but that is not true. Chairman Lockley stated they are doing what they are allowed to do. He explained if they open up and things go bad then they will have to shut it down again if they tell them to. He said if it goes good then they can keep things running. Chairman Lockley reported the Board is working for them and he asked them to work with the Board. Commissioner Boldt stated the public does not get a chance to see that they get staff briefings every day either through email, a telephone call or face to face. Commissioner Jones returned to the meeting. Commissioner Boldt said they get privileged information that helps them to make good informed decisions.

Commissioner Boldt said they can celebrate the \$3.2 million the hospital received from the federal government by filling out the 2020 Census. He explained Franklin County is behind in the 2020 Census response and they need to get these forms filled out. He reported the



website is my2020census.gov. He explained the form is easy to fill out and the information is kept secret. Commissioner Boldt stated when they fill out the census it gives Franklin County the opportunity to get more grant money from the federal and state levels. He said each census form that is filled out is worth \$14,000 for the county.

Commissioner Boldt addressed the time frames they have for public comment. He explained since the virus happened they have had many people calling into the meetings. He reported there were 150 people listening at the last meeting. Mr. Moron said there were 200 people listening today. Commissioner Boldt reported they had 16 public comments at the last meeting and 17 public comments today. He explained that is more than any live meeting so in order to have good efficient meetings they need to limit the amount of time everyone is allowed to speak.

Mr. Moron thanked Commissioner Boldt for his comments about the 2020 Census. He stated if anyone forgets the website for the census they can go to the county website and there is a link.

Mr. Moron stated the time limit for speaking depends on how many people are online. He said public comment is very important to the county because they will know how the citizens feel but there is a balance when they also have things to take care of. Mr. Moron stated on May 19<sup>th</sup> they will hopefully have livestreaming and will know how many people want to speak versus how many want to listen. He reported as they move forward they will adjust. Chairman Lockley said instead of putting 3-5 minutes on the Agenda just leave it off and they will tell how long when the meeting starts. Mr. Moron stated he will add the language "as designated by the Chairman at the time of the meeting". Chairman Lockley commented this is a new venture and they have to look at the number of people on the calls when they decide. Commissioner Boldt reported the Commissioners are also accessible by email, telephone and in person. Mr. Moron reported he will confer with Attorney Shuler as to what to add to the Agenda and they can address it at the next regular meeting.

Chairman Lockley stated the census is not just for the county because the money also helps the schools. He reported if they do not fill it out the census then they are losing money. Commissioner Massey stated Mrs. Rhonda Skipper, Property Appraiser, had a list of all the places that are helped by filling out the census. Chairman Lockley said they need to help Franklin County be counted. He reported it may help with COVID-19 money.

Commissioner Jones explained the issue the Board had with people trying to call in to the meetings is once they click to public comments there may be 10 but it does not stop other people from raising their hands to speak. He reported that means the Board has the potential of every person listening on the call having an opportunity to speak. Commissioner Jones stated all the decisions to limit the time is not about limiting public speech or taking away the rights of citizens. He reported today they started with 3 public comments and ended up with 17 public comments. Mr. Moron agreed they have the potential of having a public comment from every participant on the call.

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

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Noah Lockley - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts