

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Thursday, April 30, 2020

3:00 PM

Special Meeting

Commission Chambers

I. CALL TO ORDER 3:00 PM

Rollcall

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Isnardi

II. Discussion CARES ACT

Chair Lober addressed Ms. Stahl to speak.

Dr. Maria Stahl, Brevard County Florida Department of Health (FDOH) Administrator thanked the Commissioners and stated she brought Barry Inman, Epidemiology Director of (FDOH); she gave the Board a current update as of that morning; Brevard County has 285 cases which is an increase from 271 the day before; and there are nine long-term care facilities that either have staff or residents; the FDOH and all their community partners did 8,370 tests with a current 3.4 percent positivity rate; and currently in Brevard's hospitals there are 10 patients, eight of them are in an Intensive Care Unit (ICU) and two in non-(ICU); and six people are on ventilators. She noted that before she came to the Board's Special meeting she looked at neighboring counties, taking Orange County out of the picture because they are a bigger county which receives Federal testing; and she stated Brevard is just 300 cases behind Volusia County and about 2,000 cases above all the neighboring counties and counties comparable to Brevard County's size. She went on to say that Brevard County has Omni doing testing in Melbourne and Merritt Island; Parrish Health is doing testing at their Parrish Health and Fitness Center in Titusville; the FDOH is still doing drive-thru testing; Brevard County has Steward and Health First physicians testing; Brevard Health Alliance is going to start next week with their mobile van going to some areas where clients may not be able to get into facilities to be tested; and Brevard Emergency Management is currently working with the cities, and she thought Palm Bay is ready to start testing within their city. She asserted their big priority tends to still be the County's long-term care facilities; she stated her staff calls the facilities every two days to determine the facilities' needs and to verify if anyone has symptoms; when they have symptoms the FDOH goes in and tests them; and they are also doing a whole facility assessment. She stated that if Mr. Inman and his staff feel if the American Health Care

Association (AHCA) needs to be pulled in they can be; and she noted there are regional teams available that the FDOH can pull in conjunction with the National Guard to evaluate the facilities, but the managers of the facility have to give the approval. She went on to say Brevard County has several long-term care facilities that have done their own testing for all their residents and staff which explains why some of the long-term care facilities have a higher number of cases; but she also mentioned people are coming back positive that are asymptomatic. She stated that Mr. Inman will come up and talk about contact tracing and what the FDOH is actually doing and how that is going; she said currently the FDOH has their epidemiology staff in which the basic epidemiology staff is four people; they have another three people that were hired on to help with the Hepatitis A outreach that happened before the Corona Virus, and they have since been transferred over to Corona Virus; she mentioned they also have other staff from other departments that are helping; they have 40 percent of their staff at least doing some sort of work with Corona Virus whether it is answering the phones, screening at the clinics, or assisting with contact tracing; and she invited Mr. Inman to speak on contact tracing.

Barry Inman, Epidemiology Director at the Florida Department of Health, thanked the Board for letting him speak for a few minutes; he stated that contact tracing has been going on as long as he can remember, and he has been in the business over 40 years so it is nothing new; he knows there are things out there that say it is new, but the FDOH does contact tracing for many

other infectious diseases; that for COVID-19, the FDOH looks at the time where patients onsetted their disease; they look at when patients are likely to transmit their disease; and they see who the patients have had close contact with, particularly family members, and of course where the patients work. He went on to say generally they are seeing about a 20-30 percent attack rate among the family members; the problem has been the workplace, people went to work sick, just like they see with the flu in most cases; Mr. Inman stated the FDOH does not go into checking if infected patients went to a grocery store as much as they go into looking at those who have had direct exposure to that particular patient; the families of the patients are always going to be at the highest risk along with coworkers, depending on what type of work they do, how close they work together, and what they do; for the people who have had significant exposure, to look for any signs and symptoms of the disease; if they have any signs and symptoms of the disease contact their provider; and to contact FDOH, and they will be glad to see about getting them tested. He asserted that much of the testing is done through the health department and the other sites that Ms. Stahl had mentioned; they counsel patients about handwashing and disinfection; they are also advising patients to stay home; they want to limit a patient's contact because the FDOH does not want it transported around the community; he summed up the FDOH's definition of contact tracing; he mentioned the definition for contacts can change over time as they learn more about diseases; the FDOH may find that it may become more infectious or less as they learn more about the disease; since COVID-19 is such a novel disease there is still more to learn about it; and he asked the Board if it has any questions.

A. Reopen Brevard County - Phased Approach

Chair Lober advised there were many citizens lobbying his office to reopen the County facilities to the public; he stated he talked to the Chief Medical Officer from one of the local hospital groups who suggested if the County were to reopen, it would be prudent to require citizens to wear face coverings, and also do temperature checks prior to letting them in the buildings; they would still encourage social distancing; and he also inquired if there was anything else that Mr. Inman thought would be wise to add to that list in conjunction with reopening to ensure the County keeps people safe and healthy.

Mr. Inman recommended, as someone with experience with infection control, handwashing, that citizens should wash their hands before they come in and then use an alcohol hand rinse; he stated the County's long-term care facilities are doing that, taking temperatures, making sure people are wearing their Personal Protective Equipment (PPE), and using hand sanitizer if they have them; and that hand sanitizer is something that might want to be added to the list.

Chair Lober noted he appreciates Mr. Inman's response.

Dr. Stahl stated she would also like to add that open facilities should be cleaned thoroughly.

Chair Lober inquired how frequent of a basis she thought would be reasonable for that.

Dr. Stahl replied facilities should be cleaned on a daily basis with the addition of hand sanitizers being made available in all the areas where the public will be.

Chair Lober commented he appreciates Dr. Stahl's response; he asked the Board if there were any further questions; and he inquired from Commissioner Smith and Commissioner Isnardi if they had any questions.

Both Commissioners replied no.

Chair Lober thanked Dr. Stahl and Mr. Inman for coming out.

III. PUBLIC COMMENTS

Chair Lober introduced Dave Berkman to speak; he also informed Commissioner Smith and Commissioner Isnardi that Mr. Berkman passed out a paper that Mr. Berkman would read from.

Dave Berkman, Mayor of Indialantic, thanked the Board for letting him speak; he said he was going to read from the paper that was passed out because it was put together by the six municipalities on the beachside, and therefore, he desired to speak on their behalf; and he informed the Board that he had multiple conversations with the municipalities that week, and they were all in agreement with what was written in expression of their thoughts to the Board. Mr. Berkman read the following, "I am here speaking on the behalf of the coordinated and unified position of the beachside municipalities. I speak with the approval of the North and South of the County; Jim Simmons, Mayor Melbourne Beach; myself, Mayor of Indialantic; Scott Nickel, Mayor of Indian Harbor Beach; Frank Guertin, Mayor of Satellite Beach; Ben Malik, Mayor of Cocoa Beach; and Bob Hoog, Mayor of Cape Canaveral. As you discussed the reopening phased approach, as you discuss how to open Brevard County in coordination with the State, we are discussing that the opening of the beach parking lot be not included in the initial phase; six of the municipalities respectfully request the parking remain closed at this time. Closing the parking lot has been an excellent deterrent to keep people from areas with higher COVID-19 rates from entering Brevard County; during normal times you see tremendous amount of traffic from the counties. The way you closed it worked out fantastic; there is no way to allow or in no way are we ready to start this again. Why put Brevard, and specifically the beachside communities, at more risk unnecessarily? You can argue that people can come here and park illegally; that's really an excuse and not a reason to change or make policy. Yes, people are still going to come, but it will be in significantly lower numbers than if we keep the parking closed. So yes, people have been cooped up and they're ready to get out; we actually see that. We see that people have been at the beach already getting out; you can see the roads, and there are more on the roads. It is time to get out; we get that. Again, the request is to keep the parking itself closed. The police in our towns are exhausted, and it is more than just the six; it's probably everybody; they are working long shifts; our police are probably working 12-hour shifts; and they are not quite ready for the crowds that would come if we opened up

this weekend or even the coming week; so let's do this in a clean and phased approach but not in phase one. Give us the time to get the message out clearly, a unified message from the County and the towns safely for our first responders; give us time to prepare for our town's employees and prepare for the large number of people that are visiting our facilities, the beaches, and the restrooms. If you vote to open up parking in this initial phase, you are really making Brevard beaches a destination; so right now Orlando has no destinations; everything is closed. What destination in Brevard County and Orange County are open right now? Nothing; so if we open up the parking we basically have said here is the only destination open, and multiple counties come visit us. Really what you are doing, if you decide to do this, a day at the Brevard beach is for the COVID-19 not for the road to recovery, that is our day in the beach; that is our destination; and we are not ready for that yet. So let's send a unified message from the County and plan on opening in the subsequent phase, but let's do it together and let's not do it in phase one please. If you choose to reopen; if the plan is to open early; hopefully we listen; hopefully we can do something together; if we do open this parking early the municipalities have spoken; each of the six municipalities have made the decision that if the County parking is open now we will individually issue emergency orders and close our parking; this creates confusion and sends the incorrect message across the county to our neighboring counties; it creates a patchwork of parking across the entire coastline; the Orlando News will be reporting just like they did when the beaches were open, that the Brevard County beaches are open, parking is open; that really won't be true; and the County beaches is a small amount of beaches on the coastline. The majority of the County beachfront parking is owned by the municipalities; they will all be closed or remain closed at least for another week or two, please

respect the request of the six municipalities and give us a little more time. Opening the park would create significant problems for us; folks coming outside of our area; they want to come to our parks, County, and municipalities; to them they don't know any different. When you say the beaches are open, it is Brevard County beaches, Melbourne beaches; they don't know Indianalantic, Indian Harbour; it is the beaches that are open; so it is not the message that we want to send; so I'm asking if we can; if we do this, do it on a second phase; let's do it in coordination with the municipalities; and let's just have a better coordination than we did the first time when we opened up the beaches and closed the beaches."

Chair Lober inquired if Mr. Berkman has a particular metric that he wanted to see reached at the County level before they looked at reopening the beach parking; and he further questioned what would be the determinate, as far as the cities are concerned, that would leave them to believe that it would be an appropriate time to reopen.

Mr. Berkman replied it was a hard call; he would be curious to see how the Board's plan comes out in the phased approach and what Governor DeSantis lays out in phase one; he did not think reopening the beach parking should be part of phase one; and there were not metrics set yet. He asserted Sheriff Wayne Ivey could tell the Board, that if the Board looked up what happened along Highway A1A this past weekend, people were illegally parked and going to the beach; there were large crowds and was told there were 1,800 people in a mile, who came and illegally parked and went to the beach; and imagine the crowds if the beach parking was open. He asked if it was great that crowds were there and parking illegally; and he responded no. He asked if the Board could imagine the amount of people that would come from Orange County and outside the County if everything was open; he stated Indianalantic, Satellite Beach, Melbourne Beach are just a skip over on U.S. Route 192, and the Kissimmee citizens, if they come to this County, have a much higher infection rate; he stated they have no metric, but he does know they are not ready this week or through the week; if they put something together and maybe they started next weekend and had every other lot open then maybe they could, but he would prefer the Board wait at least a week; and he reiterated they need coordination with

their town managers along with the County staff but certainly not tomorrow or Monday.

Commissioner Tobia stated Mr. Berkman mentioned six municipalities, but he considered Melbourne to be a municipality; for future reference, due to the population on the coast and he questioned whether Mr. Berkman knew where Melbourne stands in this.

Mr. Berkman replied he had not spoken with Kathy Meehan, Mayor of Melbourne, about that; and he stated he had a call about an hour ago, with 16 people, but he had to cut off early to attend this Board meeting so he did not get the chance to have that conversation with her.

Commissioner Tobia stated he was looking at the second paragraph of the letter that Mr. Berkman read aloud; and he quoted, "Yes, people still come but it is significantly lower numbers." He asked Mr. Berkman if there was any data to back up what closing the parking will do to significantly lower the numbers.

Mr. Berkman replied this was the first pandemic he has been through, and hopefully the last.

Commissioner Tobia remarked that in other words there was nothing to back it up.

Mr. Berkman stated he did not think that was a fair statement so let him try to answer; he was not going to speak for the other towns, but he knows his City has four or five paid parking lots; the traffic on his beach has been significantly lower, because there is no parking; there are people who are parking at some of the businesses, but unfortunately some of those have been

towed or are affecting the businesses; last weekend, if the parking lots had been open, the lots would have been full; if one looks at where they are at today for the weekends, they are in the dozens or approximately fifty people; people are nowhere near six feet together; which is not a problem; but is way lower; the conversation he had with the other municipalities is similar. He stated there were no metrics, but if the parking is closed and there are limited places to park the numbers have to be lower.

Commissioner Tobia inquired if Mr. Berkman assumes that the people parking in the lots are visitors and not residents.

Mr. Berkman replied some of them but not all of them, but in many communities people bike to the beach; and particularly people in his City do not drive to the beach.

Commissioner Tobia stated he was concerned about the unemployment rate, the businesses that are struggling right now, and the insolvency that is taking place; and he confirmed with Mr. Berkman whether that was happening in many of the businesses.

Mr. Berkman replied yes, across the County.

Commissioner Tobia asserted that assuming Mr. Berkman's statements are correct, he has no data to back that up; and he asked if opening up the beach parking would help many of the businesses that are in his municipality and the other six.

Mr. Berkman agreed that packing the beaches would certainly help the businesses, but he believes the Board should consider whether to potentially put the County's health at risk; all the beaches south of him remain closed; those residents are coming North, because he has seen and knows from talking to them and by observing their license plates; and he reiterated that they know Orange County has more cases. He continued that it would help the businesses if

more people came; there is no metric system to prove that, but the Board has to make the decision on what is the smartest approach; he does not know if one more week is going to change or devastate the County; if beaches are completely packed, it will be impossible for police to manage social distancing; and prior to last weekend, his police have spent their time on the beaches and ignored crime. He reported that the crime rates have gone up; cars have been stolen on the beachside, and a crime spree has been going on with cars being broken into; there was a lot more to it; Commissioner Tobia's concern has merit, but he did not have any metrics to tell him how much better the businesses would do; but he agrees with Commissioner Tobia that businesses would certainly do better.

Commissioner Tobia stated he appreciated Mr. Berkman's time and the decision he was making; and he asserted that the Board would certainly have to make one.

Mr. Berkman stated that they, along with the other municipalities, went out of their way with significant efforts on social media to support businesses; when he personally goes out, he knows what particular businesses have specials for take-out; and he knows that the other areas are doing the same thing; but he is aware it does not make up for all their business. He stated businesses need to figure out how to relax all the rules going forward, such as having sandwich boards and potentially putting tents outside for outdoor dining; and he would imagine the other municipalities would do whatever they could to help offset the damage that has been done, but he knows there is no right answer for everything.

Commissioner Tobia stated that was why the cities, municipalities, and the County make their own decisions.

Mr. Berkman agreed; that is why he is asking the Board to do it together; in the past there was a disjointed approach; when the Orlando news reported the beaches were open or closed, citizens did not know whether it applied to County beaches or not; they just think it is Melbourne; citizens do not know Melbourne Beach is in Melbourne, the municipality; citizens think Melbourne Beach is between the causeways; citizens just think if the beaches are open it is Melbourne in Brevard County; it has created problems; Mr. Berkman requested the Board give the municipalities another week before opening the beaches; and he wants it to be coordinated so the message goes out correctly.

Commissioner Pritchett stated she was talking to the person who coordinates Playalinda beach, which is a County beach; Playalinda beach is following the County's guidelines as far as parking goes; they have not had a beach that has been open this whole time either; she has teenagers with nothing to do, because North Brevard citizens have not been able to go there; her constituents cannot go ride their bikes or walk to Cocoa Beach; her constituents should be able to enjoy it too since they are part of Brevard County; the Board has to think through this, because all of North Brevard is just waiting for the ability to go and enjoy the beaches also; and she would love to hear from Sheriff Ivey about what his thoughts are on all these items.

Chair Lober asked Mr. Berkman, in reference to the metrics that he and Commissioner Tobia discussed, if he had a dog.

Mr. Berkman replied he has two dogs.

Chair Lober asked what kind of dogs.

Mr. Berkman replied Westies.

Chair Lober inquired if he ever fed them filet or sirloins.

Mr. Berkman responded the dogs would not care, they will eat beef.

Chair Lober asked if Mr. Berkman had put a filet or sirloin in his dogs' bowl would it disappear.

Mr. Berkman replied that without a doubt the food would disappear.

Chair Lober proceeded to ask Mr. Berkman if he had data to support his answer.

Mr. Berkman answered he did not have data to support that.

Chair Lober replied he appreciated Mr. Berkman's answers and thanked him.

Sheriff Wayne Ivey, Brevard County Sheriff's Office (BCSO), thanked the Board for its leadership and all it is doing for the community; he stated with all due respect to Mayor Berkman he is in complete opposition to his stance; he believes it is time to open up Brevard County's parks and parking; he had a conversation with the City of Cape Canaveral, and the City's position is to keep it's city parking in check for the time being; Jim McKnight, City Manager for Cocoa Beach, told him if the County parks and parking are open, they will go to 25 percent parking; they asked him, and he agreed with it. He went on to say that in order to give everyone time to get back into the swing of things, open up on Monday which is in line with the Governor DeSantis' order of opening Brevard County parks and parking; his position is that Brevard's citizens are in need of going out and doing things; their response has been great;

they have done what the County has asked them to do for the most part; they recognize the importance of it and realize they are in control of their own destiny; if citizens follow the Centers for Disease Control and Prevention (CDC) guidelines and do the things they are supposed to do, they will continue to not only go through phase one, but be able to get to phase two and eventually out of this. He stated his position is to open Brevard County parks and the beaches; it is time to open County parking that the (BCSO) is responsible for; he agreed with Commissioner Tobia that businesses are thirsty for business and are dying; and giving them the opportunity to meet the Governor's standard of 25 percent internal occupancy and external occupancy to the rate they can will be giving them a chance to breathe, to get employment back on the mark, and to do the things to help Brevard County get back to normal.

Commissioner Pritchett agreed with Sheriff Ivey; she mentioned Governor DeSantis' press conference about getting citizens outside again; she loved that he mentioned how Brevard County did a good job allowing citizens to have some type of normal; Brevard County is probably ready for phase two, but she respected the Governor's order to stay in phase one; and she would love to get to 50 percent capacity in the restaurants. She stated she wants to reverse any restriction that is contrary to phase one in order to be in line with the Governor's order, because Brevard County is definitely ready for phase one; she believes it will give citizens some normalcy again; she noted to Sheriff Ivey that domestic abuse and child abuse are up; and there are some citizens who need some normal and cannot wait three months or they could go their whole life suffering from things if the Board does not act to take this to some place safely.

Sheriff Ivey stated he has a three-pronged approach; his first approach is how quickly can COVID-19 be eradicated from the country and the world; second, how quickly can it be eradicated without trampling on the rights and freedoms of this great country and citizens; and

third, how quickly can the economic engine get back up and booming for not only the strength of the country but also the strength of Brevard's community. He went on to say that the tentacles of COVID-19 will not be just those impacted by the virus, but those who are impacted by losing their job, homelessness, hunger, mental health, and suicide; and he believes it is time to start reopening.

Commissioner Pritchett reiterated she would consent to what the rest of the Board would like to do about removing the restrictions that were put into place that is above and beyond what Governor DeSantis has done at this time.

Sheriff Ivey stated he thought the hotel restriction expired today.

Chair Lober remarked yes.

Commissioner Pritchett stated it expired on Monday, May 4; she asked the Board what it wanted to do; she would like to lift all the restrictions; and when she gets the consensus of the Commission, she will take it to the Policy Group.

Commissioner Smith stated he understands what Mayor Berkman is saying and agrees 100 percent with Sheriff Ivey; he suggested that if the Board decided to open things up starting Monday, it would give beachside communities four or five days before that next weekend occurs; if the Board asked Don Walker, Communications Director, to put out a press release stating that only County parks will open at a certain time and date, which may or may not include city parks. He added it might put some hesitation in citizens who might come to Brevard from another County; they may not want to go if not all the parking lots are open; the cities themselves can issue their own press releases stating which city is opening up their beach on a

specific day; he understands that his idea would not be as unified as some citizens would like, but the County is going to open and it will slow down the people coming from out of County; and it would give the cities some more time to get their ducks in a row.

Chair Lober stated he has a few thoughts with respect to lifting restrictions over and above those of the Emergency Order (EO); one of the administrative restrictions the County had in place was to close the County facilities to the public; whatever the Board decides to do, it needs to be driven by data and by the medical community rather than by lay opinion and people's emotions. He mentioned he spoke with Health First Chief Medical Officer this afternoon, who was the one who suggested the masks and the temperature checks at the entry ways for the government facilities; he thought that should include the courthouse; and he inquired if the courthouse would be doing that anyway when they are slated to resume operations.

Sheriff Ivey responded that was correct; (BCSO) is doing that for the employees as they come into the precincts or administrative building; and they are doing the temperature checks and a questionnaire.

Commissioner Pritchett inquired if Chair Lober or Frank Abbate, County Manager, would decide that for the County and if Sheriff Ivey would decide that for (BCSO).

Chair Lober remarked that he would be happy to do that; he stated he thought it would be good to give some direction in terms of where the Board was at with it; he referred to the County Manager and asked whether he had questions from any of the Commissioners; he received many requests from citizens to reopen, but he did not want to do a blanket reopening while the Board still had concerns; if the physicians, the nurse practitioners, and the physician assistants

are telling him universally that they still need to have precautions in place, including face coverings and temperature checks, he did not think there was a reason to continue to have the County facilities closed to the public; having the hand sanitizer available, as Dr. Stahl suggested, at the entryways, he thought was good; and making sure they were doing extreme daily disinfection and encouraging people to stay six feet apart from one another inside are all good things. He advised if they do those things there is no reason to keep the facilities closed.

Frank Abbate, County Manager, stated he had the Commissioners' perspective of the County facilities and his own obligations to determine how to operate those facilities; they are already working to take action; they have a task force of directors that are working on how to open County buildings and how to do a phased reopening of all County operations that were held back during the course of the pandemic; and he would suggest to the Board about what to do with social distancing in reception areas, counter space where the public interacts with County employees, and office space where employees are unable to social distance. He informed the Board that in the next few days the County Facilities Department is starting an evaluation, and he approved for them to get plexi-glass for where it would be appropriate; they would like a little bit of time to be able to do that to better protect employees and the public when they are ready to open those facilities; the County has dozens more offices than certain charter offices which means more entryways that would require manpower to do what the Board has suggested; they are trying to address it in other ways as well if the Board would be willing to give them the latitude; he did not know if the Board was aware of it, but there are 61 counties in which their buildings and State facilities are closed and not open to the public; they are still doing business but they are closed. He stated the County is trying to do everything it can to open up as quickly as possible; May 18 would be a target date where they could have the preparations he just discussed; they are working diligently to make sure they have plenty of sanitizer, as Dr. Stahl had mentioned, at all of the facilities; and they are also trying to do other things with the court system. He assed they would follow whatever direction the Board gives; and he appreciated the

opportunity to give the Board input on what County Management is doing to try to help move this forward.

Sheriff Ivey mentioned that when he referred to his precincts and buildings earlier, he was referring to the employees getting temperatures checked and answering the questionnaire, because at this time the precincts and administrative buildings do not have a flow of traffic coming in.

Commissioner Pritchett stated she thought Mr. Abbate and Sheriff Ivey would do what they needed to do to make a safe environment for their employees and have all the timing they would need to get those things done; she did not think the government was mandating them to do anything that would make them uncomfortable; the things the Board should discuss are things that are open, outdoor, and public activities; she is ready to open playgrounds back up and those types of things where people are allowed to get outside and enjoy their families; she also stated she loves that Governor DeSantis is opening up some non-essential businesses with some criteria, and she loves that Brevard County has done such a good job to keep infections down; and she stated Brevard County citizens are the best.

Chair Lober advised for Mayor Berkman and the six of the beachside municipalities asking the Board for a little more time, he personally does not have a problem giving them a few extra days; if they said three months or something else that had no basis on a metric or on a particular threshold he would balk at that, but he personally does not mind giving them instead of Monday until next Friday if that would be helpful to them; he would like to be a good partner to the cities; the County could have done better in terms of having uniformity with the cities

earlier on in this process; he thought there was a lot of confusion, certainly not just locally here in Brevard, but also Central Florida and Orlando with citizens coming in because they did not understand what was closed and what was open; the County dodged the bullet in terms of how things have panned out and what the numbers are, but he does not want to downplay what has happened to citizens that have been impacted, such as having a relative die who might take umbrage at saying the County “dodged a bullet”, because some people did not dodge a bullet. He continued to say that he thought it was important to look at why the restrictions were set up by Tallahassee; it was not to prevent anyone from ever getting the COVID-19; it was to delay the peak long enough so the hospitals would not be overwhelmed; it would be at least several months until a decent vaccine would be available for mass administration; in order to get to that herd immunity of 70-80 percent where the bulk of people have been exposed and have some level of immunity, assuming that is the case which they still do not know, it is going to take a while; and the fact they could not keep people locked up for six months regardless of what Tallahassee wanted to do. He stated he certainly respects their concern, but he thought the Board needed to look at trying to work with its partners, the cities, as much as it possibly can within reason; not to say everything they ask is just rubber stamped; but he said he has no problem reopening the beaches, and his preference would be to give them until next Friday instead of next Monday.

Commissioner Tobia advised he respects the opinions and the directions the municipalities have made, but they make different decisions with the beaches than the County would; for instance, a large percentage of their parking is pay parking; Brevard County does not charge citizens to visit its beaches; the municipalities like to make money off of that, so that is a decision they have made; although he appreciates the decision the municipalities made to the Board, the Board made a suggestion to the cities concerning parking three or four months ago; and the County participated in funding parking structures for the cities, and the cities turned around and charged exorbitant rates of \$10 or \$15 a day. He stated cities were asked not to charge citizens, especially the Brevard County residents who covered the cost of that

construction in the first place, but to the best of his knowledge, the cities received that letter and made no changes. He recognized that it was a decision the cities chose, and although he disagrees with it, he respects it; and it seems like it just happened to go the other way around this time.

Chair Lober stated he respects Commissioner Tobia’s statements, but he could be facetious and ask if he had any data that supports paid parking alters the transmission rate of COVID-19, but that would be unproductive; the items that Commissioner Tobia brought up he agreed is something to be potentially concerned with as a case-by-case basis, but it is important to distinguish the Board is dealing with an unprecedented pandemic in the lifespan of everyone in the room; and he questioned if a subjective opinion as to whether to monetize parking is something the Board could really analogize to what it is dealing with right now. He stated he agrees with Commissioner Tobia that they are entitled to do what they want to do, and the Commission will do what the Commission does, and the cities will do what the cities do; and in the abundance of trying to be a team player with the cities that the Board has not always been team players with, it would set a good precedent to show that the Board is doing more than it is required for them to do to work with them.

Commissioner Isnardi stated she believes the Board will need to follow the Governor’s orders; she thought Commissioner Tobia was right about how the County does not always follow suit with the municipalities, but they also disagree with some of the science; if the Board remembers correctly some of the health professionals and others who profess to be emergency management professionals said that 8,000-10,000 people in Brevard County were going to die

from the COVID-19, and the Board did not enact numerous strict regulations or 24/7 lockdowns that saved all those citizens' lives; Brevard County is not New York City; Brevard residents are behaving as they should; and most people are following CDC guidelines. She reiterated that the people who are compromised are concerned; her own patients are self-isolating on their own so they are making good decisions to protect their health; as a nurse practitioner, she watched no less than two people touch their face while standing at the podium; and if the Board wanted to talk about science and talk about evidence-based science, they were not always going to be on the same page. She stated that she has full faith when it comes to Brevard residents; they are begging to be able to go to the beach; she thought Monday would be a good target date, because it gave people time to be prepared; she thinks the Board needs to have a little more faith in its residents, because everyone is doing the right things such as protecting their families and protecting the vulnerable as they should; her position is the people who need to stay home, want to stay home, or who are worried about transmission have the right to do that; the Board should follow the Governor's order and be consistent with it so as not to put any more burden on Brevard's economy or its residents as far as enjoying the outdoors and frequenting the businesses if they need to; they just need to follow CDC guidelines; and she concluded by saying the Board just has to have a little more faith.

Chair Lober stated that he does not disagree with the statement that the Board should have faith in Brevard's residents or constituents, but who he does not have faith in are the citizens who are coming from out of the area who have very few options they can exploit and are coming over to the Atlantic coast and spending time at the beach. He mentioned it is not the residents he is worried will misbehave, it is the citizens that are coming to Brevard that do not live here and do not have any other options.

Commissioner Isnardi interjected by stating the Board was told this was going to happen before, that all these people were going to come down from New York and totally infest Brevard County, because the Board refused to close the beaches; the Board has certain elected officials from municipalities stating it is making bad decisions; they walk the beaches three

times a day, and they never see people not abiding by the guidelines; the Board can keep saying the worst case scenario is going to happen, but if nothing is happening other than what was predicted, she is going to go off what has happened thus far. She stated she believes the Board should stop punishing the residents and the people who want to go back to work; she knows people who cannot pay their bills and are waiting on their unemployment, because those places are closed and it is not fair to those people either; and she said that affects residents' well-being and health when they cannot feed their family.

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Isnardi

PUBLIC COMMENTS CONTINUED

Chair Lober agreed the Board should not be punishing their residents, but he does think the Board should be protecting their residents to the degree it reasonably can; he stated as far as the beaches being non problematic and less than crowded, there certainly have been many areas that have been in compliance, but he has had citizens tagging him on Facebook where there are swarms of people that are walking the beaches; he stated it just depends on where one is at on a particular day; he heard last weekend the beaches were packed; whether one particular block is packed or not he does not know, he was not going to hang out there, because he did not think it was a good place to be at this point in time; he did not think the Commissioners were that far off and were close to reaching a consensus in terms of what the Board was looking to do; the only question was not whether to reopen but whether to reopen on

a Monday or a Friday of the same week; and there was consensus at least among the Commission, and where he is at may not matter in the end. He continued to say he did not want citizens to think he was making decisions arbitrarily or based upon a whim, but there is a reason why he feels the way he does; he thought that to a large degree the fact that Brevard is not New York City there were a few things, based upon conversations he has had with medical staff, that are potential factors that contributed to having dodged this epidemic; one is New York City has a tremendous population density way beyond what Brevard has even in Palm Bay or Melbourne; Brevard's largest city, Palm Bay, is a joke in comparison population-wise to New York or any other area that is world renown for having a high density of people; the second thing is the Board closed the biggest tourist attracters in the County, but he said it was not just the Board; and Kennedy Space Center closed its Visitor Complex, the beaches were disproportionately restricted, and parking was made incredibly inconvenient, depending on where someone was coming from, near impossible. He added Brevard has had a good degree of luck as well; he does not think the fact Brevard has had a positivity rate of half the State average or even a third of what the neighboring counties to the south have had was coincidental; he mentioned there may have been some factor of luck or some factor of people behaving well, but there were a lot of things that led to that; he does not want to take a successful situation, in light of how the other counties have done, and squander that at the last minute and bring problems upon the County; whatever the Board decides, he does not care if it goes his way or what had been suggested earlier, he thought the Board needed to maintain a degree of flexibility; if the positivity rate jumps, it will be a problem the Board needs to address; and people have been going out of their minds as the rate has increased over time, but that has not troubled him as much as the positivity rate and the potential for that to increase. He stated the fact is, as the County tests more people then of course there will be more citizens that tests positive; it was logical and does not need data to support that; and if the positivity rate starts ticking up that means the County is doing something wrong or not doing something right.

Commissioner Smith stated he wanted to make a motion to open up the beaches, the parks, and the parking next week; he does not care whether it is a Monday, a Wednesday, or a Friday; he just thought the Board needs to get the ball rolling and most people have figured out

that the pandemic did not pan out to be as deadly or infectious as first broadcasted; it is still something the County has to be careful of; they have to ask citizens to be prudent and consider themselves as well as their neighbors' well being; and he thought the Board could get people back to work and back to playing cautiously, because it is hurting far more people with the economy than it is with COVID-19. He remarked it is a shame that it happened, but they are where they are, and he thought it was time to move on.

Chair Lober stated before Commissioner Smith makes the motion, the date for it to become effective has become vague, and Mr. Abbate had a question as well.

Mr. Abbate stated the sand renourishment project ends this week; the County is tilling the beaches and the contractors are working; the Board might want to make its decision to be effective on Thursday since the work on the beach ends on Wednesday; and he does not know if it makes a difference to the Board, but he wanted to share that information.

Commissioner Smith stated it was a good idea; he made the motion to open up the parks and beaches on Thursday; he noted that it would give all of the County staff plenty of time to do what needs to be done.

Commissioner Isnardi seconded the motion.

Commissioner Pritchett stated she would like to open up the parks and beaches tomorrow when the State restriction expires, because it not only impacts South Brevard County, but it impacts Cape Canaveral; Playalinda will not open up for North Brevard until the rest of the County opens up; the Board's decision does not just impact South Brevard, but it impacts North Brevard too; the problem is that closing the beach parking in the South does not allow for District 1 citizens to come there either, because they cannot ride their bicycles from District 1; there is nowhere to go outside, except to the river; and the residents have been wonderful, they have had no new cases in North Brevard. She asked if the Board would make the decision to open up the parks and beaches tomorrow to allow the residents in the County to start getting outside; she stated it was the Governor's recommendation to get residents outside to let them do stuff; and she inquired if Commissioner Isnardi knows if it is harder to contract COVID-19 outside than indoors.

Commissioner Isnardi responded, based on science, yes; she stated there is no doubt one is more at risk indoors; she does not disagree with Commissioner Pritchett's suggestion; if the beach renourishment is an issue then maybe that area can stay closed until Thursday and maybe the Board could reopen the rest in order to be consistent with the Governor's order; and she would be okay with that.

Commissioner Smith stated he was willing to do that.

Chair Lober stated that the motion on the floor has been seconded to open the parks and beaches on Thursday, and he would support that at this point; and he pointed out that unless the motion is withdrawn and another motion is proposed that is the motion the Board has.

Commissioner Isnardi stated the Board could amend the motion too.

Chair Lober stated Commissioner Smith and Commissioner Isnardi could amend or withdraw and make a new one .

Commissioner Smith stated he wanted to amend the motion and make it tomorrow, except for the area where the beach renourishment is occurring; and that could be opened up next Thursday.

Commissioner Isnardi seconds the motion.

Commissioner Tobia stated he was in agreement but logistically there was work to be done to reopening such as moving barricades; and he inquired if Mr. Abbate knows if it is a possible to reopen tomorrow.

Mr. Abbate asked the Board if the decision was going to be brought back to the Policy Group tomorrow.

Commissioner Tobia replied affirmatively.

Mr. Abbate stated he intended to tell County staff if the decision happened today they would start getting ready to do the barricades and get everything removed; to successfully do that, if they start preparing today and the motion is set for tomorrow, County staff will have barricades taken down up and down the coast; and it would be done by Saturday morning.

Chair Lober inquired if Commissioners Smith and Isnardi approved.

Commissioners Smith and Isnardi replied affirmatively.

Mr. Abbate stated County staff would begin working on it tomorrow, they should be able to get most of it done; and there are some barrels that may take a little bit longer, but most of it should be cleared tomorrow.

PUBLIC COMMENTS CONTINUED

The Board approved a recommendation to the Policy Group to open beachside parks and public access parking effective May 1, 2020, from the north end of the County down to the Beach Renourishment Project area; and effective May 7, 2020, opening beachside parks and public parking access from the southern boundary of Patrick Airforce Base to, and including, Spessard Holland Park in Melbourne Beach.

Chair Lober stated they will leave the facility issue with Mr. Abbate.

Commissioner Pritchett stated she would like to make a motion to reopen the playgrounds and the libraries in conjunction with what the Governor is doing under the criteria for the capacity of libraries which she thought was 25 percent; and she had many citizens ask her for the ability to get back into the library.

Chair Lober stated one of the other items that was suggested to him was to allow people to pick up books curbside instead of actually going inside; and he inquired if Commissioner Pritchett would be interested in that idea.

Commissioner Pritchett replied she thought the library was doing that already; she stated the times she visited the library there were not many people in there so she did not think there would be a capacity problem for libraries; she mentioned she has children who are doing virtual school and also has some students in her District who have no ability to do their homework at home; and she reiterated that this was an important issue for students in her District to be able to get into a place where they can do their online assignments.

Jim Liesenfelt, Assistant County Manager, stated he is representing Jeff Thompson, Library Services Director; he advised the library is already doing curbside pick-ups; they are doing referencing, virtual story times on Facebook, they are working for the unemployment, and library cards; the problem with opening up the libraries to use the computers is they still have to work on social distancing; the computers are right next to each other so they would need some time to work on that; and on the subject of capacity, he would have to double check and give Commissioner Pritchett something back from the Policy Group on how the libraries will work under being at 25 percent capacity.

Commissioner Pritchett stated she would like Mr. Liesenfelt and Mr. Thompson to work towards reopening the libraries, because students are about to fail as of Wednesday.

Mr. Abbate stated it would be the Board's decision about reopening the libraries; and they do not have to take it back to the Policy Group, because they would follow the Board's direction on that.

Mr. Liesenfelt stated the 25 percent capacity limit just came from the Governor, and that is something that they just saw this morning; and that was the first time they received any alert

about that.

Chair Lober stated if the County could reopen the libraries safely he would be happy to do that and hopefully get one vote that lines up with everyone else on the Board during this crisis; it would be nice to have at least one where they all agree; in regards to the playgrounds, he is more concerned, because he did not know about the social distancing; and if the motions were severed or if Commissioner Pritchett made two different motions about the libraries and parks, he would be inclined to vote for the one with the libraries but not the one for the playground.

Commissioner Pritchett stated playgrounds are outside and information is coming out about ultra-violet light killing germs; her church has a daycare and the children are playing together outside; and they are not contracting anything.

Chair Lober stated he was not disagreeing with Commissioner Pritchett, but he had not done his due diligence with respect to that particular question to feel comfortable supporting it today; and he would be comfortable with reopening libraries if they have staff's assurance that safeguards are put in place.

Commissioner Tobia thanked the staff, specifically Mr. Thompson; he stated more than 2,000 citizens have taken advantage of the curbside pickup; all the libraries are open from 9 a.m. to 5 p.m.; he thought it was important that kids get nourished during this time, and the libraries have exceeded that; Mr. Thompson is working on giving citizens access to the computers by appointments, in order to file for State unemployment benefits online; as they move forward, certain issues have popped up, such as with fabrics, that the libraries are still trying to work around; he is generally confident for what the staff does, and the libraries have gone above and beyond; they are working extremely hard and diligent to make sure that citizens have access not only to books but technology as well; they are able to turn books, that are not on hold, around in one day; if the book is at the library a person can literally go to the library and pick it up; it is more convenient than actually having to go into the library; he was informed they are disinfecting all of the materials for when the citizens come back; and he expressed his appreciation and gives his full support to the libraries. He stated that he was not prepared for the topic of playgrounds; he had not yet looked at the science; he did not know it was a possibility of them reopening; he would support the idea with the condition that it meets all Centers for Disease Control (CDC) guidelines in regards to social distancing; he is aware that

there are different types of playgrounds and wanted to provide access to them; and he would support the reopening of them as long as they meet the guidelines set up by (CDC). He went on to say the Board has many opportunities to extol all the wonderful things Brevard County staff does but very rarely does he take them; few citizens visit Planning and Zoning but the bulk of citizens use Brevard's libraries, and they have been functioning during this crisis and continue to do so; he informed the Board that about one third of the library staff is sick or are quarantined, and they are functioning with one-third less staff; even during tough times the Brevard County Library System has gone above and beyond; and he wanted the Board to thank Mr. Abbate for his leadership and thank the staff who runs the library system.

Chair Lober stated on December 27, 2019, he emailed Mr. Thompson to ask him if looked at offering online video streaming; there were a couple companies that worked with some of the other counties throughout the State; one of them is Kanopy and the other is Hoopla; he thought if Brevard could get one or both of those available to the library cardholders they would have something to do at home without having to show up to check out a movie; it would be all the better to encourage them to adhere to the type of behavior the Board is encouraging them to do; and he does not know if Mr. Thompson had looked into pricing yet. He mentioned he

thought Mr. Thompson would look into that during the new year; he requested for Mr. Abbate to speak with Mr. Thompson to see what the pricing is for either company; if they were at all reasonable he would probably come back and ask the Commission to allocate some money, given they are trying to keep citizens in their homes and out of facilities; and even if the citizens are allowed to come in if it was something they could do at home he would rather them do it at home.

Commissioner Pritchett stated she agreed with Chair Lober's idea and she thanked Commissioner Tobia for mentioning the citizens to follow the (CDC) guidelines; she does not think she needs to make a motion on this, but she thought the Board could ask staff if they are able to do these items under the (CDC) guidelines; she thought the libraries were doing an exceptional job; and the only concern she has is that students in her District do not have the ability to work on the computer since all their classes have moved to online. She mentioned she has two students who have finals on Wednesday that do not have access to a computer and does not think they will be able to make it up; and she does not know where they were on their regular school classes, because all those children are doing that; she asked Mr. Abbate if it was a possibility to set up a facility for a small number of students to go in to do some computer work, because they do not have a computer at home; and she will withdraw her motion if the Board would be good with that and to leave it on the staff to do the best it can to get those things opened up for those people who need it. She inquired from Chair Lober if she should take what the Board voted on today to the Policy Group.

Chair Lober replied yes, please.

Eden Bentley, County Attorney, stated she checked with Natural Resources Management; the beach renourishment area runs from the Mid-reach and the South-reach; it is actually the southern boundary of Patrick Air Force Base to, and including, Spessard Holland Park; she inquired if they want it to be effective in that distance; and she advised it was a large distance, which is why she was asking.

Chair Lober stated that since Commissioner Smith and Commissioner Isnardi had the motion and the second, he wanted to know their thoughts.

Commissioner Smith stated that worked for him.

Commissioner Isnardi stated she was in agreement with it.

Chair Lober inquired if Attorney Bentley thinks that will work.

Attorney Bentley replied yes.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Isnardi

Ayes: Pritchett, Tobia, Smith, and Isnardi

Ayes: Pritchett, Tobia, Smith, and Isnardi

Nay: Lober

Nay: Lober

PUBLIC COMMENTS CONTINUED

Robert Burns stated this year he will be wearing gloves on the dive, and he thought that when the Board is encouraging the public to adhere to the Centers for Disease Control (CDC) guidelines that it would be important that the leaders of the community would also exercise those guidelines when in front of the public in such a public format; wearing gloves is not part of the (CDC) guidelines; data shows the virus sticks to gloves more than a person's hands; while the Commissioners have been wearing gloves on the last few occasions they have touched their face almost every single time and by doing that the Commissioners are not mitigating their risks but actually increasing their risks of contracting the virus; and he thought it was important to communicate to the public that they are practicing the same guidelines they are asking the public to follow. He noted he wanted to address the jail complex and the inmates that reside there; about two weeks ago he was contacted by anonymous deputies and civilians of the jail complex, as of April 17; an individual was in tears because and he quotes, "they fear losing their job, but they also fear losing their life." He went on to say that at that time it was relayed to him that the proper precautions were not being taken within the jail complex; since then, three deputies have tested positive for COVID-19, and they were the same ones that were brought to his attention that were showing signs and symptoms several days while working without Personal Protective Equipment (PPE) touching all the same keys, documents, and other stuff while also having the same access to the inmates; it was statistically impossible to have three deputies tests positive but not one inmate of over 1,000; there are no inmates that have tested positive; the question that he cannot seem to get answered is if inmates are being tested, and if so, how many have been tested; there are people in the jail complex right now that cannot afford to make their bail or are there for misdemeanor crimes; and those crimes should not equate to a death sentence, because the proper guidelines for the inmates are not being taken care of. He stated the inmates are scared; the family members need to know that their loved ones are being taken care of; they are being told the guidelines are being practiced, but he knows that is not true; Sheriff Ivey had four parades with inmates seen and chained who were not practicing social distancing outdoors; if they are not practicing it outdoors he knows for sure they are not practicing it within the facility of the jail; he would like to know if the inmates are being tested and if they are being protected; if there are any inmates that have tested positive for COVID-19; and there have been those that stated they are not afforded (PPE) as those who are out patrolling the roads.

Upon consensus of the Board, the meeting was adjourned at 4:07 PM.

ATTEST:

SCOTT ELLIS, CLERK

BRYAN ANDREW LOBER, CHAIR

BOARD OF COUNTY
COMMISSIONERS

BREVARD COUNTY, FLORIDA