

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
SPECIAL MEETING
JUNE 9, 2020**

The Board of County Commissioners of Leon County, Florida met in a special session at 3:00 p.m. with Chairman Bryan Desloge presiding. Present were Vice-Chairman Rick Minor and Commissioners Nick Maddox, Kristin Dozier, Mary Ann Lindley, Bill Proctor, and Jimbo Jackson. Also present were County Administrator Vincent Long, County Attorney Chasity O'Steen, and Clerk to the Board Beryl H. Wood.

Chairman Desloge called the meeting to order at 3:00 p.m. He shared this meeting was held via video conference and was held utilizing communications media technology according to the Governor's Executive Order 20-69, Emergency Management due to COVID-19 for Local Government Public Meetings.

County Attorney O'Steen read information into the record regarding temporary modifications to Board Policy to accommodate the use of communications media technology while holding virtual meetings and providing for the public to view the meeting and provide public comment.

Invocation and Pledge of Allegiance

The Invocation was provided by Commissioner Jimbo Jackson and the Pledge of Allegiance was provided by Chairman Bryan Desloge. He then proceeded with roll call.

Chairman Desloge then thanked the County Administrator, staff, and peers for their hard work and patience during these difficult times.

GENERAL BUSINESS

1. Phase 2 of Leon County's COVID-19 Response and Re-opening Plan

Citizen Comments received via online submission:

- Haley Lauw, 1302 Raa Avenue, commented in support of revising the City budget for the Tallahassee Police Department.
- Patricia Bludworth, 3525 Dogwood Valley Trail, commented in support of restarting mosquito spraying of homeowner's yards.
- James Miller, 3705 Riverton Trail, shared support of reopening the ballfields for Chaires Little League.
- Larry Fischera, 1849 Miller Land Road, commented in support of reopening the gym at Forest Meadows.
- Doug Rose, 5417 Pedrick Crossing Drive, submitted an online comment in support of continuing the suspension of youth team sports.
- Nancy Helbling, 3072 Elmwood Road, spoke to the precautions of COVID and in support of reopening the ballfields for Chaires baseball and other sports.
- Gregory Peters, 3613 Mossy Creek Lane, commented in support of reopening the ballfields for T-ball and reopening the playgrounds.
- Bruce Campbell, 8837 Green Acorn, commented in support of reopening the ballfields for Little League baseball.
- Michele Garber, 1101 Sandler Ridge Road, commented in support of reopening youth team sports.

- Ron Burger, 6692 Crooked Creek Road, commented in support of suspending the reopening of children’s recreational activities, and if reopened to limit to outdoor types only with restrictions and protocols.
 - Stephen Jensen, 11797 Fox Meadow Lane, commented in support of reopening the ballfields to youth team sports.
 - Robert Vos, 2122 Drayton Drive, Chaires-Capitola Little League, submitted an online comment in support of reopening youth team sports, particularly baseball.
 - Therese Kemper, 3162 Duxbury Lane, commented in support of suspending the reopening of the ballfields for Chaires Little League.
 - Emily Evans, 6643 Pisgah Church Road, commented in support of reopening the playgrounds.
 - Valerie Sauro, 1133 Doves Hollow Lane, commented in support of reopening the playgrounds and spoke to youth needing a place to run off energy.
 - Jennifer Hopgood, 4016 Sonnet Drive, commented in support of reopening the Playgrounds and asked that they trust citizens to be responsible and practice social distancing.
 - Ashley Adams, 1624 Blountstown Highway, commented in support of reopening the playgrounds and the benefits for children having the playground.
 - Brandy Furbee, 10767 Wadesboro Road, commented in support of the reopening of youth team sports.
 - Heather Bosenko, 1974 Bushy Hall Road, commented in support of reopening the playgrounds.
 - Keva Ambre, 3662 Biltmore Avenue, commented in support of reopening the playgrounds.
- County Administrator Long introduced the item. He shared they received 20 comments that were posted and made a part of the agenda as stated above. He stated this agenda item provided an update on Phase 2 of the Leon County COVID-19 Response and Reopening Plan and seeks any additional policy direction the Board may wish to provide concerning Leon County’s reopening of programs and services. He highlighted the gradual phase-in approach to gradually re-opening our community. He stated Leon County is now in Phase 2.
 - County Administrator Long recalled last week’s press conference when Governor DeSantis discussed the state’s continued progress in implementing its plan. Specifically, Governor DeSantis discussed actions to protect the most vulnerable populations, particularly those in long-term care facilities in Florida. He noted the increase of statewide testing, including the deployment of the walk-up testing sites, to ensure access to underserved communities.
 - Based on this data Governor DeSantis issued Executive Order 20-139, initiating Phase II of Phase III reopening plan. Gatherings under Phase II can now go from 10 people to 50 people. Retail businesses, gyms, and fitness centers can go from 50% capacity to 100% capacity. Restaurants will remain at 50% of the capacity of the indoor spaces and can provide bar top service now in Phase II. Bars and Pubs can now re-open at 50% indoor capacity. Additionally, entertainment businesses such as movie theaters and bowling alleys may open at 50% capacity.
 - County Administrator Long discussed the increase of COVID-19 cases. He stated that the Florida Department of Health reported 1,000 new cases statewide over the past several days, that was compared to 700 cases a day, a day prior. He stated that in Leon

County, COVID-19 cases remained low, with 4 new cases reported a day, since the beginning of June.

In conclusion, County Administrator Long stated that the County's Phase II Re-Opening continues to gradually restore County services and facilities for public use while remaining consistent with the incremental changes made by Governor DeSantis. He stated that the Board has the flexibility to modify any portion of the County Phase II plan.

Commissioner Maddox made a Motion to accept Option 1. The motion to accept died for a lack of a second.

- Commissioner Minor asked for an update on COVID -19 testing in Leon County.
- Claudia Blackburn, Health Officer for the Florida Department of Health in Leon County, commented on COVID-19 testing. She stated that over 6% of the population in Leon County has been tested for COVID-19 and that the demand for testing has decreased some. She stated that some days testing can be done on 200-400 people, Ms. Blackburn stated that the decrease could be due to the weather, and the rainy season. During inclement weather the testing sites must close which has affected the testing numbers. The goal for June is to test 2% of the population, 1% have been tested already at various testing sites.
- Chair Desloge stated that he has received calls on the ball fields and youth sports. He shared he would like to have a discussion regarding the status of re-opening ball fields and youth sports programs.
- Leigh Davis, Parks and Recreation Director, reported that they are keeping close tabs with the Florida Recreation and Parks Associations and what they are doing across the state. She stated that there are surrounding communities that have re-opened their programs for practices and competitions. However, Ms. Davis stated that they are paying attention to the Center for Disease Control (CDC) guidelines. She discussed the high-risk categories which are the travel ball teams. Additionally, she stated that Leon County does not host travel ball teams. Little League has developed some well-established guidelines for resuming practices and competitions.
- Ms. Davis stated that they have tried to keep practicing crowds under 50. Full team practices could be kept under 50 people in attendance. However, once competitions begin, that's when the numbers increase, and maintaining social distancing becomes more challenging to keep below the 50-person capacity.
- Commissioner Jackson inquired about opening the playgrounds and confirmed with County Administrator Long that the CDC guidance recommends communities consider temporary closure of playgrounds and sports fields to support social distancing practices. Commissioner Jackson stated that they look at reopening playgrounds as a body. He stated that he did not want to open too soon and put others in harm's way.
- Commissioner Lindley stated that she supports re-opening playgrounds and fields for team practices and asked for a clear census on safety precautions for these areas and support from the parents. She noted that with CDC guidelines in place, it would take a lot to re-open playgrounds. Additionally, she mentioned some of the precautions that would need to be in place with the help of parents.

- County Administrator Long stated that if the Board decides that moving forward with practices is something they would like to move ahead with in Phase 2, they can. He stated that the County would not be able to mitigate all the risks of transmission during practices. County Administrator Long stated that the County would communicate the risks of practices to the parents. Additionally, he also stated that sports are closed through the summer with the City.
- Commissioner Dozier continued the discussion on youth sports. She noted she understood why parents want to give children the option to get back out and engage in sports. She inquired about the utilization of face masks in the summer heat. She commented on a plan for the little league teams.
 - Leigh Davis stated the Little League International, the County's licensed sports provider is working and has established their guidelines for opening. Those guidelines include the usage of hand sanitizer, social distancing, where the umpire will stand on the field. However, she noted that the County does not currently have a mechanism to enforce the guidelines.
 - County Administrator Long interjected that staff has already developed a plan for reopening sports fields as part of Phase III, so it would not take long to implement the change to open the fields for practice. He added that the change could be in effect by the next day if approved by the Board.
 - County Attorney O'Steen stated that the County is operating under the State's order, so the liability risk would be low.
- Commissioner Dozier stated that a piecemeal approach leaves too much open. She stated that she did not see enough ways to abide by groups of fifty or less gathering at practices and games.
- Commissioner Desloge asked was there a difference between little league play or practice. He stated that the County could post rules regarding social distancing and other safety guidelines.

Commissioner Jackson motioned to accept the report and open the fields for practices only, with gatherings of under 50 or less. It was seconded by Chairman Desloge.

- Commissioner Dozier asked that the Board come up with a plan and let citizens know. She suggested the plan come back before the Board at the June 16, 2020 meeting. She then inquired about liabilities.
- County Attorney O'Steen discussed possible liabilities with the Board.
- Commissioner Minor shared how he would like to see teams formally agree to the Little League guidelines and suggested they get tested at least once, but preferable twice at the beginning and end of the season. He asked for an update on a past recommendation to develop a webpage promoting local businesses following CDC guidelines.

- Christina Paredes stated the OEV's third survey of local business is in progress and it includes questions regarding the personal protective equipment (PPE) and social distancing protocols in place for their business. She reported that OEV is seeking permission from businesses to post this information on the OEV website and will notify the Board when this information is available.
- Commissioner Lindley stated they can go out in smaller groups and that she was leaning toward leaving things as is in Phase 2.
- Commissioner Maddox stated his confidence in the County's Phase II of the Response & Reopening Plan, and he stated he could not support the motion and recommended that the County wait to reopen sports fields in Phase III when groups of more than 50 would likely be permitted.
- Commissioner Proctor expressed support for waiting to reopen sports fields during Phase III and stated that it is likely the Governor would announce the next phase in a few weeks. He reflected on the possibility of requiring testing for athletes or signing a waiver acknowledging the risk of contracting the virus. He commended staff for doing a great job.
- Commissioner Dozier stated they are left between a rock and a hard place. Trying to do the right things under CDC guidelines. She offered a substitute motion. To allow limited organized activity, hearing more from Little League International. How they plan to do it.

Commissioner Jackson rescinded his motion.

Commissioner Maddox motioned for Option 1. Commissioner Jackson seconded the motion.

- Commissioner Dozier sought additional information regarding false negatives and antibody testing. She expressed her support for requiring masks in all County facilities where social distancing is not possible and stated that it is not about limiting rights but about protecting others.
 - Claudia Blackburn explained that, while the current testing method is highly effective, it is a point-in-time test and false negatives are possible. She stated, given the possibility of false negatives, the Department of Health continues to also monitor hospital visits for flu-like symptoms. She added that antibody testing is currently being done to collect data; however, there is not enough research to support antibody testing as a means for determining future immunity to the virus.

Commissioner Dozier moved to amend the motion to include a requirement that masks be worn at all County facilities. The motion died for a lack of a second.

- Commissioner Dozier inquired about the coordination and communication between the County, City, and local businesses regarding social distancing and PPE protocols. She reflected on the Board's previous guidance regarding special meetings and shared it was her understanding that the Board would meet following the Governor's announcement of a new phase.
 - Christina Paredes reported that the OEV is actively working with their businesses and encouraging CDC guidelines. Commissioner Dozier questioned them working with the City and anything we could do to better coordinate with the City.

- County Administrator Long confirmed that the County continues to coordinate with the City as part of the reopening process including aligned timelines for the reopening of dog parks and playgrounds. He confirmed the Board's previous direction to give the Chair discretion to call a special meeting when substantive changes occurred because of a new executive order from the Governor.
- Commissioner Maddox responded that the County's plan is well thought out and added if there were no changes to what was originally brought before the Board, he saw no reason to schedule an emergency meeting.
- Commissioner Jackson stated that he agreed with Commissioner Maddox, that if it's not substantial change there should not be an emergency meeting. He stated that he had the utmost confidence in the Chairman and staff.

Commissioner Maddox moved, duly seconded by Commissioner Jackson, to approve Option 1: Accept the report on Phase 2 of the Leon County COVID -19 Response and Re-opening Plan and take no further action. The motion carried 6-1. (Commissioner Dozier in opposition).

COMMISSIONER DISCUSSION ITEMS

Commissioner Proctor:

- Commissioner Proctor requested staff to bring a report on the leaking roof at the Supervisor of Elections building. He shared there was an immediate need to get the building fixed.
 - County Administrator Long confirmed that staff would provide an update to the Board.
- Commissioner Proctor recalled a recent Tallahassee Democrat article regarding possible graves under the Miccosukee Greenway.
 - *Commissioner Proctor moved, duly seconded by Commissioner Minor, to direct staff to prepare a status report on the possible gravesites at the Miccosukee Greenway for the Board's July 14th meeting. The motion carried 7-0.*
- Commissioner Proctor requested an update on the status of FEMA reimbursement of emergency sheltering funding for the Kearney Center.
 - *Commissioner Proctor moved, duly seconded by Commissioner Desloge, to direct staff to provide an update on the status of the FEMA reimbursement to the Kearney Center for emergency non-congregate sheltering of the homeless. The motion carried 7-0.*

Commissioner Minor:

- Commissioner Minor offered condolences for Former Senate President Gwen Margolis, who passed away.
- Commissioner Minor congratulated TCC for being one of ten finalists for the Aspen Prize for Community College excellence.
- Commissioner Minor offered a speedy recovery to Commissioner Dozier.

Commissioner Maddox:

- Commissioner Maddox stated that the Canvassing Board has requested the County Attorney’s Office represent them in the recently filed lawsuit and clarified that the Supervisor of Elections has their own attorney.
- County Attorney O’Steen confirmed that the case was recently amended to include the Canvassing Board.
- Commissioner Proctor stated that the Canvassing Board should have their own lawyer.
- *Commissioner Maddox moved, duly seconded by Commissioner Lindley, to approve the County Attorney’s Office provide legal representation to the Canvassing Board in the case of **Kirk Nielsen, et al. v. DeSantis, et al.** The motion carried 7-0.*

Commissioner Dozier:

- Commissioner Dozier confirmed that the curfew expired yesterday. She stated that there were recent discussions at the City level regarding a citizen review board for the Tallahassee Police Department and the County and the Sheriff’s office were also referenced. She motioned to extend an invitation to the Sheriff to provide an update at Board’s June 16th meeting.
- Commissioner Proctor asked for clarification on what issues would be addressed by the Sheriff. He stated that he may have other questions for the Sheriff.
- Commissioner Dozier asked for the Sheriff’s perspective on a Citizen Review Board and the recent protests.
- *Commissioner Dozier moved, duly seconded by Commissioner Desloge to extend an invitation to the Sheriff to provide and update at the Board’s June 16th meeting. The motion carried 7-0.*

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 4:37 p.m.

LEON COUNTY, FLORIDA

ATTEST:



BY: _____
 Rick Minor, Chairman
 Board of County Commissioners

BY: _____
 Gwendolyn Marshall, Clerk of Court
 & Comptroller, Leon County, Florida