

**MINUTES
OF THE MONROE COUNTY
BOARD OF COUNTY COMMISSIONERS**

Special Meeting
Board of County Commissioners
Thursday, June 4, 2020
Via Communication Media Technology
Key West, Florida

A special meeting of the Monroe County Board of County Commissioners convened at 11:00 a.m. at the Harvey Government Center and via Communication Media Technology. Present and answering to roll call were Commissioner Craig Cates, Commissioner Michelle Coldiron, Commissioner Sylvia Murphy, Commissioner David Rice, and Mayor Heather Carruthers. Also present at the meeting were Roman Gastesi, County Administrator; Bob Shillinger, County Attorney; Kevin Madok, Clerk of Court; Pamela Hancock, Deputy Clerk; county staff, members of the press and radio; and the general public.

ADDITIONS, CORRECTIONS & DELETIONS

There were no additions, corrections or deletions to the agenda. Motion was made by Commissioner Rice and seconded by Commissioner Murphy granting approval of the agenda. Motion carried unanimously.

COVID-19

B1 Shannon Weiner, Director of Emergency Management; and Bob Eadie, JD, Administrator & Health Officer for the Monroe County Health Department, addressed the Board concerning the COVID-19 pandemic and the County's response. The Board took no official action.

B2 A Public Hearing was held to consider an emergency Ordinance setting standards for when facial coverings must be worn in response to the COVID-19 pandemic. Roman Gastesi, County Administrator; and Bob Shillinger, County Attorney, addressed the Board. The following individual addressed the Board: Steve Estes. After discussion, motion was made by Commissioner Murphy and seconded by Mayor Carruthers to approve the Ordinance with the following information inserted (underlined) into the document:

SECTION 3. Recommended standards of conduct.

- (1) Every person over the age of 2 who is away from his or her residence should wear a face covering when closer than 6 feet to another person whom he or she does not reside.
- (2) Every person over the age of 2 who is away from his or her residence should carry a face covering capable of immediate use.

SECTION 4. Mandatory requirements.

(2) The requirements of this section do not apply to:

g. Any person who is under 6 years of age, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

Roll call vote was taken with the following results:

Commissioner Cates	No
Commissioner Coldiron	No
Commissioner Murphy	Yes
Commissioner Rice	No
Mayor Carruthers	Yes

Motion failed.

CLOSED SESSIONS

D1 Mr. Shillinger announced an Attorney-Client Closed Session in the matter of *Jonathon Haim; Jessica Haim; and Bettina Haim v. Monroe County; Monroe County Board of County Commissioners; Monroe County Sheriff's Office; Rick Ramsay; Heather Carruthers; and Shannon Weiner, Case No. 20-CA-296-K* and read the required language into the record pursuant to F.S. 286-011(8). Mr. Shillinger advised that the following persons would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi; County Attorney Bob Shillinger, outside counsel Michael Burke, Esquire; Assistant County Attorney Cynthia Hall; and a certified court reporter.

Mayor Carruthers declared the open session of the meeting closed. After the closed session, the meeting was re-opened.

D2 Mr. Shillinger announced an Attorney-Client Closed Session in the matter of *Vacation Rental of the Florida Keys, LLC v. Monroe County, Case No. 19-AP-03-M* and read the required language into the record pursuant to F.S. 286-011(8). Mr. Shillinger advised that the following persons would be present at the meeting: the County Commissioners, County Administrator Roman Gastesi; County Attorney Bob Shillinger, Assistant County Attorneys Derek Howard and Cynthia Hall; and a certified court reporter.

Mayor Carruthers declared the open session of the meeting closed. After the closed session, the meeting was re-opened.

COUNTY ATTORNEY

C1 Mr. Shillinger addressed the Board concerning direction on whether to file a petition to intervene in support of the Florida Keys Aqueduct Authority (FKAA) if FKAA files a petition for administrative hearing directed to the April 13, 2020, notice of intent by the Florida

Department of Environmental Protection to issue a permit to Florida Power & Light Company to operate wastewater treatment and effluent disposal facilities at the Turkey Point Power Plant and to retain the firm of Lewis, Longman & Walker PA jointly with the FKAA. The following individuals addressed the Board: Laura Reynolds, representing the Florida Keys Fishing Guides Association; Rachel Silverstein, Executive Director & Waterkeeper of Miami Waterkeepers; and Kelly Cox, General Counsel to Miami Waterkeepers. After discussion, motion was made by Commissioner Murphy and seconded by Commissioner Coldiron moving that we join in with the FKAA in this endeavor. Roll call vote carried unanimously.

COMMISSIONER'S COMMENTS

Commissioner Murphy addressed the Board concerning new information that she received on the new system for the Clerk's Office (Item P2, May 20th BOCC Meeting). Mr. Shillinger and Mr. Gastesi addressed the Board. After discussion, motion was made by Mayor Carruthers and seconded by Commissioner Rice to reconsider approval of the item (Clerk's and County's Enterprise Resources Planning System). Motion carried unanimously.

There being no further business, the meeting of the Board of County Commissioners was adjourned.

Kevin Madok, CPA, Clerk
and ex-officio Clerk to the
Board of County Commissioners
Monroe County, Florida
Pamela G. Hancock, D.C.