

BEACH COMMUNITY WORKING GROUP
FEBRUARY 26, 2019 – 4:00 P.M.
COMMISSION CHAMBERS, JAMES S. PAGE GOVERNMENTAL COMPLEX
YULEE, FLORIDA

A Beach Community Working Group meeting was held this 26th day of February 2019 at 4:00 p.m. in the County Commission Chambers, James S. Page Governmental Complex, Yulee, Florida.

Present were Michael S. Mullin, County Manager/ County Attorney; Taco Pope, Director of Planning and Economic Development Opportunity; Douglas Podiak, Director of Facilities Maintenance; Butch Osbourne, Director of Operations, Nassau County Sheriff's Office; Mac Morriss, Ex- Officio Member, and Marian Phillips on behalf of Lowell Hall, Ex-Officio Member (arrived at 4:21 p.m.). Also present was Heather Nazworth, recording secretary.

Mr. Mullin opened the meeting at 4:03 p.m. and welcomed the members and the public in attendance. The committee members introduced themselves. He reminded the committee members that the Sunshine Laws applies and any public records requests received should be sent to the County IT department to retain for the record. He also noted that any information received regarding the issues to be addressed should be sent to the County IT department, then forwarded to the Board of County Commissioners for their public hearing. He stated that the emails provided prior to the meeting will be included in the record. He stated that the purpose of the committee is to review various ordinances regarding beach use; however, beach cleaning will not be addressed. He provided a brief overview of the main ordinances to be reviewed. Mr. Mullin commented that the process will be for the public to address the committee and the committee will make recommendations to the Board of County Commissioners regarding the comprehensive ordinance that should be considered for adoption. In addition to the committee's recommendations all public comments will be condensed for the Board of County Commissioners to review. The goal is to have one comprehensive ordinance dealing with the uses of the beach. He advised that the Board of County Commissioners has selected Gil Langley to serve as Chairman.

Chair Langley mentioned that any concerns should be expressed during the meeting or in email form.

County Commissioner Bell expressed his gratitude for the participation and the committee's service. He reminded the audience of the goals and that this meeting is only regarding the beach use.

Chair Langley mentioned the six (6) Ordinances that need to be reviewed. He noted that the beach has a jurisdiction from the federal, state, county and city government. He advised that the City of Fernandina has eighteen (18) ordinances regarding the beach and some might be incorporated in the discussions. Mr. Mullin reviewed the following Ordinances: 2018-18, 2018-22, 2016-09, 2016-06, 2015-13, and 2003-42. Director Osbourne, provided an overview of the Sheriff's Department involvement and how complaints are handled. He mentioned that the complaints can be received via website or by phone. Mr. Morriss commented that the beach front property owners and beach users' complaints are legitimate and what this committee is here for today is to put those complaints into the record.

Dave Bowman came forward to express his concerns regarding the beach re-nourishment and how vehicles that drive on the beach are creating ruts in the dry sand beach area. He mentioned that Martex service vehicles are driving on the beach and destroying the sea oats. He provided pictures of the beach.

Marla Miller came forward to express her concerns regarding the Rave of the Wave event that took place last year; trucks driving on the beach; the threats of destruction of property; the enforcement of the ordinances; vandalism of beachfront properties; night time driving, and ruts created on the beach.

Franceso Borgnese came forward to express his concerns regarding driving on the beach, Omni trucks driving on the beach and questioned if Omni had a valid permit to drive on the beach. In addition, he mentioned that Martex service vehicles are driving on the beach with bigger trucks and larger wheels. He also mentioned his concerns with the Sheriff Department driving on the beach.

Albert Ertlschweiger came forward to express his concerns regarding the driving on the beach and provided pictures regarding the beach. He addressed the excessive speeds of concession trucks driving on the beach, Martex service vehicles driving on the beach, the ruts created that are making it difficult to get to the beach. He advised that he has made contact with the Sheriff Department and no response has been returned, however, he will now express concerns in an email or in the public forum.

Viola Walker came forward to express her concerns and she agrees with what has been previously stated. She mentioned that the destruction of the beach makes it difficult for seniors to access the beach and the driving is destroying the beach and the opportunity to use the beach to walk on.

Mary Massman came forward to express her concerns regarding the Omni, and the money that is profited regarding rental of beach equipment due to them driving on the beach to deliver the equipment. She stated that there should be a solution to the driving on the beach to deliver equipment, however, there is no plan enacted at this point and they are breaking law by using the beach.

George Detarnowsky came forward to express his concerns, mentioning that he is a member of the South Amelia Island Shore Stabilization Association, Inc. (SAISSA) board and that SAISSA is responsible for the bottom 3.5 miles of the island. He mentioned that the beach is considered an engineered beach due to a hurricane in 1989 and there has currently been three (3) re-nourishments and another is expected in the future. He stated that the vehicles churn up the dry and wet beach and washes away the sand making it difficult for the replenishment. He requested to address the ordinance for vehicles. He also stated that he will have the executive director of SAISSA send to the committee a report detailing from an engineering standpoint what vehicles are doing to the engineered beach on the south end of the island.

Mary Duffy came forward to express her concerns regarding ruts on the beach created by vehicles and primarily by the maintenance vehicles from the Omni and Ritz Carlton. She also has witnessed during morning beach patrols of the beach vehicles driving at fast speeds. She mentioned that the Sheriff's Department has been asked to drive on the wet sand and minimize the lighting which impacts nesting female turtles and hatchling turtles. Ms. Duffy commented that if driving is going to remain on the beach, there should be a limit with no night time driving. She also expressed concerns regarding camping on the beach at night with tents and requested a registration system be created to track campers and provide education regarding the sensitivity of the beach at night and the wildlife. She stated that campers are distracting nesting turtles at night and causing harassment of the turtles. She commented that the Leave No Trace Ordinance has created a phenomenal change, however the resorts and hotels are still leaving items on the beach.

Drew Scott came forward to express his concerns regarding the night time driving on the beach, the beach access filling up, and requested review of just driving during the day time on the beach. He mentioned that campers are leaving trash on the beach due to the bathroom facilities being shut down at certain times. He stated that the campers need better access to the facilities and agrees with the registration for campers.

Constantine Colbert came forward to express her concerns, stating that taking away night time driving will not solve the problem. She stated that driving on the beach creates a liability for people and the possibility of accidents. She mentioned the increase in the calls made to the sheriff regarding violations on the beach. She requested that a homeowner be on the committee, no cars on the beach except the municipality and a response regarding the violation of the Federal Laws.

Pete Smith came forward to express his concerns regarding the need to maintain the public access to the beach. He mentioned that through observation there has been four (4) lanes of traffic on the beach with occasional bon fires; however, the development has changed the perspective of the beach. He stated that the amount of the beach accessibility to the public has continued to shrink, with more people trying to be in a more compacted area. He requested a review of the lack of funding to support the amount of enforcement. He also expressed that in the introduction of the committee and the agenda was slightly narrow and needs to be broadened. He stated that there needs to be a consideration for the review of future development and making it capable of solving future problems.

Jane Phillips Collins came forward to express her concerns regarding that laws need to be enforced. She mentioned that the camping on the beach is causing problems and the driving on the beach needs to be stopped. She requested a stricter enforcement and the possibility of gates to monitor people coming and going.

Brooks Andrews came forward to express his concerns regarding the coastal uplands and pointed out that the dunes are very fragile environment. He mentioned that dunes are not stable and are meant to move with time, tides and wind which creates a harsh condition. He stated that by adding people and vehicles to the environment creates a disaster to the ecosystem. He requested there be a maintenance of the environment with restrictions of beach driving and camping to create less pressure from excessive use of the beach.

Chair Langley commented that everyone on the committee are residents of Nassau County.

John Gorham came forward to express his concerns with regulating the driving on the beach. He mentioned that driving on the beach exaggerates other issues and requested to minimize or stop beach driving with the exceptions of those that need it.

Joan Schmidt came forward mentioning the sign posted regarding *Florida Statute* 161.58, no driving beyond this point. She mentioned that the Omni, however still drives on the beach and should not be.

John Plat came forward and noted that Senate Bill 1577 (SB1577) passed to change driving patterns in Nassau County for the Ritz. He requested review of the Senate Bill and the possible creation of tram service for the beach. Mr. Mullin provided copies of SB1577 and a court order from a challenge in court, that addressed driving on the beach.

Mickey Smith came forward to express her concerns regarding the change in the quantity of people coming and there should be driving restrictions from dark to sunrise. She mentioned vandalism also needs to be addressed.

Rick Howe came forward to express his concerns. He mentioned that the legislature did no favors last year and brought a level of hostility to the community. He stated that *Florida Statute* 161.58 banned driving on all beaches in the State of Florida; however, circumstances were created in Nassau County. He requested that there be some regulation on driving on the beach due to the hospitality establishments take advantage of driving on the beach and driving was banned per *Florida Statute*.

Randy Hall came forward to express his concerns regarding the beach being opened for driving after sundown. He commented that what happens after sundown is concerning especially areas where there is a lot of drinking. He mentioned that if there is camping on the beach there needs to be bathroom facilities and also restrict camping to the certain areas with these facilities.

Chip Ross came forward and requested for the review of the current City of Fernandina Beach Ordinances. He also requested that the county and city to work together to make the process more seamless. He suggested the creation of an interlocal agreement for beach rangers to providing more presence. He requested review of the types of vehicles used on the beach. He has mentioned that by removing trash cans there has been a creation of less traffic on the beach.

Following discussion, it was the consensus of the committee to schedule the next meeting for March 26, 2019 at 5:30 p.m. Chair Langley reminded the public that emails or other correspondences are appreciated and are public record.

There being no further business, the meeting adjourned at 5:33 p.m.