



May 20, 2020

From: Michael J. Foley, Owner & Founder

To: Governor Janet Mills

Subject: Request for Reconsideration for Gym Openings

Dear Governor Mills,

Firstly, I appreciate the considerable work you are doing for the entire State of Maine and I can only imagine the amount of scientific, business and financial information you are receiving in written and verbal forms throughout the course of your days and nights. We all understand this is uncharted waters and fully support the State's efforts.

Having said this, the reason for my writing you is that I invested ~ six million dollars (\$6M) in a brand new gym in Scarborough, proudly named Foley's Fitness Center. Building this facility has been a life-long dream of mine, having worked in the health, nutrition, and fitness industry for 30 years. My vision to build a fitness center for all ages and levels of fitness came to fruition on 1 December as we opened the doors of this 28,000 square foot facility. We quickly built a true community and were approaching three thousand (3,000) members when we abruptly closed our doors in support of your Executive Order and to do our part in protecting our fellow Mainers. I furloughed 40 employees whom I have hired to safely maintain this facility and support our member's goals.

Now to get right to the facts of and reason for this letter. To reiterate, my fitness center is 28,000 square feet in size. It has 33 foot ceilings, utilizing four (4) state of the art HVAC systems that draws from and vents to the outside air. Further, we have fully stocked cleaning stations, including CDC sanctioned cleaning solutions and co-located hand-sanitizers. My staff has face masks and my prepared working schedule for them is proactively aligned to support required guidelines and operating protocols. The sequence of events will be already open doors, with hand-sanitizer units at entry; two (2) infrared, touchless thermometers that we will utilize with each person entering the facility. I am prepared to have four staff on the floor, constantly policing members for proper adherence to our guidelines and readily assisting members in spraying and wiping down equipment, before and after each use. Further, we will conduct a "deep-dive cleaning stand-down" every two hours to ensure complete coverage of cleanliness, prior to rotating access for members. We will, also, sustain the six (6) plus feet distancing mandate. I will continue my previous direction for only outdoor classes and no sauna or steam room usage until the State and CDC believes it is safe to do so.

Further to this writing, Governor Mills, I must make known my, and that of my fellow gym owners, concern that business closure decision makers are co-mingling reviews of risk from fitness centers to

that of yoga, spin and dance studios. This comparison is, quite frankly, not fair and an absolute misrepresentation of facts.

Lastly, and equally important, we seem to be going against the very thing that can assist in combating illnesses caused by COVID-19 and other illnesses, that of physical exercise. This is not to mention the proven, positive relationship in mental well-being, quality of life and exercise.

I want to thank you for taking the time to read this letter and I remain hopeful that the above information will have you reconsider your most recent decision to extend the date for opening up gyms. I would welcome and be humbled by the opportunity to host you for a visit to my facility so you can see, firsthand, the opportunity we have to continue our mission, safely and in clear compliance with all guidelines and sanitation protocols.

Sincerely,

Michael J. Foley

Owner & Founder

Foley's Fitness Center