



**BOARD OF COUNTY COMMISSIONERS**

**ACTION SUMMARY**  
**OCTOBER 8, 2019 - 9:00 AM**

**COMMISSION CHAMBERS**  
**2401 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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**COUNTY COMMISSIONERS**

*Edward V. Ciampi, Chairman*  
*Harold E. Jenkins II, Vice Chairman*  
*Doug Smith*  
*Stacey Hetherington*  
*Sarah Heard ~ absent*

*Taryn Kryzda, County Administrator*  
*Sarah W. Woods, County Attorney*  
*Carolyn Timmann, Clerk of the Circuit Court and Comptroller*

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**PRESETS**

**9:05 AM** - Public Comment  
**5:05 PM** - Public Comment

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**CALL TO ORDER AT 9:02 AM**

1. INVOCATION - Dr. M. Bruce Irwin, Martin County Fire Rescue
2. **PLEDGE OF ALLEGIANCE** - led by 4-H Club Members
3. ADDITIONAL ITEMS – **The Additional Item of DEPT-3 was added to the Agenda.**
4. APPROVAL OF AGENDA – **The Agenda was approved.**
5. APPROVAL OF CONSENT AGENDA – **The Consent Agenda was approved.**

Consent Agenda items are considered routine and enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

**PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA**

The Chairman will present the proclamations to the recipients.

Agenda Item: 19-0946

**ACTION TAKEN:** The Board presented proclamations declaring 4-H Week and Domestic Violence Awareness Month.

**PROC-2 ADOPT AND PRESENT PROCLAMATIONS DECLARING EMPLOYEE HEALTH AWARENESS MONTH AND BOYS & GIRLS CLUBS OF MARTIN COUNTY AMERICORPS DAY IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt and present the proclamations declaring Employee Health Awareness Month and Boys & Girls Clubs of Martin County AmeriCorps Day in Martin County, Florida.

Agenda Item: 19-1041

ACTION TAKEN: The Board adopted and presented proclamations declaring Employee Health Awareness Month and Boys & Girls Clubs of Martin County AmeriCorps Day.

**COMMENTS**

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board requested an Agenda Item regarding privately owned roads and rights-of-way becoming County owned and maintained.
3. COUNTY ADMINISTRATOR

**CONSENT ADMINISTRATION**

**CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

This item is a placeholder on all Board meeting agendas to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 19-0820 Supplemental Memorandum (3 items)

**CNST-2 BOARD OF COUNTY COMMISSIONERS' APPROVAL OF WARRANT LIST FOR DISBURSEMENT VIA CHECKS AND ELECTRONIC PAYMENTS TO COMPLY WITH STATUTORY REQUIREMENTS**

Pursuant to Chapter 136.06, Florida Statutes, checks and electronic payments issued by the Board of County Commissioners are to be recorded in the Board meeting minutes. In compliance with statutory requirements, the Warrant List is added to the Consent Agenda for approval by the Board of County Commissioners. This Warrant List is for disbursements made between September 11, 2019 and September 20, 2019. Additional details related to these disbursements may be viewed in the office of the Martin County Clerk of Court and Comptroller or on the Clerk's website.

Agenda Item: 19-0824

**CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve minutes from the September 24, 2019 Board of County Commission regular meeting.

Agenda Item: 19-1051

**CNST-4 COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY TASK FORCE APPOINTMENTS**

After solicitation of applicants multiple times, the Board is asked to make the necessary appointments to the Community Development Block Grant Citizen Advisory Task Force.

Agenda Item: 19-0324

**RESOLUTION NO. 19-10.1**

**CNST-5 ADOPT PROCLAMATIONS TO BE PRESENTED ON OCTOBER 22, 2019**

The Board is asked to adopt the following proclamations: declaring Veterans Day and Census 2020 Kick-Off Day in Martin County, Florida.

Agenda Item: 19-0943 **Supplemental Memorandum w/drawing Census proc**

**CNST-6 PAYMENT OF COMMISSIONER HEARD'S LEGAL FEES FROM CASE NUMBER 2017-MM-3744**

Commissioner Sarah Heard faced charges for alleged violations of Florida's public records laws in connection with the performance of her duties as a County Commissioner. Commissioner Heard was acquitted of all charges on April 12, 2019. Pursuant to Board direction, the Clerk of the Circuit Court and Comptroller has had Commissioner Heard's legal fees reviewed by an independent criminal defense attorney and is expected to receive a recommendation to pay a portion of those fees.

Agenda Item: 19-1023 **Supplemental Memorandum**

**INFORMATION TECHNOLOGY**

**CNST-7 COMMUNITY BROADBAND NETWORK RENEWAL**

On November 30, 2010, Martin County entered into a reciprocal agreement with ITS Telecommunications Systems, Inc. for the sharing of fiber optic network facilities. The agreement gave fiber network access for Martin County to portions of the County west of the Florida Turnpike where ITS had previously installed fiber. In addition, ITS Telecommunications gained access to the Martin County owned fiber east of I-95. This agreement was for ten years with up to four 5-year renewals. This agreement has been mutually beneficial for both parties and staff recommends renewing the contract for an additional five years.

Agenda Item: 19-1005

**PUBLIC WORKS**

**CNST-8 APPROVAL AND EXECUTION OF THE INTERLOCAL AGREEMENT FOR MOSQUITO CONTROL SERVICES BETWEEN MARTIN COUNTY AND THE TOWN OF SEWALL'S POINT**

Approval of the Interlocal Agreement for Mosquito Control Services between Martin County and the Town of Sewall's Point, to allow the county to continue to provide mosquito control services inside the town's municipal limits. The agreement provides for the County Administrator and Town Mayor to execute one-year renewals of this agreement.

Agenda Item: 19-1001

**CNST-9 AMENDMENT TO THE CALENDAR YEAR 2019 MASTER LIST OF SPECIAL EVENTS REQUIRING ROAD CLOSURE(S)**

The Board of County Commissioners is asked to approve an amendment to the list of 2019 Special Events Requiring Road Closure(s).

Agenda Item: 19-1019

**BOARD AND COMMITTEE APPOINTMENTS**

**B&C-1 AFFORDABLE HOUSING ADVISORY COMMITTEE APPOINTMENTS**

After solicitation of applicants, the Board is asked to make the necessary appointments to the Affordable Housing Advisory Committee.

Agenda Item: 19-0862

**RESOLUTION NO. 19-10.8**

**ACTION TAKEN:** The Board appointed Michael Dooley and Chester Edwards to the Affordable Housing Advisory Committee for terms to begin October 14, 2019 and end October 13, 2021 and authorized the Chairman to sign the Resolution of Appointment and letter/certificate.

**PUBLIC HEARINGS**

**PH-1 REQUEST ADOPTION OF A RESOLUTION TO REALIGN SE 138TH STREET IN HOBE SOUND, APPROVING AN EXCHANGE OF PROPERTY WITH A.C.H. ASSOCIATES AND ACCEPTING AND APPROVING A WARRANTY DEED FROM ADRIAN AND MICHELLE REED**

The Board of County Commissioners is asked to consider adoption of a Resolution to realign SE 138th Street in Hobe Sound. The Resolution includes the exchange of property with A.C.H. Associates, a Florida general partnership (ACH) and acceptance of a Warranty Deed from Adrian and Michelle Reed to effectuate the realignment.

Agenda Item: 19-0956

**RESOLUTION NO. 19-10.2**

**ACTION TAKEN:** The Board adopted the Resolution relocating SE 138th Street as constructed in accordance with Section 336.08, Florida Statutes; authorized exchange of property between A.C.H. Associates, a Florida general partnership and Martin County to obtain necessary right of way for realignment of SE 138th Street; accepted and approved the Warranty Deed from A.C.H. Associates, a Florida general partnership to Martin County for right of way for SE 138th Street; authorized the Chairman to execute a County Deed to A.C.H. Associates, a Florida general partnership, conveying a portion of the unopened declared right of way, which is no longer needed by the County; accepted and approved the Warranty Deed from Adrian and Michelle Reed, a married couple, to Martin County for additional right-of-way along SE 138th Street; and authorized the Chairman to execute any and all documents necessary to complete the transaction.

**PH-2 PROPOSED MARTIN COUNTY TRICO SETTLEMENT - ESTELLA NEGRON V. MARTIN COUNTY, ET AL**

In accordance with the Procedure for TRICO Settlements established by the Board of County Commissioners (Board), the public is provided an opportunity to comment on the proposed settlement in the case of Estella Negron v. Martin County, et al. Case No. 15-502-CA. The case arose from a boom mower throwing the lid of a water meter box. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. Settlement discussions occurred on this case after discovery. A proposed settlement is before the Board for public comment.

Agenda Item: 19-1032

ACTION TAKEN: The Board conducted a public hearing and received public comment on the proposed settlement by members of the public and any Commissioner.

**PH-3 PROPOSED MARTIN COUNTY TRICO SETTLEMENT - JASON BRODIE V. MARTIN COUNTY**

In accordance with the Procedure for TRICO settlements established by the Board of County Commissioners (Board), the public is provided an opportunity to comment on the proposed settlement in the case of Jason Brodie v. Martin County, Case No. 19-474-CA. The case arose from a sidewalk in Halpatiokee Park that plaintiff alleged had not been properly maintained by the County. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. Settlement discussions occurred on this case. A proposed settlement is before the Board for public comment.

Agenda Item: 19-1037

ACTION TAKEN: The Board conducted a public hearing and received public comment on the proposed settlement by members of the public and any Commissioner.

**PH-4 PROPOSED MARTIN COUNTY TRICO SETTLEMENT WITH CORA HAWTHORNE, AS PUTATIVE PERSONAL REPRESENTATIVE OF ESTATE OF NATHANIEL HAWTHORNE JR**

In accordance with the Procedure for TRICO Settlements established by the Board of County Commissioners (Board), the public and Board are provided with an opportunity to comment on the proposed settlement between Martin County and the Estate of Nathaniel Hawthorne (Estate). The matter arose from a vehicular accident on SR 714. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. Settlement discussions occurred between TRICO and the Estate. A proposed settlement is before the Board for a public hearing.

Agenda Item: 19-1040

ACTION TAKEN: The Board conducted a public hearing and received public comment on the proposed settlement by members of the public and any Commissioner.

**PUBLIC HEARING QUASI-JUDICIAL**

**PHQJ-1 REQUEST ABANDONMENT OF A PORTION OF SE FRONT STREET, LYING WITHIN THE PLAT OF PORT SALERNO**

This is a request for the Board to consider an application for the abandonment of a portion of platted SE Front Street right-of-way.

Agenda Item: 19-0980

ACTION TAKEN: The Board continued the public hearing to December 3, 2019.

**DEPARTMENTAL ADMINISTRATION**

**DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD APPROVAL**

This is a placeholder on all Board meeting agendas to streamline the process for grant applications, awards, budget resolutions, budget transfers from reserves, and CIP amendments. Specific items requiring approval, if any, will be provided by Supplemental Memorandum.

Agenda Item: 19-0822 **Supplemental Memorandum (5 items)**

ACTION TAKEN:

1. Permission to Accept the Florida Department of Transportation (FDOT) Public Transportation Grant Agreement Grant (PTGA) 441610-1-94-01 for Rehabilitation of Non-AIP (Airport Improvement Program) Eligible Taxiways (Design & Const) - The Board authorized the Chairman, and/or designee, to execute the FDOT PTGA grant as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 19-10.3
2. Permission to Accept the Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) Grant 443872-1-94-01 for Airport Operations Center and Airfield Electrical Vault (Phase 2- Construction) - The Board authorized the Chairman, and/or designee, to execute the FDOT PTGA grant as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 19-10.4
3. Permission to Accept The Small County Outreach Program (SCOP) Grant Funding Through the Florida Department of Transportation (FDOT) for the Resurfacing of Indian Street Resurfacing (US-1 to Florida East Coast Railroad Tracks) Project (FM# 438071-1-54-01) - The Board authorized the Chairman to execute the SCOP Agreement; and the Martin County Administrator, or designee, to authorize any non-monetary Small County Outreach Program Supplemental Agreements and/or time extensions upon review and approval of the Martin County Attorney's Office; adopted the Board Resolution; and adopted the Budget Resolution. RESOLUTION NOS. 19-10.5 and 19-10.6
4. Permission to Accept Funding from the Florida Inland Navigation District (FIND) for Derelict Vessel Removal Funds - The Board accepted the grant award and approved the Budget Resolution. RESOLUTION NO. 19-10.7
5. Martin County Sheriff's Office Request for Fund Balance - The Board authorized the budget transfer in the amount of \$501,507.17 from the General Fund Reserves.

**DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

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Agenda Item: 19-0911 (no items)

ACTION TAKEN: No action needed.

**PUBLIC WORKS**

**DEPT-3 EVERGLADES RESTORATION PROGRESS**

This presentation is intended to update the Board of County Commissioners on the progress that has been made in constructing the C-44 Reservoir and Stormwater Treatment Area. The presentation also includes an update on the 2019 revisions to the Integrated Delivery Schedule (IDS) which illustrates the planned progress for all Comprehensive Everglades Restoration Projects (CERP). Progress on the planning efforts for the Loxahatchee River Watershed Restoration Plan and the Lake Okeechobee Watershed Restoration Plan will also be reported.

Agenda Item: 20-0011 Additional Item

ACTION TAKEN: The Board heard the presentation.

**PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.**

**ADJOURNED AT 11:42 AM**

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