



BOARD OF COUNTY COMMISSIONERS

DRAFT

6/4/2024 9:00 AM

MINUTES

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

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

Don G. Donaldson, P.E., County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit Court and
Comptroller

CALL TO ORDER

Present: 5 - Vice Chair Stacey Hetherington
Commissioner Doug Smith
Chairman Harold E. Jenkins II
Commissioner Sarah Heard
Commissioner Edward V. Ciampi

1. INVOCATION - Moment of Silence
2. PLEDGE OF ALLEGIANCE - Wayne Hanners, Chief Petty Officer, US Navy
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, to approve the agenda, with no consent pull and no additional items. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II, Commissioner Heard, and Commissioner Ciampi

5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 CENTENNIAL LOGO ANNOUNCEMENT

This item is to announce the winner of the centennial logo contest and share the winning submission.

Agenda Item: 24-0962

Communications Manager Laura Beaupre presented the winner of the centennial logo contest to the Board.

Martin County School District Social Studies and Special Projects Coordinator Mark Cowles and Carly Salzberg (Jensen Beach High School) addressed the Board.

PROC-2 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present proclamations declaring Code Enforcement Officers' Week and World Oceans Month in Martin County, Florida.

Agenda Item: 24-0717

Communications Manager Laura Beaupre presented the proclamations to the Board.

Code Compliance Administrator John Colando accepted the Code Enforcement Officers' Week proclamation along with Building Official Jeff Dougherty and the Code Enforcement Department.

Florida Oceanographic Society Board Member Robert Lord accepted the proclamation for World Oceans Month.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Kim Singleton addressed the Board in support of DEPT-4; he pointed out a few contradictions that needs clarification (i.e alcohol enforcement listed in the contract).

Tom Pine spoke before the Board regarding expenditures in the consent agenda and the need for sidewalks in Jensen Beach.

Cathy Rethmeier shared her concerns pertaining to the lease extension for the Commercial Fishing Docks [DEPT-4].

Gary Ehrler addressed the Board in support of the Port Salerno Commercial Fishing Docks [DEPT-4].

Tami Mazzota shared a piece of literature written on the Port Salerno community; she requested the Board's support [DEPT-4].

2. COMMISSIONERS

AM

Commissioner Smith commended Commissioner Ciampi and staff on The Patio at Palm City Place's ribbon cutting ceremony on Saturday.

Commissioner Hetherington echoed Commissioner Smith's comments and congratulated Commissioner Ciampi.

Commissioner Ciampi thanked the Office of Community Development staff, Susan Kores and Jordan Pastorius for their efforts. He also thanked Dr. Rex Sentell for his contributions to the CRA. Commissioner Ciampi announced with the help of George Stokus, the STA will be named "Lake Sentell" in honor of Dr. Rex Sentell.

Commissioner Smith recognized Dr. Rex Sentell's underwater photography.

PM

3. COUNTY ADMINISTRATOR

AM

None at this time.

PM

County Administrator Don Donaldson asked for the Board's permission to send a Chair letter to Representative Snyder regarding the widening of SR-710/SW Warfield Boulevard from the Martin/Okeechobee County line to CR-609/SW Allapattah Road in Indiantown.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Hetherington, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II, Commissioner Heard, and Commissioner Ciampi

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: 24-0498

This item was approved by the first motion of the meeting.

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 May 6, 2024 and May 19, 2024. 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: 24-0504

This item was approved by the first motion of the meeting.

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the February 6, 2024 regular meeting.

Agenda Item: 24-0932

This item was approved by the first motion of the meeting.

CNST-4 CONSTRUCTION INDUSTRY LICENSING BOARD APPOINTMENT

After solicitation of applicants, the Board is asked to make the necessary appointment to the Construction Industry Licensing Board.

Agenda Item: 24-0873

RESOLUTION NO. 24-6.1

This item was approved by the first motion of the meeting.

CNST-5 ADOPT A PROCLAMATION DECLARING JULY 2024 AS PARKS AND RECREATION MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring July 2024 as Parks and Recreation Month that will be presented at the June 18, 2024 meeting.

Agenda Item: 24-0874

This item was approved by the first motion of the meeting.

CNST-6 REQUEST TO INITIATE AN AMENDMENT TO THE FUTURE LAND USE MAP FOR CERTAIN PROPERTIES LOCATED IN THE HOBE SOUND CRA TO ALLOW FOR RELOCATION AND RENOVATION OF THE HISTORIC HOBE SOUND TRAIN STATION

The Historic Hobe Sound Train Station will be re-located to County owned property within the Hobe Sound CRA. EDC has been contracted and is working closely with Public Works to provide engineering drawings for the area on which the train station will be placed. It is now necessary to assign the appropriate Future Land Use designation, which requires an amendment to the Comprehensive Growth Management Plan.

Agenda Item: 24-1006

RESOLUTION NO. 24-6.2

This item was approved by the first motion of the meeting.

BUILDING

CNST-7 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PAMELA TOMASKO CASE NUMBER ENF2019070010

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Pamela Tomasko.

Agenda Item: 24-0980

This item was approved by the first motion of the meeting.

CNST-8 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF GROVES 14, LLC CASE NUMBER 11-0047262

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Groves 14, LLC.

Agenda Item: 24-0981

This item was approved by the first motion of the meeting.

CNST-9 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF MICHAEL ZUMPARO CASE NUMBER ENF2021010420-01

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Michael V Zumpano.

Agenda Item: 24-0982

This item was approved by the first motion of the meeting.

CNST-10 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF JOANNE KONEFAL CASE NUMBER ENF2018110099

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Joanne Konefal.

Agenda Item: 24-0988

This item was approved by the first motion of the meeting.

**CNST-11 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND
AGREED RECOMMENDED ORDER REGARDING THE CODE
ENFORCEMENT CASE OF MILTON R LYENS CASE NUMBER
11-0051116**

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Milton R Lyens.

Agenda Item: 24-0989

This item was approved by the first motion of the meeting.

**CNST-12 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND
AGREED RECOMMENDED ORDER REGARDING THE CODE
ENFORCEMENT CASE OF MILTON R LYENS JR CASE NUMBER
08-0020614**

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Milton R Lyens Jr.

Agenda Item: 24-0990

This item was approved by the first motion of the meeting.

**CNST-13 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND
AGREED RECOMMENDED ORDER REGARDING THE CODE
ENFORCEMENT CASE OF ALEX AND LESLIE CURTIS CASE NUMBER
ENF2023070213**

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Alex and Leslie Curtis.

Agenda Item: 24-0991

This item was approved by the first motion of the meeting.

**CNST-14 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND
AGREED RECOMMENDED ORDER REGARDING THE CODE
ENFORCEMENT CASE OF CATHERINE HEASLEY ESTATE CASE
NUMBER ENF2018030519**

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Catherine Heasley Estate.

Agenda Item: 24-0993

This item was approved by the first motion of the meeting.

CNST-15 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF CATHERINE HEASLEY ESTATE CASE NUMBER 15-0092670

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Catherine Heasley Estate.

Agenda Item: 24-0994

This item was approved by the first motion of the meeting.

GROWTH MANAGEMENT

CNST-16 REQUEST TO RELEASE A UNITY OF TITLE FOR TRACT 7, BLOCK 70 ST LUCIE INLET FARMS PLAT

McCarthy Summers, Wood, Norman, Melby & Schultz, P.A. on behalf of Hunter Lakes, LLC., has requested the release of Unity of Title affecting the subject property described as Tract 7, Block 70 St. Lucie Inlet Farms Plat, Plat Book 1, Page 98 of the Public Records of Martin County, Florida.

Agenda Item: 24-0884

RESOLUTION NO. 24-6.3

This item was approved by the first motion of the meeting.

CNST-17 REQUEST TO RELEASE A UNITY OF TITLE FOR LOTS 14 AND 15, SECTION 2, OF THE TREASURE COAST COMMERCE CENTER TWO AND THREE PLAT

Fox McCluskey Bush Robison, PLLC, on behalf of Ted Glasrud Associates FL, LLC, has requested the release of Unity of Title affecting the subject property described as Lots 14 and 15, Section 2, of the Treasure Coast Commerce Center Two and Three Plat, as recorded in Plat Book 15, Page 65, of the Public Records of Martin County, Florida.

Agenda Item: 24-0965

RESOLUTION NO. 24-6.4

This item was approved by the first motion of the meeting.

PUBLIC WORKS

CNST-18 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM BUZZELLA WORLD, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO SERVICE NEW AVONLEA PRESERVE, ALONG PRESERVE TRAIL SOUTH IN STUART

This is a request for the adoption of a Resolution approving and accepting a Utility

Easement from Buzzella World, LLC, a Florida limited liability company, to allow for the connection of water and sewer services for the New Avonlea PUD 2nd Replat development project along Preserve Trail South in Stuart.

Agenda Item: 24-0919

RESOLUTION NO. 24-6.5

This item was approved by the first motion of the meeting.

CNST-19 ADOPT A RESOLUTION APPROVING AND ACCEPTING FOUR DRAINAGE EASEMENTS FROM SANDS CC, LLC, AS A CONDITION OF POST-APPROVAL OF THE REVISED MASTER PLAN I, III, IV AND MAJOR FINAL SITE PLAN FOR SANDS COMMERCE CENTER IV

This is a request for the adoption of a resolution approving and accepting four Drainage Easements from Sands CC, LLC, a Florida limited liability company, as a condition of post-approval of the Revised Master Site Plan I, III, IV and Major Final Site Plan for Sands Commerce Center IV. The Drainage Easements are located adjacent to Bessey Creek and along SW Citrus Boulevard and will serve for additional drainage and maintenance of both Bessey Creek and SW Citrus Boulevard in Palm City.

Agenda Item: 24-0953

RESOLUTION NO. 24-6.6

This item was approved by the first motion of the meeting.

PUBLIC HEARING

PH-1 PUBLIC HEARING ON PROPOSED MARTIN COUNTY TRICO SETTLEMENT - JOAN HUTTON VS MARINA WORLD, INC. D/B/A ISLAND PRINCESS CRUISES, PAPA SIERRA, LLLP D/B/A PIRATES COVE RESORT & MARINA AND MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

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 Joan Hutton vs Marina World, Inc. d/b/a Island Princess Cruises ("Marina World"), et al, and Martin County, Case No. 2023CA000604. The County is self-insured, and TRICO (our insurance pool) assigned counsel to the matter. Settlement discussions occurred between all parties. A proposed settlement of Plaintiff's claim against Martin County is before the Board for public comment. Plaintiff has settled her claims against Marina World and Pirate's Cove.

Agenda Item: 24-0969

Deputy Human Resource and Risk Management Director Tanyi Grimm presented the item to the Board. Deputy County Attorney Elysse Elder assisted with Board questions.

Chairman Jenkins solicited public comment; none was heard.

REQUESTS AND PRESENTATIONS

R&P-1 EVERGLADES RESTORATION - HIGHLIGHTING PROGRESS IN MARTIN COUNTY

Drew Bartlett serves as the Executive Director of the South Florida Water Management District, the largest water management district in Florida. The District is responsible for the largest environmental restoration effort in the world: Restoring America's Everglades. Since 2019, the District has celebrated 70 project completions, ground breakings and other major milestones. During his tenure, Director Bartlett has expedited Everglades restoration projects, implemented major water quality improvements and monitoring efforts, and advanced the resiliency of the region's water resources. This presentation will focus on Everglades restoration highlights in Martin County and other major projects.

Agenda Item: 24-0992

Executive Director of the South Florida Water Management District Drew Bartlett presented the item, highlighting the progress of Everglades Restoration.

R&P-2 2024 LEGISLATIVE SESSION FINAL REPORT

The Florida Legislature has adjourned for the 2024 Session. This presentation will highlight Martin County's legislative accomplishments during the legislative session.

Agenda Item: 24-1008

Matt Forest with Ballard Partners presented the 2024 Legislative Session Final Report. Legislative Coordinator Sarah Powers assisted with Board questions.

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: 24-0513

RESOLUTION NOs. 24-6.7 through 24-6.11

Budget and CIP Coordinator Shelby Baker presented the items to the Board.

The following items were approved: (1) FDEP Resilient Florida Grant, (2) FTA Bus and Bus Facilities Urbanized Formula Grant and (3) FDOT Shared Use Nonmotorized Trail Network and (4) United Way Rental Assistance Funds.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II,
Commissioner Heard, and Commissioner Ciampi

**DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL
\$1 MILLION OR GREATER**

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: 24-0519

Chief Procurement Officer Krysti Brotherton presented the item to the Board.

(1) City of Stuart Various Location (Riverside Park Neighborhood Improvements).

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II,
Commissioner Heard, and Commissioner Ciampi

COUNTY ATTORNEY

**DEPT-3 APPROVAL OF FIFTH AMENDMENT AND COMPLETE RESTATEMENT
OF AGREEMENT OF LEASE WITH WITHAM AERO CLUB, INC.**

The Witham Aero Club has requested an amendment and restatement to their lease to extend the term an additional 20 years (from 2040 to 2060) in return for \$768,000 in improvements to the property.

Agenda Item: 24-0996

Airport Director Andrew McBean presented the item to the Board. Senior Assistant County Attorney Sebastian Poprawski assisted with Board questions.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Hetherington, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II,
Commissioner Heard, and Commissioner Ciampi

Agenda Item: 24-0996

Commissioner Heard requested reconsideration of the vote for DEPT-3, due to a conflict of interest.

Commissioner Heard announced she will abstain from voting on this item; she filed Form 8B Memorandum of Voting Conflict for the record.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Ciampi, to reconsider the vote for DEPT-3. The motion carried by the following vote:

Aye: 5 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II, Commissioner Heard, and Commissioner Ciampi

Agenda Item: 24-0996

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Hetherington, to approve item DEPT-3. The motion carried by the following vote:

Aye: 4 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II, and Commissioner Ciampi

Abstain: 1 - Commissioner Heard

PUBLIC WORKS

DEPT-4 REQUEST FOR APPROVAL OF A THIRD AMENDMENT TO LEASE BETWEEN MARTIN COUNTY AND PORT SALERNO COMMERCIAL FISHING DOCK AUTHORITY

This is a request for the approval of a Third Amendment to Lease with the Port Salerno Commercial Fishing Dock Authority (PSCFDA), extending the term, clarifying permit requirements for special events and repair and maintenance responsibilities for the lease premises.

Agenda Item: 24-0979

Public Works Real Property Manager Carla Segura presented the item to the Board.

The Commissioners shared their support for this item.

Commissioner Heard shared she does not support this item, this is a Martin County asset and should be shared by the entire County not just one entity.

The following members of the public addressed the Board in support of this item: Christina Ardigo, Steve English, Tom Whittington, and Butch Olsen.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, to approve staff's recommendation with ministerial changes as recommended. The motion carried by the following vote:

Aye: 4 - Vice Chair Hetherington, Commissioner Smith, Chairman Jenkins II, and Commissioner Ciampi

Nay: 1 - Commissioner Heard

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

None at this time.

ADJOURN

The Board of County Commissioners June 4, 2024 meeting adjourned at 12:40 p.m.

Carolyn Timmann, Clerk of the
Circuit Court and Comptroller
/lp

Harold Jenkins II, Chair
Board of County Commissioners

Minutes approved:

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