



BOARD OF COUNTY COMMISSIONERS

DRAFT

8/21/2018 9:00 AM

MINUTES

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Edward V. Ciampi, Chairman

Harold E. Jenkins II, Vice Chairman

Doug Smith

Ed Fielding

Sarah Heard

Taryn Kryzda, County Administrator

Sarah W. Woods, County Attorney

Carolyn Timmann, Clerk of the Circuit Court and

Comptroller

Comprehensive Plan Amendments (adoption)

CALL TO ORDER

Present: 5 - Chairman Edward V. Ciampi
Vice Chairman Harold E. Jenkins II
Commissioner Doug Smith
Commissioner Ed Fielding
Commissioner Sarah Heard

1. INVOCATION - Moment of Silence

2. PLEDGE OF ALLEGIANCE

3. ADDITIONAL ITEMS

4. APPROVAL OF AGENDA

A motion was made by Commissioner Smith, seconded by Commissioner Fielding, for approval of the agenda with the consent agenda with the additional items of CNST-9, PH-9, and COM-1, with the consent pull of CNST-6. The motion carried by the following vote:

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

5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

Agenda Item: 18-0572

Special Projects Coordinator Laura Beaupre introduced the proclamations.

United Way Director of Character Counts Holly Laiben accepted the Family Day proclamation.

DAR Halpatokee Chapter Regent Lynne Jensen accepted the Constitution Week proclamation.

Tax Collector Ruth Pietruszewski, Floridians Fighting Falls Executive Director Audrey Burzynski, and Care Health Services COO Wendy McElroy accepted the Falls Prevention Awareness Month proclamation.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Katie Douglas, Gloria Santavicca, Nannette Walsh, Sandy Monson, Elizabeth Price, and Barbara Vigrass spoke in support of the Martin Girls Academy and their lease with the Sheriff's Office.

Matthew Cox spoke in support of the Pineland Prairie project (items PH-3 and PH-4).

Jackie Trancynger spoke about the dangers of glyphosate and asked the Board to find a way to ban its use by businesses, government entities, and citizens.

Dr. Julie Bjornson made suggestions to the Board regarding the use of glyphosate: ban it (start by reducing by 90%), issue warnings to the public, provide alternatives, promote organic farming, promote small farms, and eat organic.

Bobby Spears spoke about the proposed site plan for 5601 Kanner and asked where the existing drainage will end up and whether Appaloosa Street would be extended.

Paul Laura joined Ms. Bjornson in urging the Board to stop the use of glyphosate.

Joel Pearl corrected the comments a previous speaker made regarding Martin Health System President/CEO Robert Lord. He informed the Board that Mr. Lord is an attorney, not a doctor.

2. COMMISSIONERS

AM

Commissioner Heard spoke about petitioning U.S. Fish & Wildlife to protect endangered species in the Indian River Lagoon and asked the Board to fund a \$30,000 grant/contract for Dr. Grant Gilmore to create a petition for three endangered species. County Administrator Taryn Kryzda and Purchasing Manager Nicole Carey explained the purchasing procedures to the Board (request for proposal, going out for bids, single source provider). The suggested funding source was the General Fund Reserves.

MOTION: A motion was made by Commissioner Heard and seconded by Commissioner Fielding, to petition for endangered species in the Indian River Lagoon. There was no vote on this motion due to the following substitute motion:

MOTION: A motion was made by Chairman Ciampi and seconded by Commissioner Smith, to take everything that Commissioner Heard said, allow our staff to thoroughly review this, if Commissioner Heard could work with you to create the scope of services that you were speaking of, if we put it out as a fair process and bring it back for first thing on September 11th.

The motion carried 4-1, with Commissioner Heard dissenting.

Commissioner Heard also spoke about the detrimental impact of glyphosate on the Indian River Lagoon.

MOTION: A motion was made by Commissioner Heard and seconded by Commissioner Fielding to take steps to ban glyphosate in Martin County. There was no vote on this motion due to the following substitute motion:

MOTION: A motion was made by Commissioner Smith and seconded by Vice Chairman Jenkins to have staff come back, as soon as possible, with an agenda item and tell us everything we ever needed to know about what that means [a ban on glyphosate], what the process would be like, can we do something like that, can we not do something like that, I just don't want to send you off on a trail to do something and find out that we are preempted from doing so. I don't know what the rules are, but I think it would be helpful to have a little bit more history and understanding about what we're actually asking for.

The motion carried 3-2, with Chairman Ciampi and Commissioner Fielding dissenting.

Chairman Ciampi spoke about extending the fertilizer ban.

MOTION: A motion was made by Chairman Ciampi and seconded by Commissioner Heard to have staff bring forward the necessary information that we can follow suit with Sewall's Point and the City of Stuart on taking our fertilizer ban from four months to six months.

The motion carried 4-1, with Commissioner Jenkins dissenting.

Commissioner Fielding announced his plans to use district funds to enhance the Cassidy Community Center park area.

Chairman Ciampi announced his plans to use district funds to help sponsor the Indiantown Rodeo and toward a trap/spay/neuter/vaccinate/release program in Palm City.

Commissioner Jenkins announced that he was working on acquiring a small property for the Hamm/Scrub Preserve access point.

PM

Chairman Ciampi complimented two Building Department employees for their outstanding service: Eric Francis and Pamela Green. He announced the upcoming Fire Assessment meeting at the Cummings Library and urged everyone to get out and vote.

Commissioner Jenkins announced his upcoming Town Hall Meeting. The topics scheduled were the Hamm Parcel/Hobe Sound Scrub Preserve, the Bridge Road Project, Zeus Park parking, and the Fire Assessment.

3. COUNTY ADMINISTRATOR

Legislative Update - End the Ocean Outfalls in South Florida by the Legislature's deadline, 2025

Legislative Coordinator Kloee Ciuperger presented a statement to send to the state to add to their state-wide policies/priorities.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Fielding, that we add this to our legislative priority list.

The motion carried unanimously.

Bathtub Beach

County Administrator Taryn Kryzda announced the closure of Bathtub Beach due to the presence of blue-green algae.

CONSENT

ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

Agenda Item: 18-0497

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

SUPPLEMENTAL MEMO (1 item)

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

Agenda Item: 18-0499

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

CNST-3 INVESTMENT REPORT FOR JUNE 2018

Agenda Item: 18-0694

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

CNST-4 NOTED ITEMS

Agenda Item: 18-0489

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

CNST-5 ADOPT PROCLAMATIONS

Agenda Item: 18-0681

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

GROWTH MANAGEMENT

CNST-6 REQUEST TO BOTH TERMINATE THE DEVELOPMENT ORDER AND TO RELEASE THE UNITY OF TITLE FOR VILLA DEL SOL AT THE ELLIPSE

Agenda Item: 18-0575

RESOLUTION NO. 18-8.17

Senior Planner Irene Szedlmayer and Senior Assistant County Attorney Krista Storey presented the item to the Board.

Gentile Glas Holloway O'Mahoney & Associates Design Associate Dan Siemsen addressed the Board on behalf of the applicant.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for approval of the item.

The motion carried unanimously.

CNST-7 REQUEST TO RELEASE THE UNITY OF TITLE FOR TWELVE PARCELS OF LAND OWNED BY D.R. HORTON, INC. IN BLOCKS 9 AND 156, COSTNER'S SUBDIVISION

Agenda Item: 18-0593

RESOLUTION NO. 18-8.14

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

PUBLIC WORKS

CNST-8 REQUEST THAT THE COUNTY GRANT A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY (FPL) FOR PLACEMENT OF ELECTRICAL LINES AND UTILITY RELATED EQUIPMENT AT STUART JET CENTER, LLC (SJC) FOR THE NEW HANGAR AT MARTIN COUNTY AIRPORT

Agenda Item: 18-0613

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

CNST-9 BIOSOLID LAND APPLICATION AWARENESS MONITORING AND REDUCTION

Agenda Item: 18-0714

RESOLUTION NO. 18-8.15

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

ADDITIONAL ITEM

BOARD AND COMMITTEE APPOINTMENTS

**B&C-1 DRUG AND ALCOHOL ABUSE AWARENESS COMMITTEE
APPOINTMENTS**

Agenda Item: 18-0500

RESOLUTION NO. 18-8.25

Administration Executive Aide Donna Gordon tallied the votes for the Board.

A motion was made by Commissioner Heard, seconded by Commissioner Smith, to appoint Janet McCullough and Dawn Goldy Haviland, the two new agency appointments, and all the other appointments listed in the agenda item. The motion carried by the following vote:

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

Nay: 1 - Commissioner Fielding

SUPPLEMENTAL MEMO

PUBLIC HEARINGS

**PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF
COMPREHENSIVE PLAN AMENDMENT 18-5, BERRY RETAIL, A
FUTURE LAND USE MAP AMENDMENT**

Agenda Item: 18-0583

ORDINANCE NO. 1079

Senior Planner Irene Szedlmayer presented the item to the Board. Senior Assistant County Attorney Krista Storey and Growth Management Director Nicki van Vonno assisted with Board questions.

Attorney Bob Raynes, Certified Land Use Planner Josh Long, and Konover South [contract purchaser] Senior Vice President Jeff Williams provided the applicant's presentation to the Board. Mr. Raynes filed the affidavit of notification and adopted the staff report as Applicant Exhibit #1.

The following members of the public addressed the Board regarding this item: Chris Cischke, Kelly Middleton, David Russotti, and Jon Gray.

A motion was made by Commissioner Heard, seconded by Commissioner

Fielding, to make a land use designation of COR on this property. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Fielding, and Commissioner Heard

Nay: 1 - Commissioner Smith

PH-2

PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR 7.24 ACRES ON EAST-BOUND SW MARTIN HIGHWAY IN PALM CITY, CONCURRENTLY WITH CPA 18-05, BERRY RETAIL

Agenda Item: 18-0585

RESOLUTION NO. 18-8.16

Ex parte communication disclosure forms were filed by all five commissioners. The proof of notification was filed under item PH-1. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Senior Planner Irene Szedlmayer provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey and Growth Management Director Nicki van Vonno assisted with Board questions.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Fielding, seconded by Commissioner Heard, to support COR-1 zoning. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Fielding, and Commissioner Heard

Nay: 1 - Commissioner Smith

PH-3

LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-4, PINELAND PRAIRIE, A TEXT AMENDMENT

Agenda Item: 18-0677

ORDINANCE NO. 1080

Principal Planner Clyde Dulin, Senior Planner Peter Walden, Growth Management Director Nicki van Vonno, and Senior Assistant County Attorney provided the staff's presentation to the Board.

Applicant Knight A. Kiplinger addressed the Board regarding his project. Marcela Cambor & Associates President Marcela Cambor-Cutsaimanis provided the applicant's presentation to the Board.

The following members of the public addressed the Board on this item: Alishia Parenteau, Jeff Bowers, Chappy Young, Jackie Vitale, Marcy Pitkin, Bob Gordon, Julie

Preast, Rob Schweiger, Michael Caputo, Jenny Yingling, Greg Braun, Tom Campenni, Sewall's Point Commissioner James Campo, Rick Hartman, Jackie Trancynger, Helen McBride, and Maureen Saltzer (on behalf of Rick Mancil).

A motion was made by Commissioner Fielding, seconded by Vice Chairman Jenkins II, to accept the recommendation of staff [including the text language change and the correction of the error on page 731]. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PH-4

LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-3, PINELAND PRAIRIE, A FUTURE LAND USE MAP AMENDMENT

Agenda Item: 18-0584

ORDINANCE NO. 1081

Senior Planner Irene Szedlmayer, Senior Assistant County Attorney Krista Storey, and Growth Management Director Nicki van Vonno provided the staff's presentation to the Board.

Marcela Cambolor & Associates President Marcela Cambolor-Cutsaimanis addressed the Board on behalf of the applicant and in agreement with staff's presentation.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Fielding, seconded by Commissioner Smith, for approval of staff's recommendation with the changes to the legal description. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PH-5

FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CREATING ARTICLE 11, PLANNED MIXED-USE VILLAGE, LAND DEVELOPMENT REGULATIONS

Agenda Item: 18-0591

Senior Planner Peter Walden, Growth Management Director Nicki van Vonno, and Senior Assistant County Attorney Krista Storey provided the staff's presentation to the Board.

Marcela Cambolor & Associates President Marcela Cambolor-Cutsaimanis provided the applicant's presentation to the Board and filed the affidavit of notification for the record.

The following member of the public addressed the Board in support of this item:
Economic Council Interim CEO Ted Astolfi.

MOTION: A motion was made by Commissioner Fielding, seconded by Commissioner Heard, that we modify this particular point so that it's not just to be considered by the Administrator, on the final site plan, but also that the Board be the final determinant. Commissioner Fielding later withdrew his motion.

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

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

Nay: 1 - Commissioner Heard

SUPPLEMENTAL MEMO

PH-6 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 18-8, FIRE STATION 10

Agenda Item: 18-0671

This item was withdrawn from the agenda.

A motion was made by Commissioner Fielding, seconded by Vice Chairman Jenkins II, to modify the acceptance of the agenda to reflect the withdrawal of items PH-6 and PH-7. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO withdrawing item

PH-7 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 18-9, RESERVE AREA NO. 1, LEILANI HEIGHTS PHASE 1

Agenda Item: 18-0667

This item was withdrawn from the agenda (see item PH-6).

SUPPLEMENTAL MEMO withdrawing item

PH-8 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 4, WETLANDS AND SHORELINE PROTECTION, UPLANDS PROTECTION, AND EXCAVATION, FILLING AND MINING, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Agenda Item: 18-0517

ORDINANCE NO. 1082

Principal Planner Shawn McCarthy, Environmental Administrator Darryl DeLeeuw, Growth Management Director Nicki van Vonno, and Senior Assistant County Attorney

Krista Storey presented the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Vice Chairman Jenkins II, seconded by Commissioner Smith, to approve staff's recommendation with the corrections shown on the errata sheet. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO

PH-9 PROPOSED MARTIN COUNTY SETTLEMENT - EDDIE I. SIERRA V. MARTIN COUNTY, CASE NO. 2:18-CV-14208

Agenda Item: 18-0709

Senior Assistant County Attorney David Arthur presented the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins II, that this agenda item be approved.. The motion carried by the following vote:

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

ADDITIONAL ITEM

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 KANNER 5601 MAJOR FINAL SITE PLAN

Agenda Item: 18-0611

RESOLUTION NO. 18-8.18

Ex parte communication disclosure forms were filed by all five commissioners. The proof of notification was filed by the applicant. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Catherine Riiska resume.

APPLICANT: Lucido & Associates Senior Vice President Morris Crady provided the applicant's presentation to the Board.

A motion was made by Commissioner Fielding, seconded by Commissioner

Heard, to accept staff's recommendation. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO

DEPARTMENTAL
ADMINISTRATION

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

Agenda Item: 18-0498

RESOLUTION NOS. 18-8.19, 18-8.20, 18-8.21, and 18-2.22

Budget Manager Jennifer Manning presented the three items to the Board.

A motion was made by Commissioner Fielding, seconded by Commissioner Heard, to approve all of DEP-1. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO (3 items)

AIRPORT

DEPT-2 FOURTH AMENDMENT AND COMPLETE RESTATEMENT OF AGREEMENT OF LEASE (WITHAM AERO CLUB, LLC)

Agenda Item: 18-0698

Assistant County Administrator George Stokus and Senior Assistant County Attorney David Arthur presented the item to the Board.

Commissioner Heard filed Form 8B, Memorandum of Voting Conflict, for this item.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, for approval of this agenda item. The motion carried by the following vote:

Aye: 3 - Chairman Ciampi, Vice Chairman Jenkins II, and Commissioner Smith

Nay: 1 - Commissioner Fielding

Abstain: 1 - Commissioner Heard

PUBLIC WORKS

DEPT-3 APPROVAL OF A CONTRACT FOR THE ACQUISITION OF THREE (3) VACANT PARCELS IN POINCIANA GARDENS AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM MINDIE MOLINA AKA MINDIE SHOURDS

Agenda Item: 18-0604

RESOLUTION NO. 18-8.23

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

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Fielding, for staff's recommendation. The motion carried by the following vote:

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

COMMISSIONERS

COMMISSIONERS

COM-1 ADOPT A RESOLUTION SUPPORTING COMMISSIONER DOUG SMITH TO BE NOMINATED FOR A POSITION ON THE NACO BOARD

Agenda Item: 18-0716

RESOLUTION NO. 18-8.24

Chairman Ciampi provided the introduction to the item.

MOTION: A motion was made by Vice Chairman Jenkins, seconded by Commisisoner Fielding, to approve the item. The motion carried by the following vote:

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

ADDITIONAL ITEM

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURN

The Board of County Commissioners August 21st meeting adjourned at 6:32 p.m.

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

Edward V. Ciampi, Chairman
Board of County Commissioners

Minutes approved:
