



**BOARD OF COUNTY COMMISSIONERS**

**FINAL MINUTES**

**4/9/2024 9:00 AM**

**MINUTES**

**COMMISSION CHAMBERS**

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

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**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*

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**CALL TO ORDER**

**Present:** 4 - Vice Chair Stacey Hetherington  
Commissioner Doug Smith  
Chairman Harold E. Jenkins II  
Commissioner Sarah Heard

**Excused:** 1 - Commissioner Edward V. Ciampi

1. INVOCATION ~ Pastor Aaron Meehan, Higher Purpose Pentecostal Church
2. PLEDGE OF ALLEGIANCE ~ Jeffrey Norwood, US Army Combat Veteran
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Hetherington, to approve the agenda with additional items CNST-17 and DEPT-4. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Ciampi

## 5. APPROVAL OF CONSENT AGENDA

### **COMMENTS**

#### 1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Wayne Hanners thanked Commissioner Ciampi for the invitation to do the pledge and for placing Veteran flags on Mapp Road. He shared a personal incident where a royal palm frond fell on the highway while riding his motorcycle; he asked the Board to be considerate of things planted in medians for motorist safety. Mr. Hanners also requested reconsideration of the speed limits on Martin Highway (currently 35mph).

Gary Badzinski addressed concerns and shared statistics regarding the proposed recovery home [Voyage Recovery Center].

Catherine Glover spoke regarding Voyage Recovery Center, she read medical literature into the record.

Barbara Eurich spoke in opposition to the Voyager Recovery Center.

Peter Eurich (The Mooring Safety Harbor HOA President) addressed the Board in opposition to the Voyager Recovery Center.

Pat Swicki spoke about the dangers of the Brightline train due to the lack of pedestrian bridges and crossings over the train tracks.

Terry Kogl also spoke regarding the dangers of the Brightline train, she suggested that Brightline be responsible for providing its own safety barriers.

Michael Syrkus addressed tax increases and prioritizing County spending without increases to the tax base.

Amy Pritchett thanked Veteran Wayne Hanner for his service. She discussed her attendance at a recent open house and voiced her concerns with the lack of water view in Port Salerno.

Elaine Moore agreed with comments made by Amy Pritchett, she requested representation for the local residents of Salerno.

Jim Moirer (Indian River Keeper) spoke in support of Martin County Forever's land acquisition (PH-1).

Ellen Asselin addressed concerns with the Mooring Field.

Linda Albrecht addressed the Board to oppose the Voyager Recovery Center.

Casey Darling Kniffin (Conservation Policy Director with FWC) addressed the Board in support of the Martin County Forever initiative.

Mark Turnesa addressed the Board in opposition to the reasonable accommodation for the Voyager Recovery Center.

Tom Pine expressed his concerns regarding Stamp-out Hunger Day, sales tax increases and contradictions with spending.

Craig Coy spoke in support of the Martin County Forever initiative (PH-1).

F. Ann Rohlen spoke before the Board about Voyager Recovery Center; from the perspective of one who relies on ADA accommodations she requested consideration of both sides. She shared her concerns regarding safety issues.

Catherine Lawler spoke in opposition to the Voyager Recovery Center.

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

## 2. COMMISSIONERS

### AM

Commissioner Smith requested an overview of the reasonable accommodation process from the County Attorney's Office for public education.

Deputy County Attorney Elysse Elder provided an explanation of the process for the Voyager Recovery Center accommodations and the reasonable accommodation hearing process, of which the County has no purview. She explained the process does not allow for interveners but is open to the public; written comments can be made to the County and sent to the magistrate for consideration. Public emails can be sent to Deputy County Attorney Elysse Elder or Growth Management Senior Planner Daphne Schaub and will also be provided to the State delegation. Ms. Elder also explained the public may file an objection to the County Administrator.

Commissioner Hetherington congratulated Honor Flight on their 50th flight. She shared updates from a meeting with FDOT and the South River Community regarding traffic safety enhancements on Kanner Highway. Commissioner Hetherington thanked the Sheriff for enhanced enforcement.

Commissioner Ciampi apologized for his tardiness due to a previous speaking engagement with Project LIFT. He addressed issues surrounding the Voyager Recovery Center. Commissioner Ciampi requested staff to review state statute and details regarding distance of recovery homes from another.

Commissioner Heard shared Chapter 4 of the Comprehensive Plan requires the residential capacity analysis to be updated every 5 years, she stated one is overdue and it is essential to controlling future growth.

Commissioner Jenkins requested the Board's support, authorizing a letter of support (on behalf of the Village of Tequesta) to Governor DeSantis for Tequesta Park improvements (baseball, soccer, dog park etc.). He stated a letter was sent to Representative Synder and was partially granted. County Administrator Don Donaldson confirmed efforts regarding this item was apart of the Board's legislative priorities.

**PM**

Commissioner Heard announced the Board received \$18 million in grants from DEP for the New Monrovia septic to sewer program, however at the communities request, the funds were turned down. She also shared the Port Salerno Mooring Field was presented to the NAC six times before approval.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Hetherington, to approve the Chair's signature on a letter to the Governor. The motion carried by the following vote:

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

**3. COUNTY ADMINISTRATOR**

**AM**

None at this time.

**PM**

County Administrator Don Donaldson requested a letter of support for Congressman Brian Mast Bill that amends Title 38 of the United States Code. Veteran Affairs Administrator Dan McHenry assisted with Board questions.

Commissioner Ciampi congratulated Sergeant Dan Mchenry on his retirement and service.

County Administrator Don Donaldson requested a letter of condolence from the Board to Florida Senate President Kathleen Passidomo for the passing of her husband.

MOTION: A motion was made by Commissioner Ciampi, seconded by Vice Chair Hetherington, to authorize the Chair's signature on a letter as recommend by the County Administrator. The motion carried unanimously.

County Administrator Don Donaldson shared efforts to provide a water system to the Evergreen and Windstone communities. He advised he will bring back a policy to address existing developments within the urban boundary.

Commissioner Smith suggested reaching out to federal and state delegation to ask for consideration when dealing with situations similar to the Voyager Recovery Center. County Administrator Don Donaldson will return with additional information.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Smith, to accept a new policy for Evergreen and Windstone, and bring back a policy that addresses the entire County. 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**

Agenda Item: 24-0494

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**

Agenda Item: 24-0500

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

#### **CNST-3 ADOPT A PROCLAMATION DECLARING STAMP OUT HUNGER DAY IN MARTIN COUNTY, FLORIDA**

Agenda Item: 24-0702

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

#### **CNST-4 ADOPT A PROCLAMATION DECLARING CHILD ABUSE PREVENTION MONTH IN MARTIN COUNTY, FLORIDA**

Agenda Item: 24-0741

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

#### **CNST-5 ADOPT A PROCLAMATION DECLARING HURRICANE PREPAREDNESS WEEK IN MARTIN COUNTY, FLORIDA**

Agenda Item: 24-0779

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

#### **CNST-6 ADOPT FOUR PROCLAMATIONS COMMENDING YOUNG MEN FROM TROOP 811 UPON THE ACHIEVEMENT OF EAGLE SCOUT**

Agenda Item: 24-0784

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

**CNST-7 ADOPT FOUR PROCLAMATIONS COMMENDING YOUNG MEN FROM TROOP 840 UPON THE ACHIEVEMENT OF EAGLE SCOUT**

Agenda Item: 24-0794

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

**CNST-8 ADOPT A PROCLAMATION DECLARING EVERGLADES DARK SKY MONTH IN MARTIN COUNTY, FLORIDA**

Agenda Item: 24-0801

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

**BUILDING**

**CNST-9 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF MARY RIGGS MAYO AND MICHAEL MAYO CASE NUMBER ENF2022040288**

Agenda Item: 24-0692

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 BAF 3 LLC CASE NUMBER ENF2021100063**

Agenda Item: 24-0693

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

**COUNTY ATTORNEY**

**CNST-11 AMENDMENT TO THE BOARD DIRECTED DONATION POLICY**

Agenda Item: 24-0795

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

**PUBLIC WORKS**

**CNST-12 ACCEPTANCE AND APPROVAL OF A SECOND AMENDMENT TO OPTION TO LEASE WITH THE MARTIN COUNTY POLICE ATHLETIC LEAGUE, INC., EXTENDING THE TERM OF THE OPTION TO LEASE ON COUNTY OWNED REAL PROPERTY IN GOLDEN GATE**

Agenda Item: 24-0700

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

**CNST-13 APPROVAL OF A REVOCABLE ACCESS AND MAINTENANCE EASEMENT BETWEEN MARTIN COUNTY AND MCARTHUR GOLF CLUB, L.L.C., FOR MAINTENANCE ASSOCIATED WITH SERVICE ACCESS TO MCARTHUR'S WEST GOLF COURSE AND MAINTENANCE FACILITIES**

Agenda Item: 24-0711

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

**CNST-14 FINAL APPROVAL OF A CONTRACT AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A SPECIAL WARRANTY DEED FOR THE ACQUISITION OF A ONE-HALF ACRE VACANT LOT IN PALM BEACH HEIGHTS FOR CONSERVATION PURPOSES**

Agenda Item: 24-0742

**RESOLUTION NO. 24-4.1**

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

**CNST-15 SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT FOR CREATION OF THE MARTIN COUNTY METROPOLITAN PLANNING ORGANIZATION**

Agenda Item: 24-0754

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

**UTILITIES AND SOLID WASTE**

**CNST-16 INITIAL ASSESSMENT RESOLUTION FOR THE HARBOR ESTATES/GAINES AVENUE WATER MAIN EXTENSION MUNICIPAL BENEFIT UNIT**

Agenda Item: 24-0680

**RESOLUTION NO. 24-4.2**

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

**PARKS AND RECREATION**

**CNST-17 U.S. SAILING CENTER OF MARTIN COUNTY REQUEST FOR SPECIAL USE PERMIT**

Agenda Item: 24-0814

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

**BOARD AND COMMITTEE APPOINTMENTS**

**B&C-1 LIBRARY BOARD OF TRUSTEES APPOINTMENTS**

Agenda Item: 24-0606

**RESOLUTION NO. 24-4.3**

Administrative Services Program Coordinator Donna Gordon announced the appointment of Nelson Pole and Diane Tomasik to the Library Board of Trustees.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Smith, to appoint Nelson Pole and Diane Tomasik to the Library Board of Trustees. The motion carried by the following vote:

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

**PUBLIC HEARING**

**PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CALLING FOR REFERENDUM ON A TEN-YEAR HALF-CENT SALES TAX FOR CONSERVATION LANDS**

Agenda Item: 24-0744

**ORDINANCE NO. 1221**

County Attorney Sarah Woods presented the item to the Board.

Commissioner Hetherington reiterated that conservation easements would apply to Florida rural land to protect agricultural interest. She inquired about the composition of the oversight committee; and shared she would like to see more AG owners apart of the committee. County Attorney Sarah Woods stated the intent is to include a group whose primary focus is to acquire land and one whose purpose is preserving land.

Commissioner Smith agreed with Commissioner Hetherington's comments; he stated that he favors the idea of having available funding go towards land acquisition near existing parks.

Commissioner Ciampi agreed with having two AG representatives and remove the last person.

The Board collectively discussed the composition of the Oversight Committee. County Attorney Sarah Woods provided amended ballot language.

The following members of the public addressed the Board regarding this item: Craig Coy (Martin County Forever), Lorraine Kayser (Martin County Forever) and Jim Snedeker.

MOTION: A motion was made by Commissioner Heard, to approve staff's recommendation. The motion failed for the lack of a second.

Agenda Item: 24-0744

MOTION: A motion was made by Commissioner Smith, to ask the County Attorney during the 10 minute break, to see if it's possible to add language or recommend language that would effectively bring us to two members in the AG category and leave four members of the environmental community; and bring it back after the break if it's possible. The motion failed for the lack of a second; County Attorney Sarah Woods confirmed she can take Board direction instead.

Agenda Item: 24-0744

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Heard, to approve the recommended language and the ballot. The motion carried by the following vote:

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

## **PUBLIC HEARINGS QUASI-JUDICIAL**

### **PHQJ-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR APEX PAVERS INC. (A085-002)**

Agenda Item: 24-0746

#### **RESOLUTION NO. 24-4.4**

Ex parte communication disclosures were provided by the commissioners. There were no interveners. Notices were provided at the LPA. The participants were sworn in by the deputy clerk.

COUNTY: Growth Management Principal Planner Brian Elam presented staff's presentation to the Board. Deputy County Attorney Elysse Elder and Growth Management Director Paul Schilling assisted with Board questions.

The following County exhibits were filed for the record: (1) agenda item/staff report and (2) Brian Elam's resume.

APPLICANT: McCarty Summers Attorney Christen Spake addressed the Board in support of staff's recommendation; no presentation was given.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Smith, 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

**PHQJ-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING CLASSIFICATION FOR MR. ERIC BRUSH (G088-001)**

Agenda Item: 24-0745

**RESOLUTION NO. 24-4.5**

Ex parte communication disclosures were provided by the commissioners. There were no interveners. Notices were provided at the LPA. The participants were sworn in by the deputy clerk.

COUNTY: Growth Management Senior Planner John Sinnott presented staff's presentation to the Board. Deputy County Attorney Elysse Elder and Growth Management Director Paul Schilling assisted with Board questions.

The following County exhibits were filed for the record: (1) agenda item/staff report and (2) John Sinnott's resume.

APPLICANT: George Missimer of Cotleur & Hearing addressed the Board on behalf of the applicant; no presentation was given.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Vice Chair Hetherington, seconded by Commissioner Smith, 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

**DEPARTMENTAL**  
**ADMINISTRATION**

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

Agenda Item: 24-0509

**RESOLUTION NO. 24-4.6**

OMB Director Stephanie Merle presented the items to the Board. Public Works Director Jim Gorton assisted with Board questions.

The following items were approved: (1) FY25 Federal Environmental Infrastructure Community Funding, (2) E911 State Grant for Rapid SOS Premium and (3) Request for funds from Reserves (SW Pomeroy Street and US-1 Martin County fiber optic).

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Smith, to approve all items. 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**

Agenda Item: 24-0515

Chief Procurement Officer Krysti Brotherton presented the items to the Board. Public Works Director Jim Gorton and County Administrator Don Donaldson assisted with Board questions.

The following items were approved: (1) Indian Riverside Park Lagoon Boardwalk Expansion and (2) Golden Gate Neighborhood Resurfacing.

Commissioner Hetherington requested Public Works to complete sampling. Public Works Director Jim Gorton provided an overview of the process.

MOTION: A motion was made by Vice Chair Hetherington, seconded by Commissioner Smith, 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

**PUBLIC WORKS**

**DEPT-3 STAFF PRESENTATION ON THE HISTORY OF BATHTUB BEACH**

Agenda Item: 24-0713

Coastal Program Manager Jessica Garland presented the historical overview of Bathtub Beach. County Administrator Don Donaldson assisted with Board questions.

Olsen Associates Inc. Consultant Engineer Steven Howard provided an overview of the beach nourishment project. Kevin Bodge with Olsen Associates Inc. provided updates regarding sea level rises.

**ADMINISTRATION**

**DEPT-4 2024 LEGISLATIVE SESSION FINAL REPORT**

Agenda Item: 24-0821

Legislative Coordinator Sarah Powers provided the 2024 Legislative Session Final report. County Administrator Don Donaldson assisted with Board questions.

Commissioner Ciampi requested an agenda item return before the Board with a review of the Live Local Act [SB102].

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

Gary Ehrler inquired about the status of the BOCC meeting minutes, noting they are available online through August 8, 2023. He also spoke regarding the Port Salerno Mooring Field and septic to sewer.

Commissioner Ciampi requested a timeline for producing the meeting minutes.

**ADJOURN**

The Board of County Commissioners April 9, 2024 meeting adjourned at 2:43 p.m.

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

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Harold Jenkins II, Chair  
Board of County Commissioners

Minutes approved:

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