



BOARD OF COUNTY COMMISSIONERS

**FINAL MINUTES
10/19/2021 9:00 AM**

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

COUNTY COMMISSIONERS

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

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

CALL TO ORDER

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

1. INVOCATION - Rabbi Matthew Durbin, Temple Beit HaYam
2. PLEDGE OF ALLEGIANCE - Captain Jason Ward, US Army Veteran
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve the agenda with the additional consent items minus the pull of CNST-1. The motion carried by the following vote:

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

5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

Communications Manager Laura Beaupre presented the proclamations to the Board.

PROC-1 PRESENT A PROCLAMATION COMMENDING MICHAEL J. LOVETT UPON THE ACHIEVEMENT OF EAGLE SCOUT

Agenda Item: 22-0002

Michael Lovett accepted the proclamation.

PROC-2 ADOPT AND PRESENT A PROCLAMATION RECOGNIZING DOMESTIC VIOLENCE AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

Agenda Item: 22-0155

Safe Space Chief Executive Office Dr. Teresa Albizu and Jamie Bellamy accepted the proclamation. State Attorney Tom Bakkedahl thanked the Board for recognizing Safe Space and also reflected on the positive impact this organization has on the community. Dr. Teresa Albizu invited the community to participate in the 10th Anniversary of Walk a Mile In Her Shoes on November 13th [sign up for the walk at www.safespacefl.org].

MOTION: A motion was made by Commissioner Ciampi, seconded by Vice Chairman Smith, to accept the proclamation. The motion carried by the following vote:

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

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Arthur Mills shared with the Board a project hosted by the Rotary Club which provides dictionaries to the county's third graders and shows them how to properly use it.

Joyce Fletcher Menar with All Saints Cemetery advised that the cemetery was recently approved in Martin County as a historical site by the Historic Preservation Board. She also invited the Board to attend All Souls Day Sunset Memorial Service on November 2, 2021 at 6pm.

Tom Pine shared concerns regarding issues from a previous BOCC meeting.

Bruce Montefusco expressed concern about how monies are being spent and the taxpayer's right to be in the know.

2. COMMISSIONERS

AM

Commissioner Heard addressed the new recycling program and encouraged the public's

patience and cooperation. She also suggested making minor adjustments in the placement of bins to one side on no outlet streets, which will result in one round trip making it more efficient.

PM

Commissioner Jenkins announced the Hometown Festival will be held at Doc Meyers Park October 23, 2021 10 am-4 pm. He also amended the use of his district funds as previously stated; he stated \$450 will be used for shuttles and \$600 for off-duty deputies to help with traffic and safety [lowering the cost from \$2000 to \$1000].

3. COUNTY ADMINISTRATOR

County Administrator Taryn Kryzda clarified, items listed on the warrant list can be seen individually via the web; and all back up data is included in the item packet.

County Attorney Sarah Woods announced that all expenditures are made pursuant to the [BOCC] budget, which were concluded at public hearings and workshops.

CONSENT

ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

Agenda Item: 22-0013

Commissioner Hetherington announced that she would 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 Jenkins II, to approve this item. The motion carried by the following vote:

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

Abstain: 1 - Chair Hetherington

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

Agenda Item: 22-0019

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

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

Agenda Item: 22-0133

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

CNST-4 NOTED ITEMS

Agenda Item: 22-0036

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

CNST-5 FY22 TREASURE COAST SPORTS COMMISSION CONTRACT

Agenda Item: 22-0127

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

**CNST-6 ADOPT A PROCLAMATION RECOGNIZING FAMILY COURT
AWARENESS MONTH IN MARTIN COUNTY, FLORIDA**

Agenda Item: 22-0145

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

**CNST-7 ADOPT A PROCLAMATION CELEBRATING THE 50TH ANNIVERSARY
OF FLORIDA ATLANTIC UNIVERSITY HARBOR BRANCH
OCEANOGRAPHIC INSTITUTE**

Agenda Item: 22-0163

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

**CNST-8 ADOPT A PROCLAMATION DECLARING VETERANS DAY IN MARTIN
COUNTY, FLORIDA**

Agenda Item: 22-0164

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 ROBERT STEVENS, CASE NUMBER
ENF2019080193**

Agenda Item: 22-0118

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 PHILIP H. REID JR. (TR), FRANK P. CLAIR
(TR) OF THE TRUST CREATED UNDER THE WILL OF FRANCIS J.
CLAIR, CASE NUMBER 14-0081560**

Agenda Item: 22-0124

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 PHILIP H. REID JR. (TR), FRANK P. CLAIR
(TR) OF THE TRUST CREATED UNDER THE WILL OF FRANCIS J.
CLAIR CASE NUMBER 16-0109934**

Agenda Item: 22-0125

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 DAVID S. & CARLA V. CLEVELAND,
CASE NUMBER 08-0022501**

Agenda Item: 22-0126

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 PHILIP H. REID, JR. (TR), FRANK P. CLAIR
(TR) OF THE TRUST CREATED UNDER THE WILL OF JENNIE G.
WHITE (ESTATE) CASE NUMBER ENF2019020470**

Agenda Item: 22-0130

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

COUNTY ATTORNEY

**CNST-14 REQUEST APPROVAL OF INTERLOCAL AGREEMENT WITH ST.
LUCIE COUNTY FOR PRETRIAL PROGRAM SERVICES**

Agenda Item: 22-0141

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

FIRE RESCUE

**CNST-15 APPROVAL OF HEALTH SCIENCE STUDENT EXPERIENCE
AGREEMENT BETWEEN MARTIN COUNTY AND INDIAN RIVER
STATE COLLEGE**

Agenda Item: 22-0088

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

PUBLIC WORKS

**CNST-16 ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A
NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS
EASEMENT FROM NEW URBAN AVONLEA, LLC ALONG NW GREEN
RIVER PARKWAY**

Agenda Item: 22-0113

RESOLUTION NO. 21-10.8

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

ADMINISTRATION

**CNST-17 ADOPT A PROCLAMATION DECLARING BIBLE READING WEEK IN
MARTIN COUNTY, FLORIDA**

Agenda Item: 22-0198

This item was not added to the agenda.

CNST-18 RESOLUTION AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY TO PARTICIPATE IN A JOINT TREASURE COAST TRI-COUNTY MEETING

Agenda Item: 22-0149

RESOLUTION NO. 21-10.9

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

COUNTY ATTORNEY

CNST-19 REQUEST BY SHADOW LAKE GROVES, INC., MARTIN GATEWAY CENTER, LLC TO RESCIND THE MARTIN ENTERPRISE PARK MASTER SITE PLAN DEVELOPMENT ORDER

Agenda Item: 22-0193

RESOLUTION NO. 21-10.10

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

PUBLIC HEARINGS

PH-1 COMMUNITY DEVELOPMENT BLOCK GRANT-CORONAVIRUS PROGRAM PRESENTATION

Agenda Item: 22-0143

Assistant County Administrator George Stokus provided the presentation to the Board.

Bruce Montefusco questioned the appropriation of the Community Development Block Grant Coronavirus (CDBG-CV). George Stokus clarified the funding source and appropriate use for these funds.

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

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

PH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REPEALING ARTICLE 6 RELATING TO TOBACCO PRODUCTS AND AMENDING ARTICLE 7 RELATING TO ELECTRONIC NICOTINE DELIVERY DEVICES OF CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE

Agenda Item: 22-0138

ORDINANCE NO. 1169

Senior Assistant County Attorney Elyse Elder provided the item to the Board.

MOTION: A motion was made by Commissioner Jenkins II, seconded by Vice Chairman Smith, to approve this item. The motion carried by the following vote:

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

PUBLIC HEARINGS QUASI-JUDICIAL

**PHQJ-1 REQUEST FOR A ZONING DISTRICT CHANGE BY AA MARINA, LLLP
(A059-004)**

Agenda Item: 22-0108

RESOLUTION NO. 21-10.11

Ex parte communication disclosures were made by all five commissioners. Return receipts were provided at the LPA. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Peter Walden 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) Peter Walden's resume.

APPLICANT: Lucido & Associates Senior Vice President Morris Crady addressed the Board on behalf of the applicant; no presentation was given.

Chair Hetherington solicited public comment; none was heard.

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

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

**PHQJ-2 REQUEST BY WRIGHT-FISH, LLC FOR MAJOR FINAL SITE PLAN
APPROVAL FOR WRIGHT FISH 7 ELEVEN (W079-009)**

Agenda Item: 22-0111

The applicant requested to continue this item until the December 7, 2021 meeting.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, that Item PHQJ-2 be continued until December 7, 2021. The motion carried by the following vote:

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

DEPARTMENTAL

ADMINISTRATION

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

Agenda Item: 22-0025

RESOLUTION NOs. 21-10.12, 21-10.13, and 21-10.15

OMB Director Jennifer Manning presented the items to the Board.

The following items were approved: (1) Florida Inland Navigation Derelict vessel removal grant, (2) FDEP St Lucie Inlet management plan implementation grant, (3) FY2022 Children's Services Council grant [after school/ out of school program], (4) FDOT supplemental grant for resurfacing CR 707/ SE Beach Rd, and (5) Broadband reserve funds.

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

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

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

Agenda Item: 22-0031

Purchasing Manager Krysti Brotherton presented the items to the Board.

The following items were approved: (1) CR 707/SE Beach Road resurfacing, (2) Generator repair and maintenance, and (3) Fiber optic network cabling.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Heard, to approve all items. The motion carried by the following vote:

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

PUBLIC WORKS

DEPT-3 FDOT KANNER HIGHWAY (SR-76) LANDSCAPING PROJECT

Agenda Item: 22-0153

Field Operations Administrator Kylie Yanchula, Vegetation Manager Todd Warren, and Rob Cotleur with Cotleur and Hearing provided the presentation to the Board. Public Works Director Jim Gorton, County Administrator Taryn Kryzda, and Deputy County Administrator Don Donaldson assisted with Board questions.

Jim Gorton provided the Board with potential funding sources. Commissioner Heard advised she does not support deferring neighborhood restoration; and favors the FDOT project. Commissioner Hetherington suggested looking into other possibilities for the

gateway projects other than landscaping. Commissioner Ciampi recommended taking the low level option; \$250,000 from the railroad crossing allowance, considering that they are brand new for the first year. Commissioner Smith suggested exploring potential options utilizing ARPA funds. Commissioner Jenkins proposed starting the project and come back with a phase two, adding to it.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Jenkins II, to accept the \$250,000 option. If doable, the funding source will be the first year maintenance of the FEC railroad crossings that will be replaced and be brand new for the first year; and directed that plantings around the lake beds be postponed, and use those funds as staff sees appropriate into the median. The motion carried by the following vote:

Aye: 4 - Chair Hetherington, Vice Chairman Smith, Commissioner 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 October 19, 2021 meeting adjourned at 11:12 a.m.



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



Stacey Hetherington, Chair
Board of County Commissioners

Minutes approved:

November 2, 2021

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