



BOARD OF COUNTY COMMISSIONERS

**FINAL MINUTES
7/24/2018 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*

CALL TO ORDER

Present: 4 - Chairman Edward V. Ciampi
Vice Chairman Harold E. Jenkins II
Commissioner Doug Smith
Commissioner Sarah Heard

Absent: 1 - Commissioner Ed Fielding

- 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 Vice Chairman Jenkins II, for approval of the agenda (with additional item PH-6), the consent agenda with the pulls of CNST-6 and CNST-11, and the continuance of CNST-7 until August 14th. The motion carried by the following vote:

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

Absent: 1 - Commissioner Fielding

5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT A PROCLAMATION PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamation to the recipient.

Agenda Item: 18-0545

Special Projects Coordinator Laura Beaupre introduced the proclamation. Vietnam Veterans of America Chapter 1041 Member Bill Isadore accepted the proclamation for Purple Heart Day.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Tom Pine spoke about Code Enforcement and the rules regarding sidewalk signs in downtown Jensen Beach right-of-way.

2. COMMISSIONERS

AM

At Chairman Ciampi's request, Coach Chris Kokinda introduced the Martin County North Little League 11U All Star Team.

PM

Following item DEPT-1, MCTV Producer Bob Hogensen presented a 'Martin Works' video on the Airport.

Commissioner Ciampi congratulated Chief ASA Tom Bakkedahl, who was named 'Outstanding Prosecutor of the Year' for the entire state of Florida. He announced that July 30th was the deadline for any changes to voting status. He also announced that the new school year would begin on August 13th.

3. COUNTY ADMINISTRATOR

Commissioner Ciampi informed staff that he recieved a request for an Eagle Scout proclamation for John 'Garrett' Bradley and requested that the Board approve a proclamation.

A motion was made by Commissioner Smith, seconded by Commissioner Heard, for adoption of the recommendation for Eagle Scout.. The motion carried by the following vote:

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

Absent: 1 - Commissioner Fielding

CONSENT

ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

This item is a placeholder on all Board meeting agendas in an effort 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: 18-0471

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

Supplemental Memorandum (4 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 June 23, 2018 and July 3, 2018. 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: 18-0473

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

CNST-3 NOTED ITEMS

Noted items are documents for the Board's information that must be a part of the record but do not require any action.

Agenda Item: 18-0476

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

CNST-4 AMENDMENT TO CONTRACT WITH DEVEREUX COMMUNITY BASED CARE OF OKEECHOBEE AND THE TREASURE COAST

Devereux Community Based Care (CBC) of Okeechobee and The Treasure Coast currently contracts with the Martin County Board of Commissioners. Devereux CBC has requested that Martin County amend the existing contract to reflect its corporate name change to Communities Connected for Kids, Inc., effective July 1, 2018.

Agenda Item: 18-0552

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

CNST-5 INVESTMENT REPORT FOR MAY 2018

The Clerk of Circuit Court and Comptroller is presenting the Investment Report for May 2018.

Agenda Item: 18-0557

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

BUILDING

CNST-6 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ROBERT C. AND CLARESSA Y. POTTS

Pursuant to the provisions of Section 1.98.B, General Ordinance, 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 Robert C. and Claressa Y. Potts.

Agenda Item: 18-0529

Building Official Larry Massing and Nuisance Abatement Coordinator Rachel Spradley answered Board questions.

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

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

COUNTY ATTORNEY

CNST-7 HERITAGE OAKS - REQUEST FOR APPROVAL OF RETAINING WALL LOCATED IN MARSH AREA

Code enforcement action was initiated against Gregory Porter regarding construction of a retaining wall without a permit in the Marsh area of the Heritage Oaks subdivision adjacent to property located at 10482 SE Banyan Way, Tequesta. The Marsh area is not a designated preserve area. Paragraph 7 of the Certificate of Ownership and Dedication prohibits alterations or structures within the Marsh area except for erosion control or access approved by the Board. Mr. Porter requests approval of the retaining wall which he constructed within that portion of the Marsh area which he owns.

Agenda Item: 18-0564

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

PUBLIC WORKS

CNST-8 APPROVAL OF A MAINTENANCE MAP FOR A PORTION OF SE MACARTHUR BOULEVARD (SOUTH HUTCHINSON ISLAND)

Pursuant to the provisions of Section 95.361, Florida Statutes, staff requests approval of a Maintenance Map for a portion of SE MacArthur Boulevard (on South Hutchinson

Island). Approval will establish prima facie evidence of ownership of the land by the County to the extent and width that it has been actually maintained for the prescribed period.

Agenda Item: 18-0510

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

CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING AN AMENDED AND RESTATED PUBLIC PURPOSE LEASE AGREEMENT (LEASE) WITH THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA FOR THE ENVIRONMENTAL STUDIES CENTER ON PROPERTY ADJACENT TO FLORIDA OCEANOGRAPHIC CENTER

This is a request for the adoption of a resolution approving and accepting a Lease with the School Board of Martin County, Florida for the Environmental Studies Center ("ESC"). The extension allows ESC to continue to utilize the Nature Conservancy property adjacent to the Florida Oceanographic Center located at 890 NE Ocean Boulevard, Stuart, FL 34996 as they have done since 1993.

Agenda Item: 18-0512

RESOLUTION NO. 18-7.14

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

CNST-10 ACCEPTANCE OF A UTILITY EASEMENT FROM RENAR RIVER PLACE, LLC (RENAR) FOR REPLACEMENT OF A FORCE MAIN AND RELATED EQUIPMENT RUNNING ADJACENT TO THE SOUTHEAST CORNER OF NE INDIAN RIVER DRIVE AND NE CAUSEWAY BOULEVARD

This is a request for the adoption of a resolution accepting and approving a Utility Easement from Renar for the installation/replacement of a force main and related equipment running adjacent to the causeway on the southeast corner of NE Indian River Drive and NE Causeway Boulevard.

Agenda Item: 18-0551

RESOLUTION NO. 18-7.15

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

CNST-11 INITIAL ASSESSMENT RESOLUTION FOR THE MACK DAIRY ROAD MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the Initial Assessment Resolution for the Mack Dairy Road Municipal Service Benefit Unit (MSBU) to allow for roadway improvements generally described as milling, resurfacing and widening of Mack Dairy Road from Indiantown Road to approximately 200 feet north of Old Indiantown Road as part of a plan to transfer operations and maintenance of Mack Dairy Road to Palm Beach County.

Agenda Item: 18-0553

RESOLUTION NO. 18-7.16

Capital Projects Manager George Dzama and Deputy County Administrator Don Donaldson answered Board questions.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, for approval of Consent Agend Item 11. The motion carried by the following vote:

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

Absent: 1 - Commissioner Fielding

**CNST-12 RELEASE OF AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT
ACQUIRED NOISE MITIGATION PROPERTY LOCATED AT 2492 SE
ST. LUCIE BOULEVARD FROM THE AIRPORT RESTRICTIONS AND
ENCUMBRANCE WITH AIRPORT RESTRICTIONS OF COUNTY
OWNED PROPERTY LOCATED AT 2675 SE DIXIE HIGHWAY**

Airport Administration and the Federal Aviation Administration (FAA) have requested that the Board of County Commissioners approve the modification of the Airport boundary, which includes encumbering property located at 2675 SE Dixie Highway, former Martin County Animal Shelter property, with Airport restrictions and releasing property located at 2492 SE St. Lucie Boulevard acquired through the AIP Grant program in 2010, from the Airport restrictions as it is no longer needed for noise compatibility purposes.

Agenda Item: 18-0554

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

**CNST-13 ACCEPTANCE OF AN EASEMENT BETWEEN THE BOARD OF
TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA (STATE) AND MARTIN COUNTY FOR
CONSTRUCTION OF A WEIR PROJECT WITHIN THE SAVANNAS
PRESERVE STATE PARK ADJACENT TO WARNER CREEK**

This is a request for the adoption of a resolution accepting and approving an Easement from the State for the access, construction and maintenance of a weir project at Warner Creek within the Savannas Preserve State Park located at the corner of Jensen Beach Boulevard and Savannah Road in Jensen Beach.

Agenda Item: 18-0558

RESOLUTION NO. 18-7.17

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

Supplemental Memorandum

CNST-14 TRANSIT ASSET MANAGEMENT (TAM) PLAN

The Federal Transit Administration (FTA) released a final rule outlining Transit Asset

Management (TAM) requirements on July 26, 2016 in accordance with the Moving Ahead for Progress in the 21st Century (MAP-21) transportation bill. The final rule requires every transit agency to develop and adopt a TAM Plan no later than October 1, 2018 and to update this plan every four years. The TAM Plan is the transit agency's commitment to effectively manage its capital assets and maintain a State of Good Repair (SGR) to support safe, efficient, and reliable transit.

Agenda Item: 18-0573

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

PUBLIC HEARINGS

PH-1

PUBLIC HEARING TO CONSIDER APPROVAL OF AMENDED LOCAL HOUSING ASSISTANCE PLAN FY 2017-2020

The Affordable Housing Advisory Committee (AHAC) recommends the Local Housing Assistance Plan (LHAP) FY 2017-2020 be amended to include language regarding connection to sewer and/or water utilities, which will enable program participants, and the residents of Martin County, to improve the overall health and safety of the community.

Agenda Item: 18-0540

Health and Human Services Manager Dr. Anita Cocoves and Assistant County Attorney Elizabeth Lenihan presented the item to the Board.

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

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

Absent: 1 - Commissioner Fielding

PH-2

SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, LDR TO INCLUDE STANDARDS FOR SPORTING CLAY COURSES

This is a request to amend the Land Development Regulations, Article 3, Zoning Districts to provide regulations for sporting clay courses.

Agenda Item: 18-0516

ORDINANCE NO. 1074

Principal Planner Peter Walden presented the item to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

Attorney Bob Raynes addressed the Board on behalf of South Florida Shooting Club and asked for approval of the amendment as proposed.

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

following vote:

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

PH-3

FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, DIVISION 6, SECTION 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT OVERLAY DISTRICTS, LAND DEVELOPMENT REGULATIONS

The proposed amendments to the Jensen Beach Code eliminate conflict and inconsistency while minimizing substantive changes. The Community Redevelopment Agency received a presentation and members had their questions answered about the CRA "Glitch Bills" at its meeting on June 26, 2017. At their meetings on May 3, 2018 and June 7, 2018, respectively, the Jensen Beach Neighborhood Advisory Committee and the Local Planning Agency recommended approval of the proposed changes to the Jensen Beach code, Section 3.261, LDR.

Agenda Item: 18-0522

Senior Planner Irene Szedlmayer presented the item to the Board. Assistant County Attorney Elizabeth Lenihan assisted with Board questions.

Ms. Szedlmayer filed the Proof of Publication for the record.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, for approval of the Jensen Beach Overlay glitch bill. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

PH-4

FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, DIVISION 6, SECTION 3.264, RIO REDEVELOPMENT OVERLAY DISTRICT, LAND DEVELOPMENT REGULATIONS

The proposed amendments to Section 3.264, LDR, the Rio zoning code, eliminate ambiguity, inconsistency and redundancy and clarify applicability, while minimizing substantive changes. At their meetings on May 10, 2018 and June 7, 2018, respectively, the Rio Neighborhood Advisory Committee and the Local Planning Agency recommended approval of the proposed changes.

Agenda Item: 18-0523

Senior Planning Irene Szedlmayer provided the presentation to the Board. Assistant County Attorney Elizabeth Lenihan assisted with Board questions.

Ms. Szedlmayer filed the proof of publication and one public comment letter for the record.

Chairman Ciampi solicited public comment; none was heard.

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

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

PH-5

PUBLIC HEARING TO CONSIDER THE CREATION OF THE HARMONY RANCH COMMUNITY DEVELOPMENT DISTRICT

Pursuant to Section 190.005(1)(b)(2), Florida Statutes, Hobe Sound Ranch, Ltd. has filed a petition with Martin County to establish the Harmony Ranch Community Development District.

Agenda Item: 18-0548

County Attorney Sarah Woods introduced the item. Principal Planner Clyde Dulin provided the presentation to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

Attorney Michael C. Eckert (Hopping Green and Sams, P.A.) addressed the Board on behalf of Hobe Sound Ranch and their proposed Community Development District.

The following member of the public Attorney Thomas J. Baird (Jones Foster Johnson & Stubbs), on behalf of the Town of Jupiter Island, addressed the Board in opposition to the CDD proposal.

The Board took no action on this item.

PH-6

PUBLIC HEARING TO CONSIDER A FIRE PROTECTION ASSESSMENT ORDINANCE AND AN INITIAL ASSESSMENT RESOLUTION RELATING TO THE IMPOSITION OF FIRE PROTECTION ASSESSMENTS TO FUND THE PROVISION OF FIRE PROTECTION SERVICES

The Board of County Commissioners will conduct a public hearing to consider an Ordinance establishing the procedures for imposition and collection of annual fire protection special assessments for the provision of fire protection services within the boundaries of the Martin County Municipal Service Benefit Unit for Fire Protection

Services, which is proposed to include the entire unincorporated area of the County and the municipalities of Ocean Breeze and Indiantown. Thereafter, the Board will consider adoption of the Initial Assessment Resolution. The Initial Assessment Resolution is the first step for imposition of Fire Protection Assessments for the Fiscal Year beginning October 1, 2018. The Initial Assessment Resolution establishes the preliminary rates and other terms and conditions for the proposed Fire Protection Assessments. It sets a final public hearing on September 11, 2018 for the Board's final decision on the Fire Protection Assessments.

Agenda Item: 18-0589

ORDINANCE NO. 1075 and RESOLUTION NO. 18-7.18

Fire Rescue Chief William Schobel and Fire Rescue Administrator Matt Resch presented the item to the Board. GSG Managing Director David Jahosky and Special Assessment Legal Counsel Chris Trabor assisted with Board questions.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, for adoption of the ordinance. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

Agenda Item: 18-0589

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, that the Board approve the initial assessment resolution to create the Fire Protection Municipal Service Benefit Unit as proposed by staff in their recommendation.

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

Nay: 1 - Commissioner Heard

Absent: 1 - Commissioner Fielding

Additional Item

DEPARTMENTAL

ADMINISTRATION

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

This is a placeholder on all Board meeting agendas in an effort 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: 18-0475

RESOLUTION NOs. 18-7.19, 18-7.20, 18-7.21, and 18-7.22

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

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, for approval of staff's recommendation [all of DEPT-1]. The motion carried by the following vote:

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


Absent: 1 - Commissioner Fielding
Supplemental Memorandum (6 items)

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

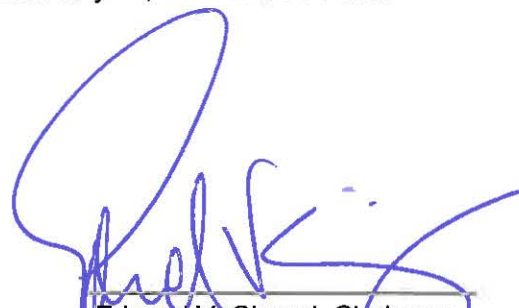
There was no additional public comment.

ADJOURN

The Board of County Commissioners meeting adjourned July 24, 2018 at 11:01 a.m.



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



Edward V. Ciampi, Chairman
Board of County Commissioners

Minutes approved on:

08-14-2018