



## BOARD OF COUNTY COMMISSIONERS

**DRAFT**

**5/17/2022 9:00 AM**

### MINUTES

#### COMMISSION CHAMBERS

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

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#### **COUNTY COMMISSIONERS**

*Doug Smith, Chairman*

*Edward V. Ciampi, Vice Chairman*

*Stacey Hetherington*

*Harold E. Jenkins II*

*Sarah Heard*

*Taryn Kryzda, 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 - Commissioner Stacey Hetherington  
Commissioner Harold E. Jenkins II  
Commissioner Sarah Heard  
Vice Chairman Edward V. Ciampi

**Absent:** 1 - Chairman Doug Smith

1. INVOCATION ~ Pastor Dave Albers, Redeemer Lutheran Church
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Hetherington, seconded by Commissioner Jenkins II, to approve the agenda with request to withdraw PROC-3. The motion carried by the following vote:

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

**Absent:** 1 - Chairman Smith  
5. APPROVAL OF CONSENT AGENDA

## **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

### **PROC-1 BLUE STAR MEMORIAL DONATION**

The Stuart Garden Club would like to present to the County Commission a Blue Star Memorial sign. Its history dates back to World War II; its legacy has roots in President Abraham Lincoln's Gettysburg Address and the National Garden Clubs, Inc., a non-profit educational organization founded in 1929, serves as its lifeline. The "it" is something that each of us sees along highways and byways, but never really stopped to understand the reason behind the Blue Star signs often surrounded by flowering plants or trees.

Agenda Item: 22-0831

Communications Manager Laura Beaupre presented the proclamation to the Board.

Donna Perlman and Marge Pisciotta, members of the Garden Club of Stuart, accepted the proclamation for Blue Star Memorial. They requested installation of additional Blue Star plaques in more locations next year.

### **PROC-2 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA**

The Chairman will present proclamations declaring Memorial Day, declaring Apraxia Awareness Day, and declaring National Safe Boating Week in Martin County, Florida.

Agenda Item: 22-0750

Communications Manager Laura Beaupre presented the proclamations to the Board.

Dan McHenry and Karen Zook accepted the proclamation declaring Memorial Day in Martin County.

Jackie Dillion accepted the proclamation for Apraxia Awareness Day.

Cheryl O'Neill accepted the proclamation for National Safe Boating Week and presented Commissioner Hetherington with the Bravo Zulu award for her support.

### **PROC-3 BRIGHTLINE WILL BE PROVIDING THE BOARD OF COUNTY COMMISSIONERS WITH A PRESENTATION**

Commissioner Doug Smith, Chair of the Board of County Commissioners, requested a presentation from Brightline on their project status.

Agenda Item: 22-0808

This item was withdrawn.

## **COMMENTS**

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

James Kimball spoke in opposition of the West Jensen PUD Future Land Use Map Amendment.

Caryn Hall thanked the Board for the transparency of their emails on the County's website. She read an email for the record.

Carol Fitzpatrick spoke about the purchase of the South Florida Gateway property and the effects it will have on our waterways.

Jeff Wittmann shared his concerns about the relocation of the gopher tortoises found at the future Hobe Sound Fire Rescue Training Center site.

Harry MacArthur spoke about low income housing for Martin County workers.

Jennifer For expressed her concerns regarding the retention pond in front of Cinnamon Tree.

Paul Chovanec addressed concerns regarding the noise in his community from the clearing of the US1 and Goldenrod project and requested a barrier for sound suppression.

### **2. COMMISSIONERS**

#### **AM**

Commissioner Hetherington announced Southeast Honor Flight will be landing at Palm Beach County International Airport on May 21st for anyone who would like to attend. She announced that she will be attending as a guardian for a Vietnam Veteran.

#### **PM**

Commissioner Hetherington provided updates on the Dixie Highway sidewalk project.

### **3. COUNTY ADMINISTRATOR**

#### **AM**

County Administrator Taryn Kryzda commended Martin County Firefighters on their success at the Firefighter Combat Challenge.

#### **PM**

None at this time.

## **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: 22-0520

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 April 19, 2022 and April 29, 2022. 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: 22-0293

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: 22-0523

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

**CNST-4 EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL APPOINTMENT**

The Board is asked to confirm an appointment to the Emergency Medical Services Advisory Council.

Agenda Item: 22-0811

**RESOLUTION NO. 22-5.12**

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

**CNST-5 ADOPT A PROCLAMATION COMMENDING ANDREW BALLINGER UPON THE ACHIEVEMENT OF EAGLE SCOUT**

The Board extends greetings and congratulations to scouts achieving the rank of Eagle Scout.

Agenda Item: 22-0854

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

**CNST-6 ADOPT A PROCLAMATION CELEBRATING UNITED WAY OF MARTIN COUNTY'S 50TH ANNIVERSARY**

The Board is asked to adopt a proclamation celebrating the United Way of Martin County's 50th anniversary.

Agenda Item: 22-0858

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

**CNST-7 ADOPT A PROCLAMATION DECLARING NATIONAL GARDEN WEEK  
IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring National Garden Week in Martin County, Florida.

Agenda Item: 22-0859

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

**AIRPORT**

**CNST-8 APPROVAL OF ASSIGNMENT OF LEASE AT MARTIN COUNTY  
AIRPORT/WITHAM FIELD FROM TRIUMPH AEROSTRUCTURES, LLC  
TO DAHER AEROSPACE INC.**

This agenda item concerns the approval of the assignment of lease at Martin County/Witham Field from Triumph Aerostructures, LLC to Daher Aerospace Inc.

Agenda Item: 22-0846

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 LISA A. GALASSI, CASE NUMBER  
09-0033404**

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 Lisa A. Galassi.

Agenda Item: 22-0805

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 ORJAN AHLSTROM, CASE NUMBER  
12-0055460**

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 Orjan Ahlstrom.

Agenda Item: 22-0806

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

**LIBRARY**

**CNST-11 APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN  
MARTIN COUNTY AND THE VILLAGE OF INDIANTOWN RELATED TO  
REPLACEMENT OF THE LED COMMUNITY MESSAGE BOARD AT  
THE ELISABETH LAHTI LIBRARY IN INDIANTOWN**

The current LED community message board at the Elisabeth Lahti Library that broadcasts emergency notices and other public service announcements has reached the end of its serviceable life and needs to be replaced. The proposed Memorandum of Understanding (MOU) addresses the shared costs of installation, repair, maintenance and operation of the new message board between Martin County (County) and the Village of Indiantown (Village).

Agenda Item: 22-0795

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

## **PUBLIC HEARINGS**

### **PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING SECTION 51.4., COUNTY EMERGENCY POWERS, ARTICLE 1, IN GENERAL, CHAPTER 51, DISASTER AND EMERGENCY MANAGEMENT**

Florida Statutes § 252.38 delineates a county's emergency management powers and authority. Section 252.38 was amended to limit the duration of a non-weather-related emergency orders issued by counties. The revisions to Florida Statutes § 252.38 became effective on July 1, 2021. The provisions contained in Section 51.4, County Emergency Powers, Article 1, Chapter 51, General Ordinances, Martin County Code are not consistent with the current statute.

Agenda Item: 22-0837

#### **ORDINANCE NO. 1179**

Senior Assistant Count Attorney Elysse Elder presented this item to the Board.

Vice Chairman Ciampi solicited public comment; none was heard.

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

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

**Absent:** 1 - Chairman Smith

### **PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 21-15, WEST JENSEN PUD, A FUTURE LAND USE MAP AMENDMENT**

This is a request for a small-scale amendment to the Future Land Use Map (FLUM) on a ±40.47-acre parcel. The request proposes to change the Future Land Use designation on ±14 acres of General Commercial and ±11.9 acres from Industrial to Medium Density Residential (up to 8 units per acre) and ±0.55 acres from Industrial to General Commercial. The parcel is located west of NW Goldenrod Road and east of NW Federal Highway.

Agenda Item: 22-0835

**ORDINANCE NO. 1180**

Growth Management Planner Glen Rosado and Comprehensive Planning Administrator Clyde Dulin presented the item to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

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

Proof of notification requirements were filed for the record.

Vice Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Heard, seconded by Commissioner Jenkins II, to approve the amendment based on staff's recommendation. The motion carried by the following vote:

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

**Absent:** 1 - Chairman Smith

**PUBLIC HEARING QUASI-JUDICIAL****PHQJ-1 REQUEST FOR A ZONING DISTRICT CHANGE BY JEREMY AND  
KATHERINE OAKLEY (O041-001)**

This is a request by Jeremy and Katherine Oakley (O041-001) for a proposed amendment to the county zoning atlas. The proposed amendment is to change the existing zoning district classification from the WE-1, Waterfront Estate District to RE-1/2A, Residential Estate District, or the most appropriate zoning district. The approximate 1.23-acre parcel of land is located at 2865 SE Saint Lucie Boulevard in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 22-0792

**RESOLUTION NO. 22-5.13**

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

COUNTY: Growth Management Senior Planner Brian Elam and Deputy Growth Management Director 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) Brian Elam's resume.

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

Chairman Ciampi solicited public comment; none was heard.

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

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

**Absent:** 1 - Chairman Smith

## **DEPARTMENTAL QUASI-JUDICIAL**

### **GROWTH MANAGEMENT**

#### **DPQJ-1 REQUEST BY KL WATERSIDE, LLC FOR FINAL SITE PLAN APPROVAL FOR SOUTH FLORIDA GATEWAY PUD PLAT INFRASTRUCTURE PLAN (S265-002)**

This is a request for approval of the South Florida Gateway Planned Unit Development (PUD) plat infrastructure final site plan for an approximate 180-acre parcel which is part of a 500-acre parent tract owned by KL Waterside, LLC. The project is located on the west side of SW Kanner Highway approximately 3/4 of a mile south of SW 96th Street. The property has been used for agricultural purposes, has been cleared and has no wetlands or existing native habitat. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 22-0759

#### **RESOLUTION NO. 22-5.14**

Ex parte communication disclosures were made by all four commissioners. Notices were not required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Deputy Growth Management Director 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 and Associates Senior Vice President Morris Crady addressed the Board on behalf of the applicant in support of staff's recommendation.

The following member of the public addressed the Board regarding this item: Joan Goodrich

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

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

**Absent:** 1 - Chairman Smith

## **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: 22-0525

#### **RESOLUTION NOS. 22-5.15-22-5.23**

OMB Director Jennifer Manning presented the items to the Board.

The following items were approved: (1) Indian River Lagoon National Estuary grant, (2) FY21 FDOT Public Transportation Grant, (3) Florida Boater Improvement Program grant (J & S Boat Ramp), (4) Florida Boater Improvement Program grant (Jensen Beach Causeway Boat Ramps), (5) Florida Boater Improvement Program grant (Charlie Leighton Park Boat Ramps), (6) Florida EMS Trust Fund grant, (7) Community Services Block grant, (8) Refunding of 2017D Taxable Bank Loan, (9) Updating the Financial Guidelines for Conduit Bond issuance, (10) Budget Transfer and CIP Modification request for Solid Waste Equipment, and (11) Budget transfer from County Reserves for PalMar Holdings.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins II, to approve including the \$80,000 from Reserve to settle PalMar . The motion carried by the following vote:

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

**Absent:** 1 - Chairman Smith

#### **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: 22-0522

Purchasing Manager Krysti Brotherton presented the items to the Board.

The following items were approved: (1) Tropical Farms Water Treatment Plant Post

Treatment Stabilization, (2) Coastal Engineering, (3) Manhole Rehabilitation & Sewer Cleaning, (4) Custodial Services for Public Buildings (Requires CJIS clearance), and (5) Custodial Services for Public Buildings (Non-CJIS).

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Hetherington, to approve DEPT-2 items, including the changes to item 4 with the bidder change to American Facilities Services, and item 5 the maximum not exceed value change to \$3 million. The motion carried by the following vote:

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

**Absent:** 1 - Chairman Smith

#### **UTILITIES AND SOLID WASTE**

#### **DEPT-3 WATER QUALITY COMPARISON OF MARTIN COUNTY TAP WATER AND COMMERCIALLY AVAILABLE BOTTLED WATER**

The Martin County Utilities staff was requested to provide an analysis of tap water and various brands of bottled water. The results of the analysis are contained in the PowerPoint Presentation.

Agenda Item: 22-0862

Utilities and Solid Waste Director Sam Amerson presented the update to the Board.

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

None at this time.

#### **ADJOURN**

The Board of County Commissioners May 17, 2022 meeting adjourned at 11:34 a.m.

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Carolyn Timmann, Clerk of the

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Doug Smith, Chair

Minutes approved:

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