



BOARD OF COUNTY COMMISSIONERS

DRAFT

2/21/2023 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

Stacey Hetherington

Sarah Heard

Don G. Donaldson, P.E., County Administrator

Sarah W. Woods, County Attorney

Carolyn Timmann, Clerk of the Circuit Court and

Comptroller

CALL TO ORDER

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

1. INVOCATION ~ Pastor Jim Harp, Stuart Alliance Church

2. PLEDGE OF ALLEGIANCE ~ George Hathaway

St. Joseph's 5th grader Adalyn Uhl performed the National Anthem.

3. ADDITIONAL ITEMS

4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to approve the agenda, with the consent agenda and the interlocal agreement between Martin County Board of County Commissioners and the Treasure Coast Regional Planning Council. The motion carried by the following vote:

Aye: 5 - Commissioner Hetherington, Commissioner Smith, Vice
Chairman Jenkins II, Commissioner Heard, and Chairman Ciampi
5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENTATION OF MARTIN COUNTY OCEAN RESCUE WITH THE BEACH PATROL OF THE YEAR

The Board is asked to hear the presentation of Martin County Ocean Rescue awarded with Beach Patrol of the Year in the State of Florida for the year 2022, given by the Florida Beach Patrol Chiefs Association. Recipients are awarded based on several criteria, including contributions to Ocean Lifesaving, professionalism, public safety education, special events, and progressive changes to their department.

Agenda Item: 23-0465

Martin County Fire Rescue Chief Rocco Napoli introduced the item to the Board.

Florida Beach Patrol Association Chief Joe Westerman presented Martin County Fire Rescue Chief Ian Montgelas with the Beach Patrol of the Year Award for 2022.

Chief Ian Montgelas addressed the Board; he thanked Martin County Fire Rescue, EMT Ocean Lifeguards, fellow Chiefs and the Board for their support.

PROC-2 PRESENTATION OF MARTIN COUNTY FIRE RESCUE'S HAZMAT TEAM AWARDED FIRST PLACE AT 2023 HAZMAT TEAM COMPETITION

The Board is asked to hear the presentation of Martin County Fire Rescue's Hazmat Team awarded First Place at the Florida Hazardous Materials Symposium 2023 HAZMAT Team Competition.

Agenda Item: 23-0479

Martin County Fire Rescue District Chief Joshua Shell introduced the item.

Battalion Chief Rick Sterl presented the Hazmat competition team (Tyler Just, Ryan Law and Ryan Matos) to the Board.

PROC-3 PRESENT A PROCLAMATION PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamation declaring Black History Month in Martin County, Florida.

Agenda Item: 23-0492

Communications Manager Laura Beaupre presented the proclamation to the Board.

Fort Pierce Chapter of Delta Sigma Theta Sorority Aisha Nash accepted the Black History Month proclamation.

At the request of Commissioner Ciampi, Parks and Recreation Director Kevin Abbate recognized David Gladding's achievement on becoming the Parks Employee of the Year and receiving an award from the Martin County North Little League. David

Gladding extended his gratitude to the Board.

**PROC-4 ACKNOWLEDGE THOSE CITIZENS WHO HAVE PARTICIPATED IN
CLASS 61 OF THE MARTIN CARES PROGRAM**

Class 61 brings the number of residents who have experienced the Citizens Academy and Resource Education Series (Martin CARES) to over 2,500. The Martin CARES program is offered two times per fiscal year. This is the first class for FY23. The next class begins in March.

Agenda Item: 23-0484

Assistant County Administrator George Stokus introduced the item to the Board and presented CARES Class 61.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Tom Pine expressed disdain with the Consent Agenda. He also spoke about the spending of tax dollars on public golf courses.

Jeff Wittmann addressed the Board regarding Comp Plan changes and its potential effects on the County.

Austin Holzmacher expressed concerns with the Utilities Department; he informed the Board that he has filed a lawsuit against the County.

2. COMMISSIONERS

AM

None at this time.

PM

Commissioner Jenkins requested an informational agenda item with a brief presentation of preemptions and how they impact the County.

Commissioner Smith requested the legislative agenda be amended to include Mental Health Court funding.

3. COUNTY ADMINISTRATOR

AM

None at this time.

PM

County Administrator Don Donaldson suggested the Board authorize an interlocal agreement with the Treasure Coast Regional Planning Council to conduct a market study and redevelopment plan of the Treasure Coast Mall.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to authorize the Chairman to sign the interlocal agreement with the Treasure Coast Regional Planning Council for a market study and redevelopment plan of the Treasure Coast Square Mall using Commission District 1 funds. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

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: 23-0318

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 January 24, 2023 and February 6, 2023. 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: 23-0326

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

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the November 22 and December 6, 2022 regular meetings.

Agenda Item: 23-0206

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

CNST-4 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: 23-0332

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

CNST-5 ADOPT A PROCLAMATION DECLARING IRISH AMERICAN HERITAGE MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Irish American Heritage Month in Martin County, Florida.

Agenda Item: 23-0455

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

BUILDING

CNST-6 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF LORENZO CORDOLA ESTATE CASE NUMBER ENF2020010591

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 Lorenzo Cordola Estate.

Agenda Item: 23-0483

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

CNST-7 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHARI CHAESS CASE NUMBER ENF2019120357

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 Shari Chaess.

Agenda Item: 23-0485

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

GROWTH MANAGEMENT

CNST-8 ADOPTION OF A RESOLUTION RELEASING UNITY OF TITLE ON PROPERTY OWNED BY THE BANNER LAKE CLUB, INC.

The Banner Lake Club, Inc. is requesting release of the Unity of Title for the property located at 12100 SE Lantana Avenue in Hobe Sound.

Agenda Item: 23-0546

RESOLUTION NO. 23-2.10

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

PUBLIC WORKS

CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT FROM SYBREN D. SMITH, RELATED TO A DRAINAGE SYSTEM ALONG NW FORK ROAD IN STUART

This is a request for the adoption of a Resolution accepting and approving a Drainage, Access and Maintenance Easement (Easement) from Sybren D. Smith, for the access and maintenance of a drainage system along Lot 7, Block 3, Cocoanut Park, Section 1, located at 1635 NW Fork Road in Stuart.

Agenda Item: 23-0476

RESOLUTION NO. 23-2.11

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

CNST-10 ADOPT RESOLUTIONS SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION FUNDING, DESIGN AND CONSTRUCTION FOR PROJECTS ANTICIPATED TO BE PRIORITIZED BY THE METROPOLITAN PLANNING ORGANIZATION IN COUNTY OWNED RIGHT-OF-WAY

As required by the Florida Department of Transportation (FDOT) Program Management Bulletin, the Board of County Commissioners is asked to adopt resolutions supporting the FDOT funding, design and construction for projects in the County's rights-of-way, which are anticipated to be prioritized by the Policy Board of the Martin Metropolitan Planning Organization

Agenda Item: 23-0497

RESOLUTION NOs. 23-2.48 and 23-2.12

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

COUNTY ATTORNEY

CNST-11 REQUEST FOR APPROVAL OF A PROPOSAL FOR SETTLEMENT BY MARTIN COUNTY TO JUSTIN INDUSTRIES, INC. IN THE CASE OF JUSTIN INDUSTRIES, INC. V. MARTIN COUNTY, CASE NO. 2018-CA-638, MARTIN COUNTY CIRCUIT COURT

This agenda item concerns the approval of a proposal for settlement in the amount of Six Hundred Thousand Dollars (\$600,000.00) by Martin County to Justin Industries, Inc., doing business as R3 Recycling, in the case of Justin Industries, Inc. v. Martin County. The proposal would be effective for thirty days after service on Justin, and if Justin Industries does not accept within thirty days, Martin County would be able to seek its fees and costs from Justin Industries if Martin County obtains judgment in the County's favor in the case.

Agenda Item: 23-0549

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

ADMINISTRATION

CNST-12 ADOPT A PROCLAMATION DECLARING FLOOD AWARENESS WEEK IN MARTIN COUNTY, FLORIDA

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

Agenda Item: 23-0565

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

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL APPOINTMENTS

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

Agenda Item: 23-0414

RESOLUTION NO. 23-2.13

Administrative Services Program Coordinator Donna Gordon announced the appointment of Dr. John Bray [Education Community Representative] and L. James Levine [lay person for Non-Emergency Transportation] to the Emergency Medical Services Advisory Council; she also announced Mayor Susan Gibbs Thomas as the Village of Indiantown's alternate.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Smith, to approve staff's recommendation in addition to the appointment of L. James Levine and Dr. John Bray. The motion carried by the following vote:

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

PUBLIC HEARINGS

PH-1 FUND BALANCE ADJUSTMENTS THAT ARE NECESSARY FOR FISCAL YEAR 2023

Each year staff reviews fund balance, monies which are not expended at the end of each fiscal year and amends the budget accordingly. These adjustments are for projects which were planned and approved in Fiscal Year 2022 but not completed prior to September 30, 2022. Funds that are remaining that are not for a specific project in Fiscal Year 2022 will be placed in reserves.

Agenda Item: 23-0486

RESOLUTION NOs. 23-2.14 through 23-2.40

OMB Director Jennifer Manning presented the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

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

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

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 22-08, WATER SUPPLY PLAN

This is a request to amend the text of Chapter 11, Potable Water Services Element and Chapter 13, Drainage and Natural Groundwater Aquifer Recharge Element of the Comprehensive Growth Management Plan for consistency with the South Florida Water Management District's Upper East Coast Water Supply Plan Update.

Agenda Item: 23-0446

Principal Planner Samantha Lovelady presented the item to the Board. Hydrogeologist Anne Murray and Deputy County Attorney Elysse Elder assisted with Board questions.

Chairman Ciampi solicited public comment; none was heard.

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

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

PH-3 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 22-03 BARON LANDINGS

This request is for a small-scale amendment to the Future Land Use Map (FLUM) on a 26.06-acre parcel. The request proposes to change 21.43 acres from General Commercial to High Density Residential (allowing 10 units per acre). The parcel will retain 4.63 acres of General Commercial. The parcel is located on the east side of South Kanner Highway north of SE Cove Road and south of SE Salerno.

Agenda Item: 23-0385

Senior Planner Daphne Schaub opened the public hearing. Deputy County Attorney Elysse Elder assisted with Board questions.

Gunster Law Firm Attorney Bob Raynes addressed the Board on behalf of the applicant to request a continuance to a date not certain.

Chairman Ciampi solicited public comment; none was heard.

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

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

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR CPA 22-03, BARON LANDINGS

The application is a request for a zoning district change on 21.43 acres of a 26.06-acre parcel formerly operating as the Golf World entertainment facility from PUD-C to

RM-10, High Density Residential District (10 upa), specifically 6801 South Kanner Highway. The proposed rezoning is contingent upon the approval of CPA 22-03 Baron Landings, a Future Land Use Map amendment application.

Agenda Item: 23-0406

Senior Planner Daphne Schaub opened the public hearing. Deputy County Attorney Elysse Elder assisted with Board questions.

Gunster Law Firm Attorney Bob Raynes addressed the Board on behalf of the applicant to request a continuance to a date not certain.

Chairman Ciampi solicited public comment; none was heard.

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

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

PHQJ-2 REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO THE SOUTH FLORIDA GATEWAY PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT INCLUDING REVISED MASTER SITE PLAN AND REVISED INFRASTRUCTURE FINAL SITE PLAN (S265-010)

This is a request by Lucido & Associates, on behalf of South Florida Gateway Industrial LLC, for approval of an amendment to the zoning atlas to change the zoning of a 7.97-acre parcel from the Limited Industrial (LI) to PUD. The request includes approval of the first amendment to the South Florida Gateway PUD Agreement with a Revised Master Site Plan (including a Certificate of Public Facilities Deferral) and Revised Infrastructure Final Site Plan (including a Certificate of Public Facilities Exception) to add the 7.97 acre-parcel to the existing PUD limits for a total of 184.11 acres, in unincorporated Martin County.

Agenda Item: 23-0268

RESOLUTION NOs. 22-12.8 and 22-12.9

Ex parte communication disclosures were filed by the Commissioners. There were no interveners. The notices were filed at the LPA. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Allison Rozek provided staff's presentation to the Board. Deputy County Attorney Elysse Elder, Growth Management Deputy Director Peter Walden and County Administrator Don Donaldson assisted with Board questions.

The following county exhibits were filed for the record: (1) agenda item/staff report and (2) Allison Rozek's resume.

APPLICANT: Lucido & Associates Senior Vice President Morris Crady addressed the

Board in support of staff's recommendation; he provided the applicant's presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

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

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

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: 23-0338

RESOLUTION NOS. 23-2.43 through 23-2.47

OMB Director Jennifer Manning and Budget Financial Manager Stephanie Merle presented the items to the Board.

The following items were approved: (1) American Association of Retired Persons (AARP) Community Grant, (2) Bureau of Justice Assistance (BJA) Justice and Mental Health Grant, (3) Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (for Martin County Airport/SUA install weather reporting equipment), (4) Local Agency Program (LAP) Supplemental Grant (resurfacing, widening, regrading of swales, installation of drainage pipes, bike lanes and new signage), (5) E911 State Grant for GIS Data/ Motorola Vesta Contract, (6) Budget Transfer Request from Drug Abuse Trust Fund Reserves, (7) Inter-fund Loan Resolution for Old Palm City Place Project, (8) Martin County Sheriff Office Telecommunications Market Adjustment, and (9) Martin County Sheriff Office Marine Operations Center at Sandsprit Park.

County Administrator Don Donaldson requested Item 6 to be withdrawn or amended allowing the reallocation of additional funds from the General Fund Reserves.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to approve staff's recommendation and Item 6 amendment. The motion carried by the following vote:

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

**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: 23-0346

Chief Procurement Officer Krysti Brotherton presented the item to the Board.

The following item was approved: (1) Martin Downs Water Repump Station Improvements.

Chairman Ciampi solicited public comment; none was heard.

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

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

DEPT-3 AFFORDABLE HOUSING UPDATE

This item is an update on the status of Affordable Housing in Martin County.

Agenda Item: 23-0417

Assistant County Administrator George Stokus presented the item to the Board.

Commissioner Smith directed staff to extend an invitation to Tom Lanahan for a thorough presentation at the next affordable housing update.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to authorize Chairman Ciampi to represent Martin County on the Affordable Housing Committee with the other three counties (Okeechobee, St. Lucie and Indian River). The motion carried by the following vote:

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

FIRE RESCUE

**DEPT-4 FIRE RESCUE DEPARTMENT REQUEST TO INCREASE STAFFING TO
ADDRESS OPERATIONAL NEEDS**

The Fire Rescue Department is seeking approval to add 20 new Firefighter Paramedic positions this fiscal year and is requesting permission to apply for the FY23 Federal

Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) for Staffing for Adequate Fire & Emergency Response (SAFER) for the remaining 20 positions.

Agenda Item: 23-0477

Martin County Fire Rescue Chief Chad Cianciulli and Fire Administrator Matt Resch provided the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Hetherington, seconded by Commissioner Smith, to approve 20 new Firefighter Paramedic positions for Fiscal Year 2023 and authorize the Fire Rescue Department to apply for the Fiscal Year 2023 AFG SAFER Grant for 20 additional Firefighter Paramedic positions. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

None at this time.

ADJOURN

The Board of County Commissioners February 21, 2023 meeting adjourned at 11:46 a.m.

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

Edward Ciampi, Chair
Board of County Commissioners

Minutes approved:

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