



BOARD OF COUNTY COMMISSIONERS

DRAFT

3/21/2023 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 ~ Senior Pastor Steve Bray, The Grace Place Church
2. PLEDGE OF ALLEGIANCE ~ Lew Jones, Vietnam Veteran
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, to approve the agenda with consent. 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 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present proclamations declaring Vietnam War Veterans Day, Surveyors and Mappers Week, and Government Finance Professionals Week in Martin County, Florida.

Agenda Item: 23-0474

Senior Communications Coordinator Martha Ann Kneiss presented the proclamations to the Board.

Cathy McCartney Pinder, Lew Jones and the Vietnam Veterans of America Post 1041 accepted the proclamation for Vietnam War Veterans Day.

Marla Moore and Martin County Project Surveyor Jesse Perez accepted the Surveyors and Mappers Week proclamation.

Jennifer Manning and Stephanie Merle accepted the proclamation for Government Finance Professionals Week.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Kathy Miscoski and Holly Hoover spoke before the Board regarding the Town of Sewall's Point Septic to Sewer Program (DEPT-5).

Pat Arena addressed concerns with declaring Lot 91 in Sugar Hills as wetlands. At the request of Commissioner Ciampi, County Administrator Don Donaldson provided an update on this issue; Commissioner Ciampi advised he will follow up more in depth.

Linda Smith addressed recent legislative session issues; she also spoke about reducing the cost of solid waste, Senate Bill 1240, House Bill 197 [water quality and water quantity pollution control] and Senate Bill 540, House Bill 359 [rural lifestyle].

Tom Pine addressed routine items placed on the consent agenda and County spending. He also spoke about the Fair Food Program and bridging the gap with farm workers.

Charles Bender [Place of Hope] addressed the board in support of the Cove Royale PUD [DPQJ-3].

2. COMMISSIONERS

AM

Commissioner Hetherington announced upcoming Southeast Honor Flights on April 15, 2023 and May 7, 2023.

Commissioner Smith shared recent updates from a legislative session in Tallahassee. He

also spoke about recent events at an MPO meeting concerning traffic accidents on SR-710 [in Indiantown]; as a result of meeting with the Governor's Office and FDOT, SR-710 will be converted into a four lane divided roadway.

PM

Commissioner Jenkins wished Commissioner Ciampi safe travels.

3. COUNTY ADMINISTRATOR

AM

None at this time.

PM

County Administrator Don Donaldson extended his gratitude to Parks and Recreation Deputy Director Kevin Kirwin for recognizing his staff in his agenda item.

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: 23-0320

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 February 21, 2023 and March 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: 23-0328

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

CNST -3 BOARDS AND COMMITTEES STATUS REPORT

This quarterly Status Report is provided to keep the Commission apprised of all the current vacancies, expired terms, etc. on their various boards and committees.

Agenda Item: 23-0314

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: 23-0333

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

CNST -5 ANIMAL CARE AND CONTROL OVERSIGHT BOARD APPOINTMENTS

After solicitation of applicants, the Board is asked to make the necessary appointments to the Animal Care and Control Oversight Board.

Agenda Item: 23-0456

RESOLUTION NO. 23-3.8

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

CNST -6 ADOPT A PROCLAMATION DECLARING CHILD ABUSE AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Child Abuse Awareness Month in Martin County, Florida.

Agenda Item: 23-0566

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

CNST -7 ADOPT A PROCLAMATION DECLARING SEXUAL ASSAULT AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Sexual Assault Awareness Month in Martin County, Florida.

Agenda Item: 23-0568

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

CNST -8 ADOPT A PROCLAMATION DECLARING ALCOHOL AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

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

Agenda Item: 23-0603

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

AIRPORT

CNST-9 APPROVAL OF SECOND AMENDMENT TO LEASE WITH APP STUART FBO, LLC, TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF THE LEASED PREMISES

This is a request for the Board to approve a Second Amendment to the Fifth Amendment and Complete Restatement of Agreement of Lease ("Second Amendment") between Martin County and APP Stuart FBO, LLC ("APP"). The purpose of the proposed Second Amendment is to correct a scrivener's error in the legal

description of the leased premises.

Agenda Item: 23-0469

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

PUBLIC WORKS

CNST-10 REQUEST TO MODIFY THE SPEED LIMIT ZONES ON SW LOCKS ROAD

After reviewing the existing speed limit zones on SW Locks Road, staff is requesting modification to the speed zones on SW Locks Road between SW 18th Avenue and SW Buckskin Trail. The Board is asked to authorize the request through adoption of a resolution.

Agenda Item: 23-0548

RESOLUTION NO. 23-3.9

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

CNST-11 ADOPT A RESOLUTION APPROVING AND ACCEPTING THE DEDICATION AND CONVEYANCE OF RIGHT-OF-WAY ALONG SW BRIDGE ROAD FROM THREE LAKES GOLF CLUB, LLC, AS A CONDITION OF APPROVAL OF THE REVISED FINAL SITE PLAN IN STUART

This is a request for the adoption of a resolution approving and accepting a Special Warranty Deed for dedication of right-of-way of varying widths along the property frontage on the north side of SW Bridge Road from Three Lakes Golf Club, LLC, a Delaware limited liability company (Three Lakes), as a condition of approval of the Three Lakes Golf Club Revised Final Site Plan.

Agenda Item: 23-0574

RESOLUTION NO. 23-3.10

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

UTILITIES AND SOLID WASTE

CNST -12 FLORIDA GAS TRANSMISSION COMPANY ENCROACHMENT AGREEMENT

As part of the Western Corridor Water and Sewer Main Extension Project, Martin County Utilities is proposing to install an eight-inch force main under three natural gas pipelines located in an existing Florida Gas Transmission Company easement. An Encroachment Agreement with the Florida Gas Transmission Company is required to be executed prior to installation of the eight-inch force main. The Encroachment Agreement provides written consent from the Florida Gas Transmission Company to install, construct, maintain, use, operate, repair, replace, and enjoy the force main upon a portion of the Easement Area.

Agenda Item: 23-0577

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

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 PARKS AND RECREATION ADVISORY BOARD APPOINTMENTS

After solicitation of applicants, the Board of County Commissioners is asked to make the necessary appointment to the Parks and Recreation Advisory Board.

Agenda Item: 23-0457

RESOLUTION NO. 23-3.11

Administrative Services Program Coordinator Donna Gordon announced the appointment of Craig Taylor and Jack Mathison, Casey Case (Commission District 2) and Anthony Bruce Burr (Commission District 3) to the Parks and Recreation Advisory Board.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins II, to appoint Craig Taylor [term to begin immediately] and Jack Mathison [term to begin April 9, 2023] to the at large position; and to reappoint Casey Case (Commission District 2) and Anthony Bruce Burr (Commission District 3) to the Parks and Recreation Advisory Board. The motion carried by the following vote:

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

PUBLIC HEARING

PH-1 CONSIDER ADOPTION OF AN ORDINANCE REPEALING DIVISION 2 INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10, SPECIAL DISTRICTS, CHAPTER 71 FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE AND DISSOLVING THE INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT

On February 2, 2023 the Florida Department of Economic Opportunity (DEO) notified the County that DEO declared the Indiantown Community Development District inactive pursuant to Section 189.062, Fla. Stat. and thus the County was required to dissolve the special district and repeal the enabling County ordinance.

Agenda Item: 23-0606

ORDINANCE NO. 1194

County Attorney Sarah Woods presented the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Vice Chairman Jenkins II, 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

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 REQUEST PLAT APPROVAL FOR THE MAGNOLIA RIDGE OF PALM CITY PLANNED UNIT DEVELOPMENT (PUD) (P161-005)

This is a request by Palm City GA Homes, LLC for approval of a plat for a 28-lot residential townhome subdivision with associated infrastructure on approximately 3.56 acres. The subject site is located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a certificate of public facilities exemption.

Agenda Item: 23-0302

Ex parte communication disclosures were filed by the Commissioners. There were no interveners. Return receipts were not required. The participants were sworn in by the deputy clerk.

COUNTY: Growth Management Principal Planner Brian Elam provided staff's presentation to the Board. Deputy County Attorney Elysse Elder 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: Robert Johns addressed the Board; no presentation was given.

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

DPQJ-2 REQUEST PLAT APPROVAL FOR THE WILLOUGHBY TOWNHOMES PUD PROJECT (W096-003)

This is a request by Meritage Homes of Florida, Inc. for approval of a plat, consistent with the master/final site plan of a residential major development consisting of 117 townhome units and associated infrastructure on 18.37 acres, resulting in a gross residential density of 6.4 units per acre. The subject site is located on the NE corner at the intersection of SE Salerno Road and SE Willoughby Boulevard in Stuart. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 23-0573

RESOLUTION NO. 23-3.12

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

COUNTY: Growth Management Deputy Director Peter Walden provided staff's

presentation to the Board. Deputy County Attorney Elysse Elder assisted with Board questions.

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

APPLICANT: Lucido & Associates Senior Vice President Morris Crady 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.

MOTION: A motion was made by Vice Chairman Jenkins II, 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

DPQJ-3 REQUEST APPROVAL OF THE 2ND AMENDMENT TO THE COVE ROYAL PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A REVISED MASTER AND PHASING PLAN AND REVISED PHASE 1 FINAL SITE PLAN (C165-005)

This is a request by KH Cove Royale, LLC for the 2nd Amendment to the Cove Royale Planned Unit Development (PUD) Zoning Agreement with a Revised Master and Phasing Plan and Revised Phase 1 Final Site Plan. The proposed master plan adds two single family lots to Phase 1 and modifies lot configurations. The stormwater drainage system, internal roads have been modified to accommodate the proposed changes. The project is located on the south side of SE Cove Road approximately 1.5 miles east of SW Kanner Highway. Included is a request for a Certificate of Public Facilities Reservation for Phase 1.

Agenda Item: 23-0586

RESOLUTION NO. 23-3.13

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

COUNTY: Growth Management Deputy Director Peter Walden provided staff's presentation to the Board. Deputy County Attorney Elysse Elder assisted with Board questions.

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

APPLICANT: Donald Cuzzo addressed the Board in support of staff's recommendation; no presentation was given.

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 as presented. 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: 23-0340

RESOLUTION NO. 23-3.14

OMB Director Jennifer Manning provided the items to the Board. Traffic Engineering Manager Lukas Lambert assisted with Board questions.

The following items were approved: (1) Apply for funding from Florida Inland Navigation District for derelict vessel removal, (2) Allocate unanticipated contributions for enhanced pedestrian lighting, and (3) Salerno Road traffic safety improvements.

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

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: 23-0348

There were no items.

DEPT-3 2023 LEGISLATIVE PROGRAM UPDATE

Each year, the Martin County Board of County Commissioners adopts a state legislative program that sets the appropriations and policy priorities for the county. An update on the success of the legislative program will be provided and an overview of the strategy the county will take during this upcoming session will be discussed.

Agenda Item: 23-0632

Legislative Coordinator Sarah Powers provided the legislative update to the Board. County Administrator Don Donaldson and Ecosystem Restoration and Management Manager John Maehl assisted with Board questions.

Commissioner Smith suggested a Chair letter of appreciation to the Governor's Office and the Florida Department of Transportation for supporting funding for the four lane divided roadway in the Village of Indiantown.

PARKS AND RECREATION

DEPT-4 PUBLIC PURPOSE LEASE AGREEMENT BETWEEN MARTIN COUNTY AND HALPATIOKEE OUTDOOR CENTER, LLC., TO MANAGE AN OUTDOOR RECREATION CENTER AT HALPATIOKEE PARK

This is a request for Board consideration of a 10-year Public Purpose Lease Agreement (Lease) between Martin County (County) and Halpatiokee Outdoor Center LLC., a Florida corporation (HOC) to provide and manage outdoor experiences through kayak, canoe, and mountain bike rentals at Halpatiokee Park at the existing vacant 1,500 square foot building, adjacent restroom and kayak/canoe launch. The Lease includes one renewal period of five years, exercisable at the discretion of the Board of County Commissioners. The proposed program meets the County's goal to increase ecotourism opportunities.

Agenda Item: 23-0576

Parks and Recreation Deputy Director Kevin Kerwin presented the item to the Board. Assistant County Attorney Sebastian Fox assisted with Board questions. Halpatiokee Outdoor Center LLC Owner Rick Clegg addressed the Board.

The following member of the public addressed the Board regarding this item: Tom Pine.

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

UTILITIES AND SOLID WASTE

DEPT-5 THE TOWN OF SEWALL'S POINT (TOWN) IS REQUESTING A VARIANCE TO THE BOARD OF COUNTY COMMISSIONERS (BOCC) ADOPTED SEPTIC TO SEWER PROGRAM

Mr. Donaldson received a letter from Robert Daniels, Town Manager, dated March 10, 2023. The request is for a variance to the program to allow for all 706 homes in South Sewall's Point to utilize a grinder sewer system.

Agenda Item: 23-0643

Utilities and Solid Waste Director Sam Amerson provided the item to the Board. County Administrator Don Donaldson assisted with Board questions and provided a

brief history of this item.

Town of Sewall's Point Town Manager Robert Daniels thanked the Board for their collaborative efforts and requested to formally withdraw this item.

Chairman Ciampi solicited public comment; none was heard.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

None at this time.

ADJOURN

The Board of County Commissioners March 21, 2023 meeting adjourned at 11:37 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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