



## BOARD OF COUNTY COMMISSIONERS

**DRAFT**

**5/21/2019 9:00 AM**

### MINUTES

#### COMMISSION CHAMBERS

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

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#### **COUNTY COMMISSIONERS**

*Edward V. Ciampi, Chairman*

*Harold E. Jenkins II, Vice Chairman*

*Doug Smith*

*Stacey Hetherington*

*Sarah Heard*

*Taryn Kryzda, County Administrator*

*Krista A. Storey, Acting County Attorney*

*Carolyn Timmann, Clerk of the Circuit Court and  
Comptroller*

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#### **CALL TO ORDER**

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

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

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for approval of the agenda with the request to withdraw the Hinckley Yachts request. The motion carried by the following vote:

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

5. APPROVAL OF CONSENT AGENDA

## **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

### **PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA**

Agenda Item: 19-0413

Director/Head Coach Stefanie Falkner introduced the Treasure Coast Rowing Club, who appeared with the medals they won at the U.S. Rowing Southeast Regional Regatta in Tennessee. Director/Head Coach Stefanie Falkner, Coach Mitchell Gordon, Coach Chris Kammel, and club members addressed the Board.

Communications Manager Laura Beaupre introduced the proclamations.

Veterans Services Manager Tony Reese accepted the proclamation for Memorial Day.

Ocean Rescue Chief Brad Beckett accepted the proclamation for Beach Safety Week.

Fire Rescue Chief Chris Kammel accepted the proclamation for Emergency Medical Services Week.

## **COMMENTS**

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

Jackie Trancynger spoke in opposition to the proposed Article 10 changes (item PH-1).

Virginia Sherlock spoke about the need for pet-friendly hurricane shelters in Martin County and urged the Board to ask the School Board for their assistance. She also spoke about the proposed Article 10 changes (item PH-1), and asked the Board not to change the thresholds for major and minor developments.

Tom Pine spoke about maintenance of the traffic islands on Indian River Drive in the Town of Ocean Breeze Park. He voiced concerns about traffic safety taking a back seat to making everything look pretty.

Frank McChrystal spoke about the changing ratio of jets to small planes at Witham Field and voiced concerns about the trend of non-aviation entities leaving the airport proper to create space for the existing fixed-based operators to expand their operations.

Len Sucsy urged the Board ask the Governor to veto HB-7103, which would require a losing citizen challenger of a development order to pay for the legal fees for the county and/or the developer/applicant.

### **2. COMMISSIONERS**

Commissioner Heard requested that the Board send a letter to the School Board asking for their help in creating a pet-friendly shelter, and to the Governor asking him to veto HB-7103. She stressed the importance of the completing the Indian River Lagoon South Plan projects and urged the Board to start an active campaign at the state level and the federal level for land

purchasing, design, and construction of those projects. Lastly, she expressed her desire to serve on the MPO Board and asked Chairman Ciampi if he would be willing to relinquish his seat (the Chairman stated he would give her request some consideration and would get back to her).

Commissioner Jenkins spoke in support of sending letters to the School Board and the Governor, and shared that he had sent one himself. He announced that he would be using district funds for an ADA bus stop ramp at Dixie Highway and Adonis Street in Hobe Sound.

Commissioner Heatherington spoke in support of sending the School Board letter. She recognized Environmental Programs Coordinator Dianne Hughes for receiving the Marine Resources Council's Paul Krogel Award for Outstanding Service to the Indian River Lagoon by a Government Employee.

Chairman Ciampi spoke about the recent passing "Rainbow" Dave Guizerix and offered his condolences to his friends and family. He spoke about the efforts to reduce the use of plastic straws and passed out metal straws to the Board members and staff. He congratulated all graduating high school seniors and praised the YMCA's Project Graduation event.

At the end of item DEPT-2, Commissioner Smith suggesting looking into using the old fairgrounds as a location for a pet-friendly shelter.

### 3. COUNTY ADMINISTRATOR

#### AM

County Administrator Taryn Kryzda congratulated Emergency Management Director Michele Jones for receiving UCF's Emergency Management and Homeland Security Achievement Award.

#### PM

At the end of item DEPT-2, County Administrator Taryn Kryzda and Ecosystem Restoration & Management Manager John Maehl provided the Board a draft letter from the Joint Five-County meeting on water issues. The Board will discuss the letter during their June 4th meeting.

Ms. Kryzda asked the Board for direction regarding the County Attorney position. In her discussions with Palm Beach County Attorney Denise Nieman, who was acting as lead on the search, they do not believe they have anyone who meets all the criteria. Ms. Kryzda asked if the Board would like her to reach out to former County Attorney Sarah Woods, to see if she would be interested in returning.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chair Jenkins, to ask Ms. Kryzda to reach out and entertain a conversation with Ms. Woods relative to employment as our County Attorney and, if she has interest in returning, to begin a negotiation that will come back to the Board for approval. The motion carried by the following vote:

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

## **CONSENT**

### **ADMINISTRATION**

#### **CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

Agenda Item: 19-0415

There were no items to be heard.

(no items)

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

Agenda Item: 19-0417

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

#### **CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

Agenda Item: 19-0521

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

#### **CNST-4 MODIFY ELECTION PRECINCTS AT THE REQUEST OF THE MARTIN COUNTY SUPERVISOR OF ELECTIONS**

Agenda Item: 19-0486

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

#### **CNST-5 TREASURE COAST COMMUNITY ACTION AGENCY ADVISORY BOARD APPOINTMENT**

Agenda Item: 19-0362

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

#### **CNST-6 AGRICULTURE AND NATURAL RESOURCES ADVISORY COMMITTEE APPOINTMENT**

Agenda Item: 19-0473

##### **RESOLUTION NO. 19-5.9**

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

#### **CNST-7 ADOPT A PROCLAMATION TO BE PRESENTED ON JUNE 4, 2019**

Agenda Item: 19-0116

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

### **BUILDING**

#### **CNST-8 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF JAMES A HATCH SR LIVING TRUST**

Agenda Item: 19-0475

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

## **PUBLIC WORKS**

### **CNST-9 MARTIN COUNTY AND SAILFISH POINT BATHTUB BEACH RESTORATION PROJECT MEMORANDUM OF AGREEMENT**

Agenda Item: 19-0485

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

### **CNST-10 REQUEST APPROVAL OF PARTIAL RELEASE OF CONSERVATION EASEMENT FROM COUNTY TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) AND A DEED OF CONSERVATION EASEMENT FROM COUNTY TO SFWMD ON PROPERTY LEASED TO FLORIDA OCEANOGRAPHIC SOCIETY (FOS)**

Agenda Item: 19-0504

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

## **PUBLIC HEARINGS**

### **PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 10, DEVELOPMENT REVIEW PROCEDURES, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE**

Agenda Item: 19-0471

#### **ORDINANCE NO. 1100**

Growth Management Director Nicki van Vonno provided the presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for approval of the recommended changes, include the removal of "until final site plan approval" on line 33 on page 181, and the other changes requested if they prove to be ministerial, and the effective date [07-01-19], and adding the word "with" to Section U. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Heard

Supplemental Memo

## **PUBLIC HEARING QUASI-JUDICIAL**

### **PHQJ-1 WAWA COVE ROAD MAJOR REVISED MASTER/FINAL SITE PLAN (S244-003)**

Agenda Item: 19-0472

**RESOLUTION NOs. 19-5.10 and 19-5.11**

Ex parte communications were announced by all five commissioners. There were no interveners. The proof of notification was filed at the LPA meeting. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Catherine Riiska resume.

APPLICANT: Taylor Parker and Todd Hendrix (CPH Engineers), and Scott Kearney (Wawa) 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, that this agenda item be approved. The motion carried by the following vote:

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

**DEPARTMENTAL**

**ADMINISTRATION**

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

Agenda Item: 19-0419

Supplemental Memo (no items)

**DEPT-2 CONSIDER ADOPTION OF THE 2019 FEDERAL LEGISLATIVE PROGRAM**

Agenda Item: 19-0506

Legislative Coordinator Kloe Ciuperger provided the presentation to the Board.

The presentation included the following 2019 Priorities: CERP (C-23 and C-24 of IRL South), Coastal Resiliency (reauthorization of the Coastal Reef Conservation Act), Beach Restoration and Inlet Management, WRDA (2020 WRDA and the alternative 5R of Loxahatchee River Watershed Restoration Project), National Estuary Program (funded through EPA), PalMar Land Acquisition, Sand Acquisition Nourishment, and Development Act (SAND Act), Endangered Species Petition (the listing of five species and dedication of the St. Lucie River as critical habitat).

Hetherington asked to include health and human safety issue in the water quality and

algae language to our federal agencies.

The Board directed staff to send a letter of thanks to the President for the push for CERP funding, send a letter to urge the Governor to veto HB-7103, and send a letter to the School Board regarding collaborating on a pet-friendly shelter.

Supplemental Memo

## **GROWTH MANAGEMENT**

### **DEPT-3 DISCUSSION ON LANDSCAPING AND TREE PROTECTION ORDINANCE**

Agenda Item: 19-0479

Environmental Administrator Darryl Deleeuw, Planner Lindy Cerar, Senior Planner/Landscape Architect Karen Sjöholm, and Environmental Consultant John Harris (Earth Advisors) provided the presentation to the Board.

Commissioner Jenkins questioned whether at some point the county would need a certified arborist on staff. He also stressed that we want to incentivize people to preserve trees, rather than be punitive. Commission Heard informed staff that she was in support of all the recommendations. Commissioner Smith suggested that staff condense the topics and meet with the commissioners individually. Chairman Ciampi recommended that, in addition to Commissioner Smith working with staff, that Commissioner Jenkins, given his professional background, be the lead on this issue.

The Board directed staff to meet with the individual commissioners, prepare language that would go to public hearing at the LPA, and then come back to the Board.

Supplemental Memo

## **DEPARTMENTAL QUASI-JUDICIAL**

## **GROWTH MANAGEMENT**

### **DPQJ-1 REQUEST FOR PLAT APPROVAL OF THE WEDGEWOOD COMMONS SHOPPING CENTER**

Agenda Item: 19-0477

#### **RESOLUTION NO. 19-5.12**

Ex parte communications were announced by all five commissioners. There were no interveners. There were no notices required. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Peter Walden provided the staff's presentation to the Board.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Peter Walden resume.

APPLICANT: Dennis Murphy (Culpepper and Terpening) addressed the Board on behalf of the applicant and requested approval. Acting County Administrator Krista

Storey explained that there were two Unities of Title that would need to be released along with approval of the item.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, for approval of the item, and authorize staff to craft a standard resolution releasing two Unities of Title, one recorded in OR BK 2323 PG 2938, and the second one recorded in OR BK 2600 PG 1652, in the public records of Martin County. The motion carried by the following vote:

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

**DPQJ-2 HINCKLEY YACHTS REQUEST FOR TEMPORARY CERTIFICATE OF OCCUPANCY**

Agenda Item: 19-0494

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

Supplemental Memo (requesting to withdraw item)

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

Frank McChrystal spoke about the Sabal Palm trees (the Florida State Tree) and requested that the Board adopt a code stating that trimming be restricted to dead fronds.

Thomas McLaine spoke about two trees in the Banner Lake area: a Ficus tree in the Lantana Avenue right-of-way, and a tall Pine Tree near the church. He also spoke about his neighbor's bougainvillea growing over the fence onto his property.

**ADJOURN**

The Board of County Commissioners meeting of May 21, 2019 adjourned at 12:59 p.m.

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

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Edward V. Ciampi, Chairman  
Board of County Commissioners

Minutes approved:

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