

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

**ORDINANCE NUMBER 1125**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING SECTION 107.32, COMPOSITION; APPOINTMENTS; QUORUM; ABSENCE; OFFICERS; CONSTRUCTION OF ARTICLE, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARIES, GENERAL ORDINANCES, MARTIN COUNTY CODE TO INCREASE THE NUMBER OF MEMBERS AND TO REMOVE TERM LIMITS; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND EFFECTIVE DATE**

WHEREAS, the Board of County Commissioners of Martin County is authorized pursuant to Sections 1 and 6, Article III, Constitution of the State of Florida, and Chapter 125, Florida Statutes, to adopt ordinances; and

WHEREAS, the County desires to increase the number of members of the Library Board of Trustees from five members to nine members and to remove the term limits for members; and

WHEREAS, the Board has reviewed and approved the proposed change.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

**PART ONE. AMENDMENT OF SECTION 107.32 COMPOSITION; APPOINTMENTS; QUORUM; ABSENCE; OFFICERS; CONSTRUCTION OF ARTICLE, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARY, GENERAL ORDINANCES, MARTIN COUNTY CODE.**

*Section 107.32.A. - Composition; appointments; quorum; absences; officers; construction of article is amended as follows:*

107.32.A. The Martin County Library Board of Trustees shall consist of ~~five~~ nine members who are residents of the County, appointed at large by a Board of County Commissioners for staggered terms of three years each. They shall not be public office holders nor shall they be employed in the County library, nor be related to a library employee. Members may be reappointed ~~for one additional term of three years~~ upon completion of a full three-year term, in addition to serving the balance of an unexpired term appointment. The present members of the board shall serve until their current term expires. The Board of County Commissioners shall fill any vacancy now existing for such term (one, two, or three years) as is necessary to ensure that not more than one-third of the members' terms will expire in any one year. ~~Five~~ Three members shall constitute a quorum. Members shall be required to attend two-thirds of the regularly scheduled meetings in any 12-month period or they shall be dropped from membership.

~~Strikethrough~~ passages are deleted; underline passages are added.

**PART TWO. CONFLICTING PROVISIONS.**

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**PART THREE. SEVERABILITY.**

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

**PART FOUR. APPLICABILITY OF ORDINANCE.**

This ordinance shall be applicable in the unincorporated area of Martin County.

**PART FIVE. FILING WITH THE DEPARTMENT OF STATE.**

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

**PART SIX. EFFECTIVE DATE.**

This ordinance shall take effect upon the filing with the Department of State.

**PART SEVEN. CODIFICATION.**

Provisions of this ordinance shall be incorporated in the County Code, except parts Two through Seven shall not be codified. The word "ordinance" may be changed to "section," "article" or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS 18<sup>TH</sup> DAY OF FEBRUARY, 2020.


ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

  
HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM & LEGAL  
SUFFICIENCY:

  
SARAH W. WOODS, COUNTY  
ATTORNEY



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

February 26, 2020

Ms. Carolyn Timmann  
Clerk of the Circuit Court  
Martin County  
Post Office Box 9016  
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1125, which was filed in this office on February 26, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb



# Schools

Continued from Page 1A

for safety and security, mental-health programs and professional development.

“When we had our initial organizational meeting, we were supposed to nominate a chair and vice chair,” committee member Danielle McDonough told the School Board in December. “This is the first thing that I expressed that isn’t being followed.”

There were many red flags after that meeting, McDonough told TCPalm.

McDonough in December filed a public-records request to obtain the information the committee’s organizer, school district Chief Financial Officer Audra Curts-Whann, had failed to provide, she said.

Having to go through the public-records process on her own underscores another concern, McDonough said.

The committee’s job is to ensure the district is spending the new tax money properly. Without the financial records, she said, the committee can’t meet its responsibility.

“When I personally have to do a public (records) request, that doesn’t allow me to do my job,” she said. As a committee member, McDonough assumed she’d be able to say, “Hey, can we see a list of the teachers that were paid out?”

That’s not the case, she said.

Curts-Whann — who has led the committee’s meetings in the absence of a chairperson — rejects the notion that members haven’t received information and can’t get it.

“I provide (members) with financial updates and I always open those meetings up to any questions anyone might have,” Curts-Whann said. During the meetings, members are provided with a summary and overview of what’s been paid out by the district, she said.

If members want line-by-line spending breakdowns and to see what account any payment has been charged to, she can show them, Curts-Whann said.

**“When we had our initial organizational meeting, we were supposed to nominate a chair and vice chair. This is the first thing that I expressed that isn’t being followed.”**

**Danielle McDonough**  
Committee member

Most members, though, don’t request specific payout information because “they didn’t need to see the details,” she said.

For its part, the school district acknowledges its violation of policy — choosing instead to characterize it as an “oversight” — but chalks it up to inexperience with oversight committees.

“I don’t think the board or myself were focusing on how they organized themselves,” School Board attorney Anthony George said. District staff wasn’t focused on policies that require the committee to appoint a chair and vice chair, he said.

The policy violations, he said, are simply a reminder

the School Board hasn’t had an advisory committee in “quite some time.”

His role, George said, is to educate committee members and provide them with proper procedures to bring questions forward. If the committee majority doesn’t want to look into an issue or question, for example, individual members still can file a public-records request, he said.

The failure to have a chair and vice chair for the committee was “an oversight on our part,” district spokeswoman Jennifer DeShazo said. “We are aware of the discrepancy and it will be rectified at the next meeting,” she said in a statement.

George will oversee selection of a committee chair and vice chair at its next meeting, Feb. 24.

*Sommer Brugal is TCPalm’s education reporter for Indian River, St Lucie and Martin counties. You can keep up with Sommer on Twitter @smbugal and give her a call at 772-221-4231.*

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## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Martin County Board of County Commissioners will conduct a public hearing on February 18, 2020, to consider adoption of an ordinance amending Section 107.32, Composition; Appointments; Quorum; Absence; Officers; Construction of Article, Article 2, Library Board of Trustees, Chapter 107, Libraries, General Ordinances, Martin County Code. The hearing will be conducted at 9:00 a.m., or as soon thereafter as the item may be heard.

The title of the proposed ordinance is:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING SECTION 107.32, COMPOSITION; APPOINTMENTS; QUORUM; ABSENCE; OFFICERS; CONSTRUCTION OF ARTICLE, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARIES, GENERAL ORDINANCES, MARTIN COUNTY CODE TO INCREASE THE NUMBER OF MEMBERS AND TO REMOVE TERM LIMITS; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE, CODIFICATION AND EFFECTIVE DATE.

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers at the Martin County Administrative Center, 1st Floor, 2401 S.E. Monterey Road, Stuart, Florida. Written comments can be mailed to Elysse Elder, Senior Assistant County Attorney, 2401 SE Monterey Rd., Stuart, FL 34996. Copies of the item will be available from the County Attorney’s Office. For more information contact Elysse Elder at (772) 288-5925.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact Martin County’s ADA Coordinator by telephone at 772.320.3131 or in writing at 2401 SE Monterey Road, Stuart, FL 34996, no later than three (3) days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Service.

If any person decides to appeal any decisions made with respect to any matter considered at the meetings or hearings of any board, committee, commission, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



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