



## BOARD OF COUNTY COMMISSIONERS

**DRAFT**

**10/13/2020 9:00 AM**

### MINUTES

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#### **COUNTY COMMISSIONERS**

*Harold E. Jenkins II, Chairman  
Stacey Hetherington, Vice Chair  
Doug Smith  
Sarah Heard  
Edward V. Ciampi*

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

1. INVOCATION - Moment of Silence
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, for approval of the agenda with the additional items [CNST-7, PH-6, DEPT-5] and the request to withdraw CNST-5 and PH-5. The motion CARRIED by the following vote:

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

## **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

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

The Chairman will present the proclamations declaring Domestic Violence Awareness Month and Manufacturing Month in Martin County, Florida.

Agenda Item: 20-1140

Communications Manager Laura Beaupre introduced the proclamations. Dr. Teresa Albizu accepted the proclamation for Domestic Violence Awareness Month. Business Development Board Executive Director Joan Goodrich accepted the proclamation for Manufacturing Month.

## **COMMENTS**

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

Jacqui Thurlow-Lippisch, representing the South Florida Water Management District, thanked the Board for everything they have done to help Martin County, the St. Lucie River, and Lake Okeechobee. She urged everyone to look up the District's new webpage, "District Actions to Reduce Harmful Discharges to the Northern Estuaries."

The following members of the public addressed the Board regarding the mandatory mask ordinance (item PH-6): Mona Leonard, Dr. Tiffany Weakley, Brad Gunter, Shannon Chapman, Lawrence Cromwell, Tyrone Monte, and Meredith Lee.

Tom Pine spoke the cost of the Jensen Beach Mooring Field and the need for crosswalks throughout the county.

### **2. COMMISSIONERS**

PM

Commissioner Ciampi reminded everyone that October is Breast Cancer Awareness Month.

Commissioner Hetherington announced that she would be using district funds for the Police Athletic League.

Commissioner Heard urged everyone to stay safe.

### **3. COUNTY ADMINISTRATOR**

PM

County Administrator Taryn Kryzda informed the Board that, due to the changes made by the governor, staff will not bring forward an agenda item on managing local events. Event planning will be left to the event organizers.

## **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: 20-0928

None at this time.

### **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 September 12, 2020 and September 25, 2020. 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: 20-1041

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 September 29, 2020 regular meeting.

Agenda Item: 21-0029

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

### **CNST-4 ADOPT A PROCLAMATION TO BE PRESENTED AT THE OCTOBER 27, 2020 MEETING**

The Board is asked to adopt a proclamation declaring Hospice and Palliative Care Month in Martin County, Florida.

Agenda Item: 20-1143

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

### **CNST-5 REQUEST APPROVAL OF RESOLUTION ACCEPTING TWO SIDEWALK EASEMENTS AND A WARRANTY DEED DONATING RIGHT-OF-WAY AS PART OF THE GOMEZ AFFORDABLE HOUSING PROJECT IN HOBE SOUND**

This item is requesting approval of two Sidewalk Easements and a Warranty Deed donating property as right-of-way to the County as part of the Community Redevelopment Agency's funded and approved project in the Capital Improvement Plan, the Gomez Affordable Housing project in the Pettway Park Subdivision of Hobe Sound.

Agenda Item: 20-1003

This item was withdrawn from the agenda.

## **INFORMATION TECHNOLOGY**

### **CNST-6 CONSIDER APPROVAL OF SECOND AMENDMENT TO SUBLEASE AGREEMENT FOR AN EXISTING COMMUNICATIONS TOWER**

As a part of the County Line Radio Tower Project the communications equipment located on a radio tower in Indiantown will need to be enhanced. The cost of the equipment has been included in the original project. This item pertains to additional lease costs on the Indiantown tower.

Agenda Item: 20-1113

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

## **ADMINISTRATION**

### **CNST-7 ADOPT A PROCLAMATION TO BE PRESENTED AT THE OCTOBER 21, 2020 MEETING**

The Board is asked to adopt a proclamation declaring Lights on Afterschool Day in Martin County, Florida.

Agenda Item: 21-0040

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

## **PUBLIC HEARINGS**

### **PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-26, SUNSHINE STATE CARNATIONS FLUM**

This is a request for an amendment to the Future Land Use Map (FLUM) on a 19.44-acre parcel. The request will change the future land use designation from Residential Estate Density (up to 2 units per acre) to Low Density Residential (up to 5 units per acre). The parcel is addressed at 9450 SE Gomez Avenue in Hobe Sound.

Agenda Item: 20-1105

Comprehensive Planning Administrator Clyde Dulin introduced the plan amendments. Planner Maria Jose provided the staff's presentation to the Board. Mr. Dulin and Growth Management Director Paul Schilling assisted with Board questions.

Cotleur and Hearing Project Manager/Partner Daniel Sorrow provided the applicant's presentation to the Board. Mr. Sorrow filed the affidavit of notification for the record. Owners Peter and Eric Nissen addressed the Board regarding the history of their family's property. Attorney Nathan Nason (Nason Yeager Gerson Harris and Fumero, P.A.) assisted with Board questions.

The following members of the public addressed the Board on this item: Eric Reed, Gayle Merrill, Nicole Winchip, Ted Jonczak, Bruce Montefusco, Jan Forrest, Mary Gavin, Suzanne Cromwell, Brad Gunter, Douglas Bernhard, and Roxanne Howard.

**MOTION:** A motion was made by Commissioner Heard to deny the request. The motion FAILED for lack of a second.

Agenda Item: 20-1105

Mr. Sorrow requested a continuance of the item to a date uncertain. Senior Assistant County Attorney Krista Storey advised the Board that, in the County's rules of procedure, the applicant is entitled to two continuances of a public hearing.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Ciampi, to continue the item. The motion CARRIED by the following vote:

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

**PH-2**

**LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 20-03, AQUARIUS LAND HOLDINGS**

This is a request for an amendment to the text of Chapter 4, Future Land Use Element. The proposal is a site-specific text amendment regarding uses permitted on the 34.96-acre property, located on the north side of SE Cove Road and the west side of SE Willoughby Boulevard.

Agenda Item: 20-1106

Planner Maria Jose presented the item to the Board. Comprehensive Planning Administrator Clyde Dulin assisted with Board questions.

HJA Design Studio Project Manager Deanna Freeman provided the applicant's presentation and filed the affidavit of notification for the record. President Michael Houston assisted with Board questions.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Hetherington, to accept staff's recommendation of approval. The motion CARRIED by the following vote:

**Aye:** 3 - Chairman Jenkins II, Vice Chair Hetherington, and Commissioner Ciampi

**Nay:** 1 - Commissioner Heard

**Absent:** 1 - Commissioner Smith

**PH-3**

**LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 19-6, KL WATERSIDE, LLC FLUM**

An application for a Comprehensive Growth Management Plan (CGMP) Future Land Use Map amendment (FLUM) from Agricultural, Industrial and Marine Waterfront Commercial to Industrial and Agricultural within a 499.4-acre parcel.

Agenda Item: 20-1110

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Heard, to continue this application to October 27th. The motion CARRIED by the following vote:

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

**Absent:** 1 - Commissioner Smith

**PH-4**

**LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-5, KL WATERSIDE, LLC, A TEXT AMENDMENT**

This is a request for text amendments to Chapter 4, Future Land Use Element. The application also includes amendments to Figure 4-2 Urban Service Districts retracting the Primary Urban Service District (PUSD); creating a Freestanding Industrial Urban Service District; and changing Figures 11-1, Areas Currently Served by Regional Utilities and 11-2, Potential Service Areas. The changes to Figures 11-1 and 11-2 are considered text amendments to Chapter 11, Potable Water Services Element.

Agenda Item: 20-1112

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Heard, to continue this until October 27, 2020. The motion CARRIED by the following vote:

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

**Absent:** 1 - Commissioner Smith

**PH-5**

**REQUEST APPROVAL FOR A RESOLUTION TO INCLUDE NEIGHBORHOOD ENHANCEMENT PROJECTS IN EACH MARTIN COUNTY COMMUNITY REDEVELOPMENT AREA'S COMMUNITY REDEVELOPMENT PLAN**

The Community Redevelopment Agency (CRA) is recommending an amendment to each of the six CRA area's Community Redevelopment Plans. This modification would add a Neighborhood Enhancement Project Sheet for construction of smaller capital improvements in each area.

Agenda Item: 20-1115

This item was withdrawn from the agenda.

**PH-6**

**PUBLIC HEARING TO CONSIDER REPEALING OR AMENDING ORDINANCE 1140 MANDATING PERSONS WEAR FACE COVERINGS IN PUBLIC PLACES**

On August 25, 2020 the Board of County Commissioners (Board) adopted Ordinance 1140 Mandating Persons Wear Face Coverings in Public Places. Since the adopting the Ordinance, Governor DeSantis has moved Florida into Phase 3 of Safe. Smart. Step-by-Step. Plan for Florida's Recovery. In addition, Governor DeSantis issued

Executive Order 20-244, which effectively eliminated all Novel Coronavirus Disease 2019 (COVID-19) related restrictions placed on businesses throughout the State and suspended the collection of COVID-19 related fines and penalties against individuals. At the September 29, 2020 meeting, the Board requested staff advertise an ordinance repealing or amending Ordinance 1140 for consideration by the Board.

Agenda Item: 21-0042

**ORDINANCE NO. 1145**

Senior Assistant County Attorney Elysse Elder presented the item to the Board. Ms. Elder informed the Board that if they chose to rescind the mask ordinance, staff recommended Option 1.

Option 1: Approve the draft ordinance repealing Ordinance 1140 (mandating the wearing of face coverings in public places) and direct the County Administrator to issue an emergency order that strongly encourages wearing face coverings in public places and contains no penalty provisions.

The following members of the public addressed the Board on this item: Julie Bjornson, Medora Reading, and Craig Wallengren.

Commissioner Smith left the meeting at 12:00 p.m. and returned to the meeting at 3:00 p.m.

**MOTION:** A motion was made by Commissioner Heard, seconded by Commissioner Ciampi, to take no action and continue to require persons to wear face coverings in public places, pursuant to Ordinance 1140, during the temporary suspension of the fines and penalties by Executive Order 20-244. The motion **FAILED** by the following vote:

**Aye:** 2 - Commissioner Heard, and Commissioner Ciampi

**Nay:** 2 - Chairman Jenkins II, and Vice Chair Hetherington

**Absent:** 1 - Commissioner Smith

Agenda Item: 21-0042

At the end of the meeting, Commissioner Smith requested that the Board return to this item.

**MOTION:** A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, for the Board to reconsider the vote on the mask issue from this morning and that the reconsideration be done today, versus a date certain in the future. The motion **CARRIED** by the following vote:

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

Agenda Item: 21-0042

Senior Assistant County Attorney Elysse Elder presented the item to the Board.

Assistant County Administrator George Stokus assisted with Board questions regarding the future mask policy for county buildings.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, for Option 1, approval of the draft ordinance which repeals Ordinance 1140. The motion CARRIED by the following vote:

**Aye:** 3 - Chairman Jenkins II, Vice Chair Hetherington, and Commissioner Smith

**Nay:** 2 - Commissioner Heard, and Commissioner Ciampi

Agenda Item: 21-0042

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to direct the County Administrator to institute an Emergency Order to strongly recommend the wearing of masks. The motion CARRIED by the following vote:

**Aye:** 3 - Chairman Jenkins II, Vice Chair Hetherington, and Commissioner Smith

**Nay:** 2 - Commissioner Heard, and Commissioner 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: 20-0368

#### **RESOLUTION NOs. 20-10.1 through 20-10.9**

Director of the Office of Management & Budget Jennifer Manning presented the item to the Board. Parks and Recreation Director Kevin Abbate assisted with Board questions.

The following items were approved: (1) FTA grant for MARTY, (2) FDOT grant for Treasure Coast Express Route 20X, (3) EMS Trust Fund grant, (4) WWTP Sand and Grit Removal grant, (5) Juvenile Diversion Program grant, (6) Jensen Beach Mooring Field funding allocation, (7) Stuart Beach Seaside Cafe budget.

MOTION: A motion was made by Commissioner Ciampi, seconded by



Commissioner Heard, to accept staff's recommendation for the seven. The motion CARRIED by the following vote:

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

**Absent:** 1 - Commissioner Smith

**DEPT-2 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: 20-0075

Purchasing Manager Krysti Brotherton presented the following item to the Board: Stuart Beach Seaside Cafe and Restroom re-bid. Capital Projects Manager George Dzama assisted with Board questions.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, that this agenda item be approved. The motion CARRIED by the following vote:

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

**PARKS AND RECREATION**

**DEPT-3 ALCOHOLIC BEVERAGE OPTIONS - SEASIDE CAFE**

On August 11, 2020, the Board of County Commissioners (Board) approved a liquor license for Seaside Café and requested that the Parks and Recreation Department bring back alcoholic beverages options that will be served at the café for Board approval.

Agenda Item: 20-1132

Aquatics and Parks Administrator Todd Foust presented the item to the Board. Parks and Recreation Director Kevin Abbate and Senior Park Manager Jessica Ballash assisted with Board questions.

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

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Heard, to offer beer, wine/champagne, frozen alcoholic beverages that are served from, for lack of a better phrase, the slushy machine, and hard beverages like seltzers, like White Claw, or hard lemonade or hard cider, it's all alcohol-by-volume drinks; none of the non-frozen alcoholic drinks: no rum, no vodka, no premium cocktails like Kahlua and those kinds of things. The motion CARRIED by the following vote:

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

## **UTILITIES AND SOLID WASTE**

### **DEPT-4 FIRST AMENDMENT TO FINANCIAL SERVICES AGREEMENT BETWEEN MARTIN COUNTY AND THE SOLAR AND ENERGY LOAN FUND OF SAINT LUCIE COUNTY**

Martin County and the Solar Energy Loan Fund of St. Lucie County (SELF) entered into an Agreement to support home improvements and sustainability financing on March 26, 2019. The County has initiated a "Connect to Protect" Program to replace septic systems with connection to the County's central sewer system and desires to expand SELF financing to qualified residents to assist in the affordability of Grinder Sewer System installation. Staff has drafted the First Amendment to the Agreement to reflect specific terms related to Grinder Sewer System installations.

Agenda Item: 20-1133

USW Director Sam Amerson presented the item to the Board.

Chairman Jenkins solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, for staff's recommendation. The motion CARRIED by the following vote:

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

## **ADMINISTRATION**

### **DEPT-5 REQUEST APPROVAL OF ALLOCATION OF CARES FUNDING FOR MARTIN COUNTY TOURISM REVITALIZATION AND MENTAL HEALTH SERVICES**

Staff is requesting that the Board of County Commissioners consider approval of two (2) new CARES programs. One program is a reboot program for Martin County's tourism industry that has been significantly impacted by COVID-19. The other program is to provide mental health services to individuals impacted by the COVID-19 pandemic both emotionally and economically.

Agenda Item: 21-0044

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

The following members of the public addressed the Board on this item: Carol Houwaart-Diez (United Way), Nancy Turrell (Arts Council), Rob Steele (Historical Society), Lynne Barletta (Visionary School of Arts), Tammy Calabria (Children's Museum), Joanne Wetzl (New Gardens Band), and Kai Fontaine (Lyric Theatre).

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Heard, to accept staff's recommendation for this money. The motion CARRIED by the following vote:

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

**Absent:** 1 - Commissioner Smith

## **DEPARTMENTAL QUASI-JUDICIAL**

### **GROWTH MANAGEMENT**

#### **DPQJ-1 REQUEST FOR APPROVAL OF REVISED MAJOR FINAL SITE PLAN FOR SOUTH FLORIDA SHOOTING GROUNDS (S188-007)**

Request by South Florida Shooting Grounds, Inc. for approval of a revised major final site plan for an outdoor shooting clay course, expanded facilities and infrastructure at the South Florida Shooting Grounds located on an approximate 630 acre parcel about 2.3 miles north of Martin Highway and west of Interstate I-95 in Palm City. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 20-1033

#### **RESOLUTION NO. 20-10.10**

Ex parte communication disclosures were made 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: Attorney Bob Raynes, EDC Inc. Vice President Toby Overdorf, and South Florida Shooting Grounds General Manager Joe Fasulo provided the applicant's presentation to the Board.

Chairman Jenkins solicited public comment; none was heard.

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

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

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

None at this time.

**ADJOURN**

The Board of County Commissioners meeting of October 13, 2020 adjourned at 4:10 p.m.

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

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Harold E. Jenkins, Chairman  
Board of County Commissioners

Minutes approved:

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