



## BOARD OF COUNTY COMMISSIONERS

**DRAFT**

**12/8/2020 9:00 AM**

### MINUTES

**JOHN F. & RITA M. ARMSTRONG WING OF THE BLAKE LIBRARY  
2351 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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#### **COUNTY COMMISSIONERS**

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

1. INVOCATION - Pastor Matt Pilot, Christ Fellowship
2. PLEDGE OF ALLEGIANCE

Hall-Bryan VFW Post 10132 Honor Guard Member Robert Yago led the 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, less the consent pulls of CNST-1 and CNST-7. The motion CARRIED by the following vote:

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

## **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

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

The Chair will present the proclamations declaring Farm-City Week and Bible Reading Week in Martin County, Florida.

Agenda Item: 21-0099

Communications Manager Laura Beaupre presented the proclamations to the Board. David Hafner accepted the proclamation for Farm-City Week. Dr. Julie Bjornson accepted the proclamation for Bible Reading Week.

## **COMMENTS**

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

Business Development Board Executive Director Joan Goodrich and Palm City Chamber of Commerce Executive Director Missi Campbell spoke in support of the Newfield development agreement (item PHQJ-1).

Tom Pine thanked the County for getting crosswalks painted on Savanna Road and spoke about other needed improvements. He also spoke about the cost of improving the Martin County Golf Course.

### **2. COMMISSIONERS**

#### **AM**

Commissioner Jenkins announced that he would be allocating district funds for Gomez Cemetery. He spoke about the first Hobe Sound Christmas Tree Lighting event.

Commissioner Smith urged everyone to attend the annual Taste of Jensen Beach.

Commissioner Hetherington congratulated Thelma Waters for being inducted into the State of Florida Women's Hall of Fame. At the Board's request, staff will invite Ms. Waters to attend the December 15th meeting.

Commissioner Heard requested that the Board reinstate the mask mandate.

**MOTION:** A motion was made by Commissioner Heard, seconded by Commissioner Ciampi, to start the notification process for an ordinance [mask mandate]. The motion FAILED by the following vote:

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

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

## 2. COMMISSIONERS

### PM

Commissioner Jenkins announced the passing of Attorney Robert D. Critton, Jr.

Commissioner Hetherington announced the city lights installation in Memorial Park on December 12th. She also announced that there would be a mask distribution/education effort on December 9th in Golden Gate.

## 3. COUNTY ADMINISTRATOR

None at this time.

## 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: 21-0014

Commissioner Hetherington announced a conflict with this item and filed Form 8B, Memorandum of Voting Conflict, for the record.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Jenkins, for approval of consent item number one. The motion CARRIED by the following vote:

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

**Abstain:** 1 - Chair Hetherington

#### 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 will be submitted via a Supplemental Memorandum. 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: 21-0034

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 10 and 17, 2020 regular meetings.

Agenda Item: 21-0197

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

**CNST-4 LOCAL PLANNING AGENCY SCHOOL DISTRICT APPOINTMENT**

The Board is asked to reconfirm the appointment of Kimberly Everman to be the School District's non-voting representative on the Local Planning Agency.

Agenda Item: 21-0080

**RESOLUTION NO. 20-12.1**

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

**CNST-5 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY  
COMMITTEE APPOINTMENTS**

The Board is asked to confirm their appointments to the Comprehensive Economic Development Strategy Committee.

Agenda Item: 21-0081

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

**CNST-6 TREASURE COAST REGIONAL PLANNING COUNCIL MUNICIPAL  
APPOINTMENTS**

The Board is asked to confirm the appointment of Commissioner Troy McDonald as the City of Stuart's primary municipal appointment to the Treasure Coast Regional Planning Council (TCRPC). The Town of Sewall's Point will hold the alternate position, and they are appointing Vice Mayor James W. Campo.

Agenda Item: 21-0152

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

**COUNTY ATTORNEY**

**CNST-7 AMENDMENT OF BOARD DIRECTED POLICY ON REIMBURSEMENT  
OF ATTORNEY'S FEES AND AUTHORIZATION OF REIMBURSEMENT  
OF COMMISSIONER HETHERINGTON'S LEGAL FEES FROM  
COMPLAINT 19-141 FLORIDA COMMISSION ON ETHICS**

Following review of Board directed policy on reimbursement of attorney's fees, amendments increasing the hourly rate and authorizing approval at a higher rate are recommended. An Ethics Complaint was filed against Commissioner Stacey Hetherington for alleged violations of Florida's ethics laws in connection with the performance of her duties as a County Commissioner. The Commission on Ethics dismissed the Complaint in its entirety on September 11, 2020. Pursuant to Board directed policy, Commissioner Hetherington has requested reimbursement of her attorney's fees.

Agenda Item: 21-0116

Commissioner Hetherington announced a conflict with this item and filed Form 8B,

Memorandum of Voting Conflict, for the record.

County Attorney Sarah Woods presented the item to the Board.

MOTION: A motion was made by Commissioner Jenkins, seconded by Commissioner Ciampi, to approve the Board directed policy amendment as submitted, with the addition of an audit requirement if the bill is over \$50,000. The motion CARRIED by the following vote:

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

**Nay:** 1 - Commissioner Heard

**Abstain:** 1 - Chair Hetherington

Agenda Item: 21-0116

A motion was made by Commissioner Jenkins, seconded by Commissioner Ciampi, to authorize reimbursement at a higher hourly rate of \$500 an hour, which takes into consideration the location, the complexity, and the type of case for Commissioner Hetherington's legal fees, and to approve payment of the legal fees related to the ethics complaint which was dismissed against her. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Heard

**Abstain:** 1 - Chair Hetherington

## **FIRE RESCUE**

### **CNST-8 REQUEST APPROVAL OF A RESOLUTION PERTAINING TO THE AMENDMENT OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL BYLAWS**

Emergency Medical Services ("EMS") Advisory Council is requesting approval of a Resolution amending its bylaws. The changes are minor administrative changes and add a representative from the Village of Indiantown to the EMS Advisory Council.

Agenda Item: 21-0112

#### **RESOLUTION NO. 20-12.2**

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

## **GROWTH MANAGEMENT**

### **CNST-9 REQUEST RELEASE OF UNITY OF TITLE FOR LOTS 64 AND 65 WITHIN THE MOBILE HOME GARDENS SUBDIVISION**

Peter and Dorothy White are requesting a release of the Unity of Title for Lots 64 and 65 within the Mobile Home Gardens Subdivision. The subject property is located at 2726 SE La Palma Terrace in Stuart.

Agenda Item: 21-0095

### **RESOLUTION NO. 20-12.3**

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

## **PUBLIC WORKS**

### **CNST-10 ACCEPTANCE OF A UTILITY EASEMENT FROM FLORIDA PATIO PARTNERS, LLC FOR FIRE AND WATER SERVICES AND FIRE HYDRANT LOCATED ON THE NORTHEAST SECTION OF LOT 12 AND WEST OF U.S. HIGHWAY ONE IN JENSEN BEACH**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Florida Patio Partners, LLC, a Delaware limited liability company, for fire and water services and one fire hydrant located on the northeast section of Lot 12 and west of U.S. Highway One.

Agenda Item: 21-0143

### **RESOLUTION NO. 20-12.4**

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

## **FIRE RESCUE**

### **CNST-11 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY RENEWALS**

In accordance with Chapter 87, Article 4, Emergency Medical Services and Transportation, General Ordinances, Martin County Code, any ambulance service that engages in rendering emergency medical services and ambulance transportation in Martin County shall apply for the appropriate Certificate of Public Convenience and Necessity (COPCN) from the Board of County Commissioners ("Board"). COPCNs must be renewed by every two years.

Agenda Item: 21-0123

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

## **PUBLIC HEARINGS**

### **PH-1 PUBLIC HEARING TO ADOPT NOTICE OF INTENT RESOLUTION REQUIRED BY SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS**

This is a public hearing to adopt a non-binding resolution declaring the Board's intent to use the uniform method of collection for certain proposed non-ad valorem assessments that may be imposed within certain municipal service benefit units to be established for road paving and ancillary drainage, dredging services, storm water services and facilities, and water and/or wastewater.

Agenda Item: 21-0135

### **RESOLUTION NO. 20-12.5**

Utilities & Solid Waste Chief Project Manager Phil Keathley presented the item to the Board.

Chair Hetherington solicited public comment; none was heard.

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

Commissioner Jenkins, for approval of the item. The motion CARRIED by the following vote:

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

## **PUBLIC HEARING QUASI-JUDICIAL**

### **PHQJ-1 NEWFIELD (FKA PINELAND PRAIRIE), REQUEST FOR APPROVAL OF A DEVELOPMENT AGREEMENT (P172-004)**

This is a request for approval of the Development Agreement between Martin County and Master Developer for Newfield pursuant to Article 7, Land Development Regulations (LDR) for the Newfield Project located on approximately 3,411 acres west of the Florida Turnpike and north of SW Martin Highway, adjacent to and south of the C-23 canal in Palm City.

Agenda Item: 21-0139

Ex parte communication disclosures were made by all five commissioners. The proof of notification was filed by staff. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Peter Walden provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey, County Engineer Lisa Wichser, and Growth Management Director Paul Schilling assisted with Board questions.

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

APPLICANT: Property Owner Knight Kiplinger and Urban Design Director/Project Manager Marcela Cambor provided the applicant's presentation to the Board.

The following members of the public addressed the Board on this item: Economic Council CEO Ted Astolfi, Bill Reinhardt, and Janet Reinhardt.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Smith, to receive and file the agenda item including the staff report as Exhibit 1 and announce that the second public hearing for the development agreement will be held on Tuesday, December 15, 2020. The motion CARRIED by the following vote:

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

**Nay:** 1 - Commissioner Heard

## **REQUESTS AND PRESENTATIONS**

### **R&P-1 S.P.A.M. ROBOTICS PRESENTATION**

Stacey Jones with FRC180 S.P.A.M. (Speed, Power, and Maneuverability) Robotics

will give an update about their program and their new partnership with the 4-H.

Agenda Item: 21-0025

UF/IFAS Martin County Extension 4-H Youth Development Agent Natalie Parkell, along with two student members, provided the presentation to the Board.

## **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: 21-0018

#### **RESOLUTION NO. 20-12.6 and 20-12.7**

Director of the Office of Management & Budget Jennifer Manning provided the presentation to the Board.

The following items were approved: (1) IRL Water Quality grant for grinder sewer system connections project, (2) FDEP grant for 850 sewer connections, (3) FJA grant for adult drug court staff and services, and (4) amend fiscal year budget for Utilities.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Jenkins, to approve the agenda item. The motion CARRIED by the following vote:

**Aye:** 5 - Commissioner Jenkins II, Chair Hetherington, Vice Chairman Smith, Commissioner Heard, and Commissioner 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: 21-0023

Purchasing Buyer Kristen Miskanic presented the following item to the Board: (1) Grinder Station installation and septic conversion contract.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, for approval of the item. The motion CARRIED by the following vote:

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



**DEPT-3 DISCUSS THE 2021 PRIORITIES FOR THE BOARD OF COUNTY COMMISSIONERS**

On November 17, 2020 the Board of County Commissioners (Board) discussed the process for bringing forward their top three or four priorities for 2021. A decision was made for each Commissioner to submit their priorities directly to the County Administrator (Administrator) who would bring them to the Board at the next scheduled meeting, December 8, 2020.

Agenda Item: 21-0180

County Administrator Taryn Kryzda introduced the item. The commissioners each presented their priorities to their fellow commissioners.

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

None at this time.

**ADJOURN**

The Board of County Commissioners meeting of December 8, 2020 adjourned at 12:56 p.m.

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

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Stacey Hetherington, Chair  
Board of County Commissioners

Minutes approved:

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