



BOARD OF COUNTY COMMISSIONERS

DRAFT

6/22/2021 9:00 AM

MINUTES

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

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

CALL TO ORDER

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

1. INVOCATION - Pastor Jerry Gore, Pentecostal Church of God & Christ

Minister Brown

2. PLEDGE OF ALLEGIANCE - Daniel McHenry, US Air Force, Retired Senior
Master Sergeant & Veterans Service Officer

3. ADDITIONAL ITEMS

4. APPROVAL OF AGENDA

A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve the agenda with the consent items. The motion carried by the following vote:

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

5. APPROVAL OF CONSENT AGENDA

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chair will present the proclamations declaring July as Parks and Recreation Month and Treasure Coast Waterway Cleanup Week in Martin County, Florida.

Agenda Item: 21-0817

Communications Manager Laura Beaupre presented the following proclamations to the Board. Kevin Abbate accepted the July as Parks and Recreation Month proclamation. Gail Byrd and Butch Olsen accepted the Treasure Coast Waterway Cleanup Week proclamation.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Jackie Trancynger expressed concerns regarding maintenance of the new round about at the entrance of Jensen Park Estates and the undo responsibilities that will be incurred by the homeowners.

Amy Pritchett requested follow-up on Rocky Point traffic speed limits.

The following members of the Public addressed the Board in support of the American Rescue Plan: Noel DelValle, Carol Howard Dietz, Bob Zaccheo, Jeff Sabin, Erin Cox and Nancy Turrell.

Bob Zaccheo provided an update on Project LIFT's job readiness program.

Tom Pine spoke on the rights provided through the First Amendment.

Executive Director of the Arts Council Nancy Turrell thanked the Board for their investment into the Arts and Culture program.

2. COMMISSIONERS

AM

Commissioner Heard requested a briefing on the Jensen Park Estates round about. She also advised that Rocky Point speed limit questionnaire ballots were sent to all Rocky Point residents. Commissioner Heard suggested sending letters of appreciation to Department of Environmental Protection Noah Valenstein and Colonel Kelly for their extraordinary public service.

Commissioner Ciampi advised he is working with staff to send balloting surveys to District 5 residents regarding speed bumps in the Dyer Point Lighthouse neighborhood; he is also

working on speed tables for Lake Grove, Orchid Bay and Murphy Road. Commissioner Ciampi expressed his support on the Jensen Park Estates round about [briefing].

Commissioner Smith also spoke about the Jensen Park Estates round about issue; he advised that staff is assisting FPL regarding this issue.

Commissioner Hetherington announced the success of the East Stuart 10th Street basketball covered arena ribbon cutting and the Juneteenth event.

PM

Commissioner Ciampi announced he will be utilizing district funds to assist Hope Farms and the Dawson family expand and facilitate greenhouses; and support equestrian rescue.

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: 21-0534

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 May 22, 2021 and June 4, 2021. 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: 21-0540

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 June 8, 2021 regular meeting.

Agenda Item: 21-0784

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: 21-0781

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

CNST-5 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: 21-0541

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

CNST-6 ADOPT A PROCLAMATION RECOGNIZING THE 100TH ANNIVERSARY OF THE TOMB OF THE UNKNOWN SOLDIER

The Board is asked to adopt a proclamation recognizing the 100th Anniversary of the Tomb of the Unknown Soldier.

Agenda Item: 21-0856

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

CNST-7 ADOPT A PROCLAMATION DECLARING PURPLE HEART DAY IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Purple Heart Day in Martin County, Florida.

Agenda Item: 21-0860

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

CNST-8 ART IN PUBLIC PLACES PROGRAM POTENTIAL ARTWORK DONATION - COPPER SEAHORSE

The Martin County Art in Public Places (AIPP) Program has been offered a donation of a copper seahorse to add to its inventory.

Agenda Item: 21-0868

At Commissioner Heard's request, Community Development Manager Susan Kores provided the presentation to the Board.

Commissioner Heard and Commissioner Smith thanked Bob Voeller and the family of Jack Voeller for their donation of the copper seahorse to the Rio CRA.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Ciampi, to accept this item. The motion carried by the following vote:

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

COUNTY ATTORNEY

**CNST-9 CONSIDER ADOPTION OF A RESOLUTION RESCINDING
RESOLUTION NO. 14-2.36 AND RESTATING IN ITS ENTIRETY ITS
POLICY REGARDING INVOCATIONS**

Staff has reviewed Resolution No. 14-2.36 regarding the invocation policy and requests the current policy be rescinded and replaced with an updated policy.

Agenda Item: 21-0829

RESOLUTION NO. 21-6.14

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

GROWTH MANAGEMENT

**CNST-10 REQUEST TO INITIATE A COMPREHENSIVE PLAN AMENDMENT TO
UPDATE THE METHODOLOGY FOR CALCULATION OF POPULATION
AND FUTURE LAND CAPACITY**

Request that the Board of County Commissioners initiate a Comprehensive Plan Amendment to update the methodology for calculation of population and future land capacity.

Agenda Item: 21-0691

RESOLUTION NO. 21-6.15

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

PARKS AND RECREATION

**CNST-11 CONSIDERATION OF A MEMORANDUM OF AGREEMENT WITH THE
UNITED STATES SAILING CENTER OF MARTIN COUNTY, INC.
REGARDING PARKING LOT CONSTRUCTION AT INDIAN RIVERSIDE
PARK**

Consideration of a Memorandum of Agreement between Martin County and the United States Sailing Center of Martin County, Inc. (USSC) to plan, design, permit and construct a new parking lot on County property at Indian RiverSide Park, North of the Tuckahoe Mansion.

Agenda Item: 21-0353

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

PUBLIC WORKS

**CNST-12 ACCEPTANCE OF A UTILITY EASEMENT FROM TRILLIUM
RESIDENTIAL COMMUNITY ASSOCIATION, INC., TO ALLOW FOR
FOUR FIRE HYDRANTS ADJACENT TO RIGHT-OF-WAY, LOCATED
WITHIN TRILLIUM IN THE CITY OF STUART**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Trillium Residential Community Association, Inc., a Florida not-for-profit corporation, to allow for four fire hydrants adjacent to right-of-way, located within Trillium in the City of Stuart.

Agenda Item: 21-0806

RESOLUTION NO. 21-6.16

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

CNST-13 ACCEPTANCE OF THREE 10' UTILITY EASEMENTS FOR WATER SERVICES NEAR THE SOUTHWEST CORNER OF SW LOCKS ROAD AND SW CANAL STREET LOCATED IN STUART

This is a request for the adoption of a Resolution accepting and approving 3 ten-foot wide Utility Easements to the rear of the lots located near the southwest corner of SW Locks Road and SW Canal Street.

Agenda Item: 21-0807

RESOLUTION NO. 21-6.17

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

CNST-14 REQUEST APPROVAL OF THE LIST OF SPECIAL EVENTS REQUIRING ROAD CLOSURE(S) JULY 1ST, 2021 THROUGH JUNE 30TH, 2022

Staff requests that the Board of County Commissioners approve the list of Special Events Requiring Road Closure(s) from July 1st, 2021 through June 30th, 2022.

Agenda Item: 21-0823

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

COUNTY ATTORNEY

CNST-15 REQUEST BY CHRIST FELLOWSHIP CHURCH, INC. TO RELEASE A UNITY OF TITLE

Christ Fellowship Church, Inc. requests the release of an existing unity of title in order to replace it with the unity of title required as part of the approval for the Highpointe Planned Unit Development.

Agenda Item: 21-0889

RESOLUTION NO. 21-6.18

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

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 TOURIST DEVELOPMENT COUNCIL APPOINTMENTS

After solicitation for applicants, the Board is asked to make the necessary appointments to the Tourist Development Council.

Agenda Item: 21-0702

RESOLUTION NO 21-6.19

Administrative Executive Aide Donna Gordon tallied the votes for the Board and announced that Tammy Calabria and Nimesha Patel were appointed to the Tourist Development Council.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Smith, to move approval of Dr. Patel and Tammy Calabria. The motion carried by the following vote:

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

PUBLIC HEARINGS

PH-1

PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 6, RELATING TO TOBACCO PRODUCTS, CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE BY REPEALING TOBACCO DISTRIBUTION LICENSE REQUIREMENTS AND RELATED ENFORCEMENT PROVISIONS

On November 17, 2020, the Board of County Commissioners (Board) adopted Ordinance 1149 which, among other things, established 21 as the minimum age to purchase and use tobacco products in Martin County and established a tobacco distribution licensing requirement for tobacco retailers in Martin County. On May 7, 2021, Governor DeSantis signed Senate Bill (SB) 1080 relating to tobacco and nicotine products. Under the new legislation, the establishment of the minimum age for purchasing or possession, and the regulation for the marketing, sale or delivery of tobacco or nicotine products is preempted to the state beginning October 1, 2021.

Agenda Item: 21-0764

ORDINANCE 1161

Senior Assistant County Attorney Elysse Elders provided the presentation to the Board.

Commissioner Hetherington suggested the Board place this in their legislative priorities and continue advocating to the state.

The following member of the public addressed the Board on this item: Jackie Trancynger.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve this item. The motion carried by the following vote:

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

PH-2

PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS REGARDING EXCAVATION, FILLING, AND MINING

The Board of County Commissioners is asked to consider adoption of an ordinance that amends Division 8, Article 4, Land Development Regulations to clarify the applicability of Excavation and Fill Permits and remove conflicting provisions. The ordinance also includes amendments to Divisions 1 and 9, Article 4 to relocate provisions from Division 8 that are better suited in Divisions 1 and 9. In addition, amendments to Article 10 are proposed to establish an application process for Mining Operations in the development review procedures and to Division 2 of Article 5 to provide a corresponding timetable for development.

Agenda Item: 21-0819

ORDINANCE 1162

Development Review Administrator Michelle Cullum and County Engineer Lisa Wichser presented the item to the Board. Senior Assistant County Attorney Krista Storey and

Deputy County Administrator Don Donaldson assisted with Board questions.

The following member of the public addressed the Board on this item: Jackie Trancynger.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins II, to approve staff's recommendation which includes a five year approval with two optional five year extensions. The motion carried by the following vote:

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

Nay: 1 - Vice Chairman Smith

PH-3

**PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE
AMENDING DIVISION 8 OF ARTICLE 4 IN THE LAND DEVELOPMENT
REGULATIONS REGARDING MINING STANDARDS**

The Board of County Commissioners is asked to consider adoption of an ordinance amending Division 8 of Article 4 of the Land Development Regulations to create Section 4.348 Mining Standards for Mining Operations. Although the ordinance was originally scheduled for consideration on June 22, 2021, the Board is asked to continue the public hearing to July 13, 2021.

Agenda Item: 21-0821

Development Review Administrator Michelle Cullum requested that this item be continued until the July 13, 2021 Board of County Commissioners Meeting.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Jenkins II, to accept staff's recommendation to continue this item, PH-3 until July 13th. The motion carried by the following vote:

Aye: 5 - Chair Hetherington, Vice Chairman Smith, Commissioner Jenkins II, 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: 21-0536

RESOLUTION NOS. 21-6.20 through 21-6.23

OMB Director Jennifer Manning presented the items to the Board.

The following items were approved: (1) Justice and Mental Health Collaboration program grant, (2) Children Services program grant, (3) Housing Urban Development (HUD) grant #FL0117L4H092013, (4) Housing Urban Development (HUD) grant #FL0835L4H092001, (5) Hurricane Irma Fisheries Disaster Recovery grant, (6) Community Broadband reserve, and (7) General fund reserve allocations.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Smith, to move staff's recommendation for approval. The motion carried by the following vote:

Aye: 5 - Chair Hetherington, Vice Chairman Smith, Commissioner Jenkins II, 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: 21-0538

Purchasing Manager Krysti Brotherton presented the following items to the Board: (1) General Contractor services RFP and (2) Numerical Modeling Engineering RFP.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Smith, to move staff's recommendation for approval. The motion carried by the following vote:

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

COUNTY ATTORNEY

**DEPT-3 DISCUSSION ON PARTICIPATION IN PROPOSED MEMORANDUM OF
UNDERSTANDING REGARDING OPIOID LITIGATION**

The State of Florida and many counties and cities within the State of Florida have filed lawsuits against entities engaged in the manufacture, marketing, promotion, distribution or dispensing of opioids. Florida's Office of the Attorney General ("Attorney General") has been negotiating a global settlement of the opioid litigation for the State of Florida and its counties and cities. The State is proposing a unified plan, which is memorialized in a Memorandum of Understanding ("MOU"), to settle the opioid litigation in Florida and is asking for participation from all counties in an effort to achieve the highest settlement possible.

Agenda Item: 21-0765

RESOLUTION NO 21-6.24

Senior Assistant County Attorney Elysse Elder provided the item to the Board. Health and Human Resources Director Michelle Miller and Chief Kammel assisted with Board questions.

Commissioner Hetherington directed staff to return with additional information.
Commissioner Smith directed staff to send accompanying letters to the Attorney General and Governor's office.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Heard, to accept staff's recommendation and language, and send accompanying letters to the Attorney General and Governor's office.
The motion carried by the following vote:

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

GROWTH MANAGEMENT

DEPT-4 DISCUSSION ON OUTDOOR EXPANSION OF RESTAURANTS

The Board of County Commissioners requested that staff evaluate potential effects of allowing the expansion of restaurants into outdoor areas.

Agenda Item: 21-0827

Comprehensive Plan Administrator Clyde Dulin and Growth Management Director Paul Schilling presented the item to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins II, to approve staff's recommendation that we take no action. The motion carried by the following vote:

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

Nay: 1 - Vice Chairman Smith

PUBLIC WORKS

DEPT-5 UPDATE ON THE DEVELOPMENT OF THE LAKE OKEECHOBEE SYSTEM OPERATING MANUAL (LOSOM)

The purpose of the current LOSOM effort is to re-evaluate and re-define operations for the Lake Okeechobee regulatory discharge schedule that takes into account additional infrastructure that will soon be operational. County staff have been heavily engaged in the process and will update the Board on recent meetings with the United States Army Corps of Engineers (USACE) and upcoming opportunities for stakeholder input.

Agenda Item: 21-0766

Eco System Restoration Manager John Maehl provided the presentation to the Board. Public Works Director Jim Gorton assisted with Board questions.

ADMINISTRATION

DEPT-6 AMERICAN RESCUE PLAN PROGRAM

On May 10, 2020 the U.S. Department of Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act (ARP) of 2021. The establishment of these funds will directly support the immediate pandemic response, bring back jobs, and lay the groundwork for a strong and equitable economy. The Local Fiscal Recovery Fund provides flexibility for

each jurisdiction to meet local needs including support for households, small businesses, impacted industries, essential workers and communities most impacted by the health pandemic.

Agenda Item: 21-0901

Assistant County Administrator George Stokus provided the presentation to the Board. Senior Assistant County Attorney Elysse Elder assisted with Board questions.

Commissioner Ciampi suggested a reallocation into mental health and substance abuse. Commissioner Hetherington directed staff to bring back a presentation on the COVID Impact Study suggestions.

The following members of the public addressed the Board regarding this item: Bob Ranieri, Joan Goodrich, Bob Zaccheo and Amy Pritchett.

A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve staff's recommendation on the allocations as they are presented today. The motion carried by the following vote:

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

Nay: 1 - Commissioner Ciampi

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 REQUEST FOR APPROVAL OF THE PALM PIKE CROSSING PLAT (P175-002)

This is a request by Palm Pike Crossing, LLC and Palm City Wagas VII, LLC for approval of a plat for a five-lot commercial subdivision of approximately 27.5 acres with shared infrastructure. The undeveloped subject property is located on the south side of Martin Highway (CR 714) between the Florida Turnpike and SW High Meadow Avenue (CR 713) in Palm City. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 21-0820

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

COUNTY: Principal Planner Matt Stahley provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Matt Stahley's resume.

APPLICANT: Applicant was present; no presentation was given.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve staff's recommendation . The motion carried by the following vote:

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

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Cindy Cain and Conrad Taylor spoke about potential solutions for Lake Okeechobee.

ADJOURN

The Board of County Commissioners June 22, 2021 meeting adjourned at 3:15 p.m.

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

Stacey Hetherington, Chair
Board of County Commissioners

Minutes approved:

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