



## BOARD OF COUNTY COMMISSIONERS

**DRAFT**

**10/5/2021 9:00 AM**

### MINUTES

#### COMMISSION CHAMBERS

**2401 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 - Chair Stacey Hetherington  
Vice Chairman Doug Smith  
Commissioner Harold E. Jenkins II  
Commissioner Sarah Heard  
Commissioner Edward V. Ciampi

1. INVOCATION - Pastor Stan Allen, Redeemer Lutheran Church
2. PLEDGE OF ALLEGIANCE - Wendy Mathisen, Retired Army Reserve Chief Warrant Officer
4. APPROVAL OF AGENDA

MOTION: 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 A PROCLAMATION THAT WAS APPROVED VIA THE CONSENT AGENDA**

The Chair will present the proclamation declaring Manufacturing Month in Martin County, Florida.

Agenda Item: 22-0082

Communications Manager Laura Beaupre presented the proclamation to the Board.

Business Development Board Executive Business Director Joan Goodrich accepted the proclamation for Manufacturing Month.

## **COMMENTS**

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

Suzanne Shields addressed the Board with a request to add additional Pickleball courts to Langford Park.

Steven Burdelski expressed concerns with the SE Sharon Street and SE Flamingo Drive connectivity; he also expressed discontentment with language included in the ballot.

The following members of the public addressed the Board in opposition to the opening of SE Sharon Street and SE Flamingo Drive: Robin Gunby, Barry McLaughlin, Rick Hingman, and Tonya Hingman [spoke on behalf of neighbor Miguel].

Tom Pine addressed the Board in regards to the implementation of abortion laws in Florida, expansion of the runway at Witham Field, and the approval of cuts to the Comprehensive Plan.

### **2. COMMISSIONERS**

#### **AM**

Commissioner Jenkins advised that he does not have a vested interest in the SE Sharon Street and SE Flamingo Drive connection. He suggested conducting a community meeting to help resolve the issue. Commissioner Smith suggested a neighborhood meeting with viable oppositions for resolution. Commissioner Ciampi shared his concerns with having a community meeting; he assumed services will not be denied due to the berm. He suggested leaving the berm as-is, as properties were purchased under those pre-existing circumstances.

Commissioner Ciampi addressed the new roll out of the Waste Management recycle bins (64 gallons); he suggested giving the bins a one month trial to ease into a routine, and if it continues to pose an issue, work with staff and Waste Management to find other options more beneficial to residents.

Commissioner Heard announced The Army Corp of Engineers awarded the a \$136 million contract for the C23 and C24 stormwater treatment areas. She thanked the Army Corp for their appropriation to help clean up the St. Lucie River.

Commissioner Hetherington asked staff to send a letter and invitation to Colonel Booth, inviting him to attend a Board meeting.

**PM**

Commissioner Jenkins announced that the Hobe Sound Fall Festival will be held October 3rd.

Commissioner Smith thanked staff for a job well done.

**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: 22-0012

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

**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 11, 2021 and September 17, 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: 22-0018

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 14, 2021 regular meeting.

Agenda Item: 22-0090

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

**CNST-4 EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL APPOINTMENT**

The Board is asked to confirm an appointment to the Emergency Medical Services Advisory Council.

Agenda Item: 22-0119

## **RESOLUTION NO. 21-10.1**

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

### **CNST-5 ADOPT A PROCLAMATION COMMENDING MICHAEL J. LOVETT UPON THE ACHIEVEMENT OF EAGLE SCOUT**

The Board extends greetings and congratulations to scouts achieving the rank of Eagle Scout.

Agenda Item: 21-1083

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

### **CNST-6 APPROVAL OF AMERICAN RESCUE PLAN ACT NONPROFIT FUNDING RESTRUCTURING**

On June 22, 2021 staff presented to the Board of County Commissioners (BCC) a plan to utilize American Rescue Plan Act (ARPA) money to address the negative impact of COVID-19 to Martin County. At that time staff suggested three (3) programs directed at the nonprofit and mental health communities. Staff has further reviewed the three programs and determined it would be more efficient to combine the three (3) programs into two (2) programs to address the community needs.

Agenda Item: 22-0114

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

## **FIRE RESCUE**

### **CNST-7 APPROVAL OF INTERLOCAL AGREEMENT FOR FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES BETWEEN MARTIN COUNTY AND THE CITY OF STUART**

Martin County and the City of Stuart (City) currently provide mutual aid response and automatic aid response for all fire suppression and emergency services within each party's jurisdictional boundaries, including any future additional land and/or parcel annexation by the City. These services are provided pursuant to an Interlocal Agreement for Fire Suppression and Emergency Medical Services (Interlocal Agreement). Representatives from the County and the City have been meeting to update and revise the existing Interlocal Agreement. The proposed Interlocal Agreement includes revisions to response guidelines, a fee schedule and revisions to dispatch protocols.

Agenda Item: 22-0110

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

## **PUBLIC WORKS**

### **CNST-8 MARTIN COUNTY PUBLIC TRANSIT - PUBLIC INVOLVEMENT POLICY**

The guiding principles of the Transit Development Plan recognize the importance of public input. The policy outlines the County's process for soliciting and considering public comment prior to a fare increase or service route change to the Martin County Public Transit (MARTY).

Agenda Item: 22-0070

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

**CNST-9 REQUEST APPROVAL OF THE REVISED LIST OF SPECIAL EVENTS  
REQUIRING ROAD CLOSURE(S) JULY 1, 2021 TO JUNE 30, 2022**

The Board of County Commissioners is asked to approve the revised list of Special Events Requiring Road Closure(s) July 1, 2021 through June 30, 2022.

Agenda Item: 22-0097

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

**CNST-10 ADOPTION OF RESOLUTIONS: APPROVING AND ACCEPTING A  
DEED FROM MCARTHUR GOLF CLUB, LLC FOR RIGHT-OF-WAY;  
OPENING SE CONSTITUTION BOULEVARD; AND AUTHORIZING THE  
INSTALLATION OF STOP SIGNS AT SE CONSTITUTION BOULEVARD  
AND SE CIRCLE STREET**

At staff's request, McArthur Golf Club, LLC (McArthur) has applied for a Road Opening Permit to open SE Constitution Boulevard from SR-5 (SE Federal Highway) to SE Circle Street in Poinciana Gardens. The road will provide an alternate access for the residents of Poinciana Gardens and will provide McArthur construction access to the recently approved West Golf Course.

Agenda Item: 22-0099

**RESOLUTION NOS. 21-10.2 through 21-10.4**

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

**PUBLIC HEARINGS**

**PH-1 PROPOSED MARTIN COUNTY TRICO SETTLEMENT OF THE  
LAWSUIT LINDA ROBERTS V. MARTIN COUNTY AND STEVE'S  
ROOFING, INC.**

In accordance with the Procedures for Settlement of TRICO Cases established by the Board of County Commissioners, the public is provided an opportunity to comment on the proposed court case settlement in the case of Linda Roberts v. Martin County Board of County Commissioners and Steve's Roofing, Inc., Case No. 432017CA000670. The case arose from a sidewalk that plaintiff alleged had not been properly maintained by the County. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. The case did not get settled at mediation, but plaintiff accepted a Proposal of Settlement the County filed.

Agenda Item: 22-0054

Human Resources Director Matthew Graham provided the item to the Board. Senior Assistant County Attorney Elysse Elder assisted with questions.

Chair Hetherington solicited public comment; none was heard.

**PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF  
COMPREHENSIVE PLAN AMENDMENT (CPA) 21-16 PROPERTY  
RIGHTS**

This is a request to create a Property Rights Element in the Comprehensive Growth Management Plan and amend any other chapters necessary for consistency.

Agenda Item: 22-0008

Comprehensive Planning Administrator Clyde Dulin and Growth Management Director Paul Schilling presented the item to the Board. Senior Assistant County Attorney Krista Storey, County Administrator Taryn Kryzda, and County Attorney Sarah Woods assisted with Board questions.

Commissioner Smith confirmed additional comprehensive plan amendments are not allowed until this issue is processed; as this is mandated by the State.

Commissioner Heard shared the requirements of the Board as it correlates to the creation of a property rights in the Comprehensive Plan; and expressed concerns regarding the removal of language in Chapter 2.

Comp Planning Administrator Clyde Dulin advised Chapter 2 provides a summary of language which is more defined in other chapters of the plan [language is not being removed but more explained]. County Administrator Taryn Kryzda clarified the reasoning for the proposed change. Growth Management Director Paul Schilling advised the changes will provide transparency and reduction of redundancy.

Senior Assistant County Attorney Krista Storey provided legal clarification on statutory requirements and parameters that must be complied with. She advised adopting a new Chapter 19 is not appropriate from a policy or legal perspective; language in Chapter 2 is not identical to or reflective of other provisions of the plan. County Attorney Sarah Woods reiterated the goal is to easily understand requirements and eliminate debates on language to create a more legally defensible plan. Senior Assistant County Attorney Krista Storey advised the legal requirements for amending the Comprehensive Plan were followed and are fulfilled.

Commissioner Ciampi and Commissioner Smith commended staff.

The following members of the public addressed the Board regarding this item: Greg Braun and Joe Flanagan.

MOTION: A motion was made by Commissioner Ciampi, seconded by Vice Chairman Smith, to accept staff's recommendation; and to strike through the words objectives and policies in the language on page 128 Sec. 2.1 [last sentence]. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Heard

## **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: 22-0024

**RESOLUTION NOS. 21-10.5 through 21-10.7**

OMB Director Jennifer Manning presented the items to the Board.

The following items were approved: (1) FDOT Amendment # 1 for construction of stormwater improvements and amendment for SUA FI Holdings LLC, (2) FDOT Local Planning Agency grant [NW Dixie Highway sidewalk extension], (3) 2022 Fiscal policy update, and (4) approval of budget transfer.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Jenkins II, to approve all items. 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: 22-0030

No items provided.

**PUBLIC WORKS**

**DEPT-3 DISCUSSION AND REQUEST FOR AUTHORIZATION TO NEGOTIATE  
A CONTRACT TO PURCHASE TWO LOTS ALONG SE WILLOUGHBY  
BOULEVARD, SOUTH OF SALERNO ROAD FOR ENHANCEMENT TO  
THE EMPLOYEE WELLNESS PROGRAM**

This request is to discuss the potential acquisition and authorization to negotiate a Contract to purchase parcels A, B and C, located on the west side of SE Willoughby Boulevard, south of SE Salerno Road for potential enhancement to the employee wellness program to provide services for Martin County employees and their families on the County's health insurance plan.

Agenda Item: 22-0076

Public Works Director Jim Gorton presented the item to the Board. Human Resources Director Matthew Graham, Deputy County Administrator Don Donaldson, and Assistant County Administrator George Stokus assisted with Board questions.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins II, to accept staff's recommendation. The motion failed by the following vote:

**Aye:** 2 - Commissioner Jenkins II, and Commissioner Ciampi

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

Agenda Item: 22-0076

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Heard, directing staff to further the concept of creating an independent wellness center; and return before the Board with options for commingling locations, separate locations but not specific to this site itself. The motion carried by the following vote:

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

**DEPT-4 DISCUSSION BETWEEN TWO PARCELS FOR THE PROPOSED  
RELOCATION OF PUBLIC WORKS AND GENERAL SERVICES, WITH  
APPROVAL TO ISSUE A CONTRACT TO PURCHASE ONE PARCEL  
UPON APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS**

On February 12, 2019, the Board of County Commissioners (Board) approved the budget and revised CIP sheets for the relocation of Public Works/General Services Buildings and directed staff to return with options for the sites. The options are being presented for consideration along with approval of a contract for the purchase of one of the proposed parcels.

Agenda Item: 22-0083

Public Works Director Jim Gorton presented the item to the Board. Deputy County Administrator Don Donaldson assisted with Board questions.

MOTION: A motion was made by Vice Chairman Smith, seconded by Commissioner Heard, to accept staff's recommendation [Option 2, move forward with negotiations; prepare/execute sales contract and return before the Board with an agenda item once due diligence is complete]. 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.**

None at this time.

**ADJOURN**

The Board of County Commissioners October 5, 2021 meeting adjourned at 11:55 a.m.



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

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Stacey Hetherington, Chair  
Board of County Commissioners

Minutes approved:

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