



## BOARD OF COUNTY COMMISSIONERS

### FINAL MINUTES

7/10/2018 9:00 AM

### MINUTES

### COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

---

#### **COUNTY COMMISSIONERS**

*Edward V. Ciampi, Chairman*

*Harold E. Jenkins II, Vice Chairman*

*Doug Smith*

*Ed Fielding*

*Sarah Heard*

*Taryn Kryzda, County Administrator*

*Sarah W. Woods, County Attorney*

*Carolyn Timmann, Clerk of the Circuit Court and*

*Comptroller*

---

#### **CALL TO ORDER**

**Present:** 5 - Chairman Edward V. Ciampi  
Vice Chairman Harold E. Jenkins II  
Commissioner Doug Smith  
Commissioner Ed Fielding  
Commissioner Sarah Heard

**1. INVOCATION - Moment of Silence**

**2. PLEDGE OF ALLEGIANCE**

**3. ADDITIONAL ITEMS**

**5. APPROVAL OF CONSENT AGENDA**

#### **4. APPROVAL OF AGENDA**

MOTION: A motion was made by Commissioner Fielding and seconded by Commissioner Smith for approval of the agenda as proposed by Chair [agenda (with additional items CNST-11 and CNST-12) and consent agenda (no pulls)]. The motion carried by the following vote:

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

#### **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

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

The Chairman will present the proclamations to the recipients.

Agenda Item: 18-0504

Special Projects Coordinator Laura Beaupre introduced the proclamation.

Tonya Scammell and Butch Olsen accepted the proclamation for Treasure Coast Waterway Cleanup Week.

#### **COMMENTS**

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

House of Hope CEO Rob Ranieri updated the Board on House of Hope's first year as the Golden Gate Center for Enrichment in the Golden Gate Historic Building.

Hobe Sound resident John Barnes spoke in support of the Flamingo Drive MSBU (item CNST-9), and asked the County for more assistance to ease the burden on the families. Commissioner Jenkins promised to fund 10% from his district funds.

Tom Pine questioned why Code Enforcement was not investigating hurricane shutters on several homes in Rio.

Jackie Trancynger spoke about Lake Okeechobee water discharges, algae blooms, and the role played by local and state politics.

## 2. COMMISSIONERS

### AM

Commissioner Heard spoke about the passing of Florida Sportsman Founder and Marine Environmentalist Karl Wickstrom. She spoke about upcoming changes to the delivery schedule for CERP projects and the importance of IRL South projects being completed first. She stressed that the EAA Reservoir needs to be authorized in the WRDA Bill a suggested inserting 'the ability for the Corps to prioritize health and public safety in the management of Lake Okeechobee' in the bill.

Commissioner Jenkins announced that he would be using his district funds for permanent signs for the Hobe Sound Scrub Preserve (Hamm property).

Commissioner Fielding asked for an answer from staff regarding Mr. Pine's issues with Code Enforcement. He concurred with Commissioner Heard's comments on water issues, spoke about the IRL South programs addressing water issues before they get to the lake, and spoke about the folly of using historical information instead of looking at the recent past. He also spoke about the damage to coral reefs caused by plastic infusion.

Commissioner Smith spoke about the WRDA Bill, IRL South, and thanked Senators Nelson and Rubio and other members of our delegation for making sure that the funding stays where it needs to stay. He spoke about the recent Bio-Solids Conference and requested an agenda item regarding bio-solids. He also spoke about the disease and bleaching of our coral reefs.

Chairman Ciampi thanked the Governor and his staff for declaring a state of emergency regarding our water issues. He also offered condolences to County Administrator Taryn Kryzda on the recent passing of her father.

### PM

Commissioner Jenkins briefed the Board on flooding issues in the Trailside subdivision related to their perimeter ditch and asked if staff can do anything to assist the private development. Deputy County Administrator Don Donaldson explained the actions that can be taken in emergency conditions versus 'blue sky' conditions. Chairman Ciampi urged staff to do what they can to help.

Commissioner Fielding asked about the Code Enforcement issues in Rio brought up by Mr. Pine's public comments. County Administrator Taryn Kryzda informed the Board that the information had been sent to Building Official Larry Massing, who would be looking into it himself.

### 3. COUNTY ADMINISTRATOR

Assistant County Administrator George Stokus presented an MCTV video on the County's new online agenda system.

Water Conditions Update - Ecosystem Restoration & Management Manager John Maehl provided an update to the Board on current local water conditions.

Hobe Sound Ranch/Harmony Ranch Request for establishment of a Community Development District - Senior Assistant County Attorney Krista Storey, Deputy County Administrator Don Donaldson, and County Administrator Taryn Kryzda provided an explanation of the Hobe Sound Ranch request. Commissioner Heard requested that staff do further research on the issue and that the Board hold a public hearing during the July 24th BCC meeting.

A motion was made by Commissioner Jenkins and seconded by Commissioner Heard to have the [Hobe Sound Ranch] hearing on July 24th. The motion carried by the following vote:

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

### **CONSENT**

#### **ADMINISTRATION**

##### **CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

This item is a placeholder on all Board meeting agendas in an effort 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: 18-0470

##### **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 June 7, 2018 and June 22, 2018. 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: 18-0472

##### **CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve minutes from the following Board of County Commission Meetings: June 12, 2018 joint City/School Board Meeting; June 12, 2018 Regular Board Meeting; and June 19, 2018 Regular Board Meeting.

Agenda Item: 18-0530

**CNST-4 INVESTMENT REPORT FOR APRIL 2018**

The Clerk of Circuit Court and Comptroller is presenting the Investment Report for April 2018.

Agenda Item: 18-0531

**CNST-5 REPORT OF DISCOUNTS, ERRORS, DOUBLE ASSESSMENTS, AND INSOLVENCIES ON THE ASSESSMENT ROLL FOR THE YEAR 2017**

Presentation of the Martin County Tax Collector's Report on Discounts, Errors, Double Assessments, and Insolvencies on the Assessment Roll for the year 2017.

Agenda Item: 18-0534

**CNST-6 ADOPT A PROCLAMATION TO BE PRESENTED ON JULY 24, 2018**

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

Agenda Item: 18-0549

**PUBLIC WORKS**

**CNST-7 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A QUIT-CLAIM DEED FROM ENVIRONMENTAL STUDIES COUNCIL, INC., A FLORIDA NOT FOR PROFIT CORPORATION (ESC) FOR THE ADDITION OF PROPERTY ADJACENT TO THE JENSEN BEACH IMPOUNDMENT AREA AND ADOPTION OF A RESOLUTION TO INITIATE A FUTURE LAND USE AMENDMENT**

Staff requests adoption of a resolution approving and accepting a Quit-Claim Deed from ESC for 10 + acres adjacent to the Jensen Beach Impoundment Area and requests adoption of a resolution initiating a future land use amendment from Medium Density - PUD Residential to Public Conservation, along with a zoning change to Public Service.

Agenda Item: 18-0503

**RESOLUTION NOs. 18-7.1 and 18-7.2**

**CNST-8 INITIAL ASSESSMENT RESOLUTION FOR THE SW HONEY TERRACE MUNICIPAL SERVICE BENEFIT UNIT**

Board action is requested to adopt the Initial Assessment Resolution to allow for the paving of SW Honey Terrace from SW Citrus Boulevard (CR 76A) to SW Leighton Farm Avenue.

Agenda Item: 18-0515

**RESOLUTION NO. 18-7.3**

**CNST-9 INITIAL ASSESSMENT RESOLUTION FOR THE SE FLAMINGO DRIVE/SE KARIN STREET MUNICIPAL SERVICE BENEFIT UNIT**

Board action is requested to adopt the Initial Assessment Resolution to allow for the paving of SE Flamingo Drive from SE Duncan Street to the northern terminus and the extension of SE Karin Street (an unopened right-of-way) approximately 220 feet west to SE Flamingo Drive.

Agenda Item: 18-0520

**RESOLUTION NOS. 18-7.4 and 18-7.5**

**CNST-11 MEMORANDUM OF AGREEMENT WITH THE TOWN OF JUPITER ISLAND FOR SAND BYPASSING**

The Memorandum of Agreement provides an opportunity for Martin County and the Town of Jupiter Island to partner in an upcoming sand placement project. The Town will administer the entire project which consists of a storm damage recovery component and a sand bypass component. Martin County will provide the funding for the sand bypass component, in compliance with the St. Lucie Inlet Management Plan.

Agenda Item: 18-0538

ADDITIONAL ITEM

**UTILITIES AND SOLID WASTE**

**CNST-10 SOLID WASTE INITIAL ASSESSMENT RESOLUTION FOR FY2018/2019**

The Board of County Commissioners is requested to adopt the Initial Assessment Resolution for fiscal year 2019 (FY19) and approve notification to affected property owners advising of the solid waste assessment rate and public hearing.

Agenda Item: 18-0511

**RESOLUTION NO. 18-7.6**

**COUNTY ATTORNEY**

**CNST-12 CERTIFICATE OF EQUIPMENT FOR CASTING AND COUNTING BALLOTS FOR SUPERVISOR OF ELECTIONS' ELECTION SECURITY GRANT.**

The Supervisor of Elections has received an Election Security Grant under the Help America Vote Act in the amount of \$56,293.72. The grant requires execution of a Certificate of Equipment for Casting and Counting Ballots by the Chairman of the Board and the Supervisor of Elections.

Agenda Item: 18-0555

ADDITIONAL ITEM

**PUBLIC HEARINGS**

**PH-1**

**SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE TO ESTABLISH STANDARDS FOR DISPENSARIES**

This is the second public hearing to consider adoption of an ordinance amending Article 3, Land Development Regulations to permit medical marijuana dispensaries.

Agenda Item: 18-0505

**ORDINANCE NO. 1073**

Growth Management Director Nicki van Vonno presented the item to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

Chairman Ciampi solicited public comment: none was heard.

A motion was made by Commissioner Fielding, seconded by Commissioner Smith, for approval. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO (notice)

**PH-2**

**PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING BEACHES, PARKS AND RECREATION AND CONSERVATION LANDS**

On October 24, 2017, the Martin County Board of County Commissioners adopted amendments to Chapter 17, Beaches, Parks and Recreation, General Ordinances, Martin County Code. The Board is now asked to adopt an additional amendment related to the consumption of alcoholic beverages west of the dune line at beach parks to meet the needs of the Martin County Parks and Recreation Department, Martin County Sheriff's Office, the Town of Jupiter Island Police Department, and the community.

Agenda Item: 18-0514

**ORDINANCE NO. 1072**

Parks & Recreation Director Kevin Abbate, Recreation Administrator Katya Lysak, and Assistant County Attorney Elizabeth Lenihan and presented the item to the Board.

Chairman Ciampi solicited public comment; none was heard.

A motion was made by Commissioner Fielding, seconded by Commissioner Smith, for approval. The motion carried by the following vote:

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

**PH-3**

**PROPOSED MARTIN COUNTY SETTLEMENT - JUAN CARLOS GIL V. MARTIN COUNTY, CASE NO. 2:18-CV-14110**

In accordance with the procedure established by the Board of County Commissioners (the "Board"), the public is provided an opportunity to comment on the proposed settlement in the case of Juan Carlos Gil v. Martin County, United States District Court for the Southern District of Florida, Case No. 2:18-cv-14110. This case arose out of Mr. Gil's claim that the County's website violates federal law because the blind or visually impaired cannot access documents on the website. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. A proposed settlement is before the Board for consideration.

**Agenda Item:** 18-0533

Senior Assistant County Attorney David Arthur presented the proposed settlement to the Board.

A motion was made by Commissioner Fielding, seconded by Vice Chairman Jenkins II, that this agenda item be approved. The motion carried by the following vote:

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

**PH-4**

**SECOND PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING ARTICLE 3, LDR TO INCLUDE STANDARDS FOR SPORTING CLAY COURSES**

Staff requests that this item be continued until the next Board meeting on July 24, 2018.

**Agenda Item:** 18-0541

Growth Management Director Nicki van Vonno and Senior Assistant County Attorney Krista Storey presented the item to the Board.

A motion was made by Commissioner Fielding, seconded by Commissioner Smith, to continue this agenda item to July 24th. The motion carried by the following vote:

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

**PUBLIC HEARING QUASI-JUDICIAL**



**PHQJ-1 CHANCEY BAY RANCH REZONING (C167-001)**

Request by CBR Investors, LLC, for a zoning change from the current A-2, Agricultural District, to the RE-2A, Rural Estate District, for approximately 18.2 acres consisting of vacant land located approximately 900 feet south of the intersection of SW Selma Street and SW Connors Highway on the west side of SW Conner's Highway in western Martin County. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 18-0508

**RESOLUTION NO. 18-7.8**

Ex parte communication disclosure forms were filed by all five commissioners. Cuozzo Design Group President Don Cuozzo filed the Affidavit of Notification of behalf of the applicant. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board. Growth Management Director Nicki van Vonno and 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) Catherine Riiska resume.

APPLICANT: Cuozzo Design Group President Don Cuozzo addressed the Board in agreement with staff's recommendation and requested that the Board rezone the property to be in compliance with the Growth Management Plan.

Chairman Ciampi solicited public comment; none was heard.

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

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

**Nay:** 1 - Commissioner Fielding

**DEPARTMENTAL  
ADMINISTRATION**

## **DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD APPROVAL**

This is a placeholder on all Board meeting agendas in an effort 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: 18-0474

### **RESOLUTION NOs. 18-7.9 through 18-7.13**

Budget Manager Jennifer Manning presented the OMB items to the Board.

A motion was made by Commissioner Heard, seconded by Commissioner Fielding, for approval of Department-1. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO (5 items)

## **DEPT-2 EXECUTIVE SESSION - LABOR NEGOTIATIONS**

The Negotiations Management Team is requesting an executive session to discuss labor negotiations regarding the teamsters.

Agenda Item: 18-0526

County Administrator Taryn Kryzda introduced the item. Attending the session were Commissioners Edward V. Ciampi, Harold Jenkins, Ed Fielding, Sarah Heard, and Doug Smith, County Administrator Taryn Kryzda, County Attorney Sarah Woods, Assistant County Administrator George Stokus, and Human Resources Manager Matt Graham.

County Administrator Taryn Kryzda announced the end of the executive session at 4:22 p.m.

## **FIRE RESCUE**

**DEPT-3 STAFF PRESENTATION OF A METHODOLOGY FOR A FIRE  
ASSESSMENT FEE UNDER SECTION 197.3632, FLORIDA STATUTES  
FOR SPECIAL ASSESSMENTS**

The Fire Rescue Department is presenting a methodology for introducing a non-ad valorem assessment to fund the fire related apportionment of the operating and capital improvement budgets.

Agenda Item: 18-0513

Fire Chief William Schobel introduced the item. GSG Senior Vice President Camille Tharpe provided the presentation to the Board.

Fire Rescue Administrator Matt Resch presented rate scenarios for residential, commercial, and industrial/warehouse properties.

Attorney Heather Encinosa (Nabors Giblin & Nickerson) addressed Board questions regarding fees, billing, and legally available revenue sources.

The following members of the public addressed the Board in opposition to this item: Tom Pine and Jackie Trancynger.

Chairman Ciampi urged staff to create a schedule with multiple opportunities for the public to meet and speak on the assessment issue and gave suggestions for the informational mailing.

A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins II, to direct staff to use the Full Cost Budget at 50% to include a Hardships Program and the Buy Down Program as presented in the presentation. The motion carried by the following vote:

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

**Nay:** 1 - Commissioner Heard

SUPPLEMENTAL MEMO (PowerPoint presentation)

**DEPARTMENTAL QUASI-JUDICIAL  
COUNTY ATTORNEY**

**DPQJ-1 SECTION 10.8.D, LDR HEARING REGARDING RESOLUTION NUMBER 16-9.51 REVISED MASTER/FINAL SITE PLAN APPROVAL FOR LITTLE CLUB CONDOMINIUM WTCF**

On September 20, 2016, the Board of County Commissioners (BOCC) approved a development order for Little Club Condominium, Inc.'s (Little Club) proposed Wireless Telecommunications Facility (WTCF). On March 27, 2018, pursuant to Section 10.8.D, Land Development Regulations, the Board conducted a hearing determining that there was misrepresentation by Little Club's agent, Dynamic Towers, Inc. (DTI), that occurred during the September 20, 2016 quasi-judicial hearing to consider the Little Club WTCF application that ultimately resulted in the approval of the Little Club development order. This is a "rehearing to consider the development order."

Agenda Item: 18-0524

**RESOLUTION NO. 18-7.7**

Senior Assistant County Attorney Ruth Holmes presented the item to the Board.

Ex parte communication disclosure forms were filed by Commissioners Fielding, Heard, and Jenkins. There were no notices required. Attorneys Bob Raynes (Kenai/RG Towers) and Tyson Waters (Dynamic Tower) were presented for the hearing, but were not intervening in this specific action.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Fielding for approval of staff's recommendation. The motion carried by the following vote:

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

SUPPLEMENTAL MEMO

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

Paul Laura addressed the Board about the Jensen Beach Impoundment Area (CNST-7) and suggested using the impoundment area as a fish nursery. Commissioner Fielding concurred and requested that staff bring back an agenda item on the issue. Commissioner Smith requested that the agenda item include the history of the acquisition of the impoundment area land.

## **ADJOURN**

The Board of County Commissioners July 10th, 2018 meeting adjourned at 4:22 p.m.

---

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

---

Edward V. Ciampi, Chairman  
Board of County Commissioners

Minutes approved on:

---