



## BOARD OF COUNTY COMMISSIONERS

**FINAL MINUTES**  
**10/3/2019 9:00 AM**

### MINUTES

**INDIAN RIVER STATE COLLEGE, BROWN CENTER, 3209 VIRGINIA AVENUE,  
FORT PIERCE, FLORIDA  
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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#### **COUNTY COMMISSIONERS**

*Edward V. Ciampi, Chairman*

*Harold E. Jenkins II, Vice Chairman*

*Doug Smith*

*Stacey Hetherington*

*Sarah Heard*

*Taryn Kryzda, County Administrator*

*Sarah W. Woods, County Attorney*

*Carolyn Timmann, Clerk of the Circuit Court and  
Comptroller*

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### **Tri-County Meeting - Indian River State College**

#### **CALL TO ORDER**

The meeting was called to order at 9:03 a.m. by Martin County BCC Chairman Edward V. Ciampi.

The following elected officials were in attendance:

#### **Indian River County**

Vice Chairman Susan Adams

Commissioner Peter D. O'Bryan

Commissioner Joseph E. Flescher

Commissioner Tim Zorc

#### **St. Lucie County**

Chair Linda Bartz

Vice Chair Cathy Townsend

Commissioner Frannie Hutchinson

Commissioner Chris Dzadovsky

Commissioner Sean Mitchell

#### **Martin County**

Chairman Edward V. Ciampi

Vice Chairman Harold Jenkins

Commissioner Stacey Hetherington

Commissioner Doug Smith

Also in attendance:

Indian River County

County Administrator Jason E. Brown

County Attorney Dylan Reingold

Legal Affairs & Communications Manager Brian Sullivan

Martin County

County Administrator Taryn Kryzda

County Attorney Sarah Woods

Legislative Coordinator Kloe Ciuperger

St. Lucie County

County Administrator Howard Tipton

County Attorney Daniel McIntyre

Legislative Affairs Director Nicole Fogarty

Legislative Affairs Grants Coordinator Courtney Calderone

**PUBLIC COMMENT**

State Representative Toby Overdorf thanked the Boards for getting together and briefly addressed the counties' appropriation requests.

State Representative Delores Johnson urged the Boards to keep in mind what is in the best interest of the counties, work with the state groups, and work together for the good of Florida.

Chairman Ciampi recognized Legislative Aide Ed Barinborg, attending on behalf of State Representative Erin Grall.

IRSC Dean Kevin Cooper, on behalf of IRSC President Dr. Massey, welcomed the commissioners.

Martin County Attorney Sarah Woods provided a brief explanation of the procedures and purpose of the tri-county meeting.

Indian River Lagoon NEP Management Board Chair Robert Ulevich spoke about Item 2 (Comprehensive Water Reform/Indian River Lagoon Water Quality) and suggested changing the language in paragraph 'b' to "sufficient and sustainable funding."

## **WORKSHOP**

### **WORK-1 TRI-COUNTY MEETING - MARTIN, ST. LUCIE, AND INDIAN RIVER BOARD OF COUNTY COMMISSIONERS**

**LOCATION: INDIAN RIVER STATE COLLEGE, BROWN CENTER, RM  
Y-102, 3209 VIRGINIA AVENUE, FORT PIERCE, FLORIDA**

This is a Tri-County meeting with the Martin, St. Lucie, and Indian River Board of County Commissioners.

Agenda Item: 20-0002

#### **(1) Home Rule Authority of Local Governments**

Ms. Fogarty presented the following recommendations for this priority:

- (a) oppose legislation to preempt a local government's ability to respond to local concerns.
- (b) oppose legislation to preempt a local government's ability to regulate vacation rentals.
- (c) oppose legislation that would interfere with a local government's ability to impose a business or occupational tax.
- (d) oppose legislation that would interfere with a local government's ability to raise or lower its millage rate.

Ms. Fogarty explained that staff would formulate one document/resolution of the Tri-County Commission items to be discussed and approved by each Board.

#### **(2) Comprehensive Water Reform/Indian River Lagoon Water Quality**

Ms. Ciuperger presented the following recommendations for this priority:

- (a) support legislation intended to assess and regularly report the financial need to address Florida's water infrastructure relating to water supply, including conservation, water quality protection, stormwater, wastewater, water reuse, flood control, and environmental resource protection and restoration.
- (b) support legislation that promotes the identification of potential sources of sufficient funding to address the documented need, as well as the development of priority and science-based grant programs for the implementation of projects, programs, and studies identified by local governments, water management districts, and state agencies.
- (c) support legislation requiring the assessment and evaluation of state agency efforts to address sea level rise and other weather impacts on the counties.
- (d) support continued funding for research and mitigation for harmful algal blooms (HABs), including blue-green algae and red tide.

#### **(3) Recycling Goal**

Mr. Sullivan presented the following recommendations for this priority:

- (a) support future recycling goals that are based on energy efficiency rather than weight.

(b) oppose any fines or consequences associated with contamination or not meeting the recycling goal.

Commissioner Smith asked if there was any discussion, at the state level, regarding long-term recycling. Commissioner Adams responded that the haulers in the industry were working with the University of Florida Research Institute to encourage appropriate recycling, to address the contamination issue, and to bring the recycling industry back to Florida. Commissioner Dzadovsky suggested adding language that says the state supports alternative facilities to manage our waste.

Representative Overdorf spoke about House Bill 73, which would give local governments the authority to negotiate with the various waste haulers and to deal with specific recycling goals, including contamination issues.

#### **(4) Dedicated Annual Funding for Beach Nourishment Projects**

Ms. Ciuperger presented the following recommendation for this priority:

(a) support creation of a new dedicated and recurring statutory funding source for beach nourishment projects which accurately reflects the increase in participating programs and future beach and inlet project funding needs.

Commissioner Hutchinson suggested adding the minimum of \$50 million to the statement. The other commissioners concurred.

#### **(5) Affordable Housing**

Mr. Sullivan presented the following recommendations for this priority:

(a) support allocating the full amount of dedicated documentary tax revenues for state and local affordable housing programs.

(b) support investing in affordable housing to create jobs in home repair, hardening homes, retrofitting and constructing affordable rental units, and lowering the energy costs to make housing more affordable.

(c) support exempting the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the legislature, in the General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and General Revenue Fund, etc.

#### **(6) Biosolids**

Ms. Ciuperger presented the following recommendations for this priority:

(a) support establishing a pilot program for funding new state of the art wastewater technologies to improve, recover, and afford more efficient use of human wastewater biosolids.

(b) support restricting or eliminating land application of Class B biosolids in the State of

Florida.

(c) support restricting or eliminating land application of Class B biosolids within the following watersheds that impact the St. Johns River: the Upper Basin, the Middle Basin, and the Lower Basin.

Commissioner Dzadovsky made the following suggestions: address the Class AA and the Class AA Biosolid composting component and have FDACS put a percentage of the nitrogen and phosphorous that is in the component of Class AA Biosolid composting materials. Staff will work on language to include the Class AA issue.

#### **(7) Customary Use**

Mr. Sullivan presented the following recommendation for this priority:

(a) support a change to the statute that maintains the local government public hearing process as set forth in Section 163.035(3)(a), but eliminates the judicial determination requirements set forth in Section 163.035(3) (b).

#### **(8) Indexing the Gas Tax**

Ms. Fogarty presented the following recommendation for this priority:

(a) support legislation to allow counties and municipalities the ability to annually index the local fuel tax as it relates to the Consumer Price Index (CPI).

#### **(9) Short Term Rentals**

Mr. Sullivan presented the following recommendation for this priority:

(a) oppose policies that would preempt a local government's ability to have local ordinances related to short term rentals.

The discussion included the process for collecting tourist taxes, specifically from Airbnb rentals. County Administrator Jason Brown spoke about Indian River County's agreement with Airbnb for them to collect the taxes from their hosts.

#### **(10) Single Use Plastic**

Ms. Ciuperger presented the following recommendations for this priority:

(a) support single use plastic reduction initiatives and strategies to protect the health of our waterways and environment.

(b) support the voluntary reduction and ultimate elimination of single use plastic straws and polystyrene and the overall reduction in plastic by businesses, residents, and visitors.

Commissioners Ciampi and Smith spoke about Martin County's efforts to encourage

the reduction of single use plastics and to implement a rating reward system for participating hotels, motels, and other businesses. Commissioner Bartz urged that education on this issue needs to start at the elementary school level. Commissioner Hutchinson suggested sticking with the language in (a) instead of specifying plastic straws. Commissioner Flescher brought up the issue of animal deaths caused by plastic grocery bags.

#### **(11) Basin Management Action Plans (BMAP)**

Ms. Fogarty presented the following recommendations for this priority:

(a) support efforts in crediting new activities and simplifying the process for existing activities to obtain nutrient removal credits towards Basin Management Action Plans:

1. muck removal and restoration calculations are complex and require much after-the-fact monitoring for credits
2. consider allowing the following activities to be as reducing pollutant loadings to meet the allowable loading (TMDLs) in a BMAP:
  - a. aquatic vegetation removal
  - b. grassed swale material removal
  - c. dispersed water storage
  - d. natural land storage

St. Lucie County Administrator Howard Tipton spoke about the lack of funding to achieve the goals that have been set. Commissioner Smith suggested thinking of a better regional approach to set the stage for the state to move projects further along at a faster pace.

#### **(12) Non-Domestic Sand Source**

Ms. Fogarty presented the following recommendation for this priority:

(a) support allowing local governments to acquire sand by purchase, exchange, or otherwise from non-domestic sources to replenish shorelines due to beach erosion.

Clean Water Coalition of Indian River County First Vice President Mark Yanno provided their (in partnership with the Brevard Indian River Lagoon Coalition) 2020 Legislative Priority Recommendations and spoke about their proposal for recycling biosolids.

#### **COMMISSIONER COMMENTS**

At Chairman Ciampi's request, Ms. Ciuperger updated the Boards on the status of the President's \$200 million for Everglades funding. Chairman Ciampi suggested sending a joint letter, with all three county seals, in support of the \$200 million funding.

Commissioner Bartz spoke about the federal initiative regarding the loss of benefits for non-convicted benefits and suggested adding that to the priorities. Chairman Ciampi

suggested that St. Lucie send their initial work/language on that issue. Commissioner Smith suggested that all three Boards adopt the federal policies for FAC (Florida Association of Counties).

Chairman Ciampi thanked the legislative staff for their work on behalf of their counties.

## **ADJOURN**

The Tri-County Meeting adjourned at 11:02 a.m.

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Carolyn Timmann, Clerk of the  
Circuit Court and Comptroller  
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Edward V. Ciampi, Chairman  
Board of County Commissioners

Minutes approved:

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