



BOARD OF COUNTY COMMISSIONERS

FINAL MINUTES

1/12/2021 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 James L. Brocious, Stuart Alliance Church
2. PLEDGE OF ALLEGIANCE - Bob Yago, Hall Bryan VFW 10132
3. ADDITIONAL ITEMS
4. APPROVAL OF AGENDA

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Jenkins, for approval of the agenda [with additional items DEPT-7 and DEPT-8] with the two consent pulls [CNST-1 and CNST-8] and the request to withdraw from the agenda R&P-1. The motion carried by the following vote:

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

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

The Board congratulated Ms. Thelma Waters (appearing via telephone) upon her induction into the 2020 Florida Women's Hall of Fame.

Martin County Property Appraiser Jenny Fields addressed the Board regarding the future of her office.

Erin Larica spoke about the need to implement a 25 mph speed limit on roads in Rocky Point.

Mona Leonard requested that the Board announce the removal of the mask mandate and spoke about the septic-to-sewer program in Sewall's Point.

2. COMMISSIONERS

Commissioner Smith asked for an agenda item discussion on neighborhood speed limits and traffic calming.

Commissioner Heard thanked Circle K (Cove Road and U.S.1) for the great job they had done with buffering and landscaping to protect the residents to the west of their property.

3. COUNTY ADMINISTRATOR

County Administrator Taryn Kryzda informed the Board that the Health Department was implementing a reservation system for the COVID-19 vaccine.

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: 21-0179

Purchasing Manager Krysti Brotherton and Community Development Manager Susan Kores presented the items to the Board. Deputy County Administrator Don Donaldson and Ecosystem Restoration and Management Manager John Maehl assisted with Board questions.

The following items were approved: (1) Culpepper Ranch Phase II berm, and (2) Old Palm City Ripple Stormwater Project.

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

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 December 19, 2020 and December 25, 2020. 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: 21-0209

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

CNST-3 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: 21-0191

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

BUILDING

CNST-4 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHIRLEY WICKER CASE NUMBER 16-0107914

Pursuant to the provisions of Section 1.98B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended order regarding the Code Enforcement case of Shirley Wicker.

Agenda Item: 21-0284

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

CNST-5 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ROBERT J. RATIGAN CASE NUMBER ENF2019030439-01

Pursuant to the provisions of Section 1.98B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended order regarding the Code Enforcement case of Robert J. Ratigan.

Agenda Item: 21-0285

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

PUBLIC WORKS

CNST-6 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FOR THE DEDICATION OF RIGHT-OF-WAY ALONG SW MAPP ROAD ADJACENT TO THE OAKS IN PALM CITY FROM RALPH S. PARKS, AS SUCCESSOR TRUSTEE

As a condition of approval of a Minor Final Site Plan for The Oaks, the Applicant is required to dedicate right-of-way necessary to make SW Mapp Road consistently 80 feet wide. Staff is requesting the adoption of a Resolution approving and accepting a Warranty Deed dedicating to Martin County the property necessary for right-of-way along SW Mapp Road adjacent to the former Loxahatchee Nursery of Stuart, now known as The Oaks.

Agenda Item: 21-0261

RESOLUTION NO. 21-1.9

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

CNST-7 ACCEPTANCE OF A UTILITY EASEMENT FROM MARK DEMBOSKI AND JUDY A. DEMBOSKI FOR WATER SERVICES AND MAINTENANCE OF CERTAIN UTILITY RELATED EQUIPMENT FOR THE EVERGREEN/WINDSTONE WATER MAIN EXTENSION PROJECT

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Mark Demboski and Judy A. Demboski for water services and maintenance of certain utility related equipment for the Evergreen/Windstone water main extension project.

Agenda Item: 21-0276

RESOLUTION NO. 21-1.10

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

CNST-8 ADOPTION OF TWO RESOLUTIONS FOR PURCHASE OF A 5.4 ACRE PARCEL OF ENVIRONMENTAL LANDS ON KUBIN AVENUE, ADJACENT TO MAGGIE'S HAMMOCK PARK FROM BROADBILL DEVELOPMENT, LLC

Request for the adoption of two Resolutions, one approving and accepting a Vacant Land Contract and Warranty Deed and the other a Resolution approving fund transfer for the purchase of a 5.4-acre parcel, adjacent to Maggie's Hammock, in Rocky Point from Broadbill Development, LLC for environmental lands with funding from District 4 MSTU.

Agenda Item: 21-0305

RESOLUTION NOS. 21-1.11 and 21-1.12

Real Property Manager Carla Segura presented the item to the Board.

A motion was made by Commissioner Heard, seconded by Commissioner Ciampi, to approve the item. The motion carried by the following vote:

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

UTILITIES AND SOLID WASTE

CNST-9 RECLAIMED WATER AGREEMENT AMENDMENT TEMPLATE

The Board of County Commissioners is requested to approve the Reclaimed Water Agreement Amendment Template and authorize the Director of the Utilities & Solid Waste Department, or his/her designee, to execute Reclaimed Water Agreement Amendments.

Agenda Item: 21-0283

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

PUBLIC HEARINGS

PH-1 PUBLIC HEARING FOR CONSIDERATION OF ADOPTION OF A RESOLUTION REVISING THE LIST OF COUNTY OWNED PROPERTY THAT IS APPROPRIATE FOR AFFORDABLE HOUSING AS REQUIRED BY SECTION 125.379, FLORIDA STATUTES

This is a request for the adoption of a Resolution, at a public hearing, identifying real property to which Martin County holds fee simple title that may be appropriate for use as affordable housing.

Agenda Item: 21-0252

RESOLUTION NO. 21-1.13

Real Property Manager Carla Segura and Assistant County Attorney Elizabeth Lenihan presented the item to the Board.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Smith, for approval of the 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 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-5, KL WATERSIDE, LLC, A TEXT AMENDMENT

This is a request for text amendments to Chapter 4, Future Land Use Element and Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan. The application includes amendments to Figure 4-2 Urban Service Districts retracting the Primary Urban Service District and creating a Freestanding Industrial Urban Service District; and changing Figures 11-1, Areas Currently Served by Regional Utilities and 11-2, Potential Service Areas.

Agenda Item: 21-0272

ORDINANCE NO. 1152

Principal Planner Samantha Lovelady and Comprehensive Planning Administrator Clyde Dulin presented the item to the Board.

Lucido & Associates Senior Vice President Morris Crady provided the applicant's

presentation to the Board. Mr. Crady turned in the proof of notification for the record.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Smith, to accept staff's recommendation [found in the supplemental memorandum and replacing Figure 11-2 to remove the Pineland Prairie property from the potential service areas]. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PH-3

**LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF
COMPREHENSIVE PLAN AMENDMENT 19-06, KL WATERSIDE, LLC,
A FUTURE LAND USE MAP AMENDMENT**

This is an application for a Comprehensive Growth Management Plan Future Land Use Map amendment to change the existing future land use designation from Agricultural, Industrial and Marine Waterfront Commercial to Industrial and Agricultural for approximately 499.4 acres located south of SW 96th Street and west of Kanner Highway (SR 76).

Agenda Item: 21-0273

ORDINANCE NO. 1153

Principal Planner Samantha Lovelady and Comprehensive Planning Administrator Clyde Dulin presented the item to the Board.

Lucido & Associates Senior Vice President Morris Crady addressed the Board on behalf of the applicant (proof of notification filed with item PH-2).

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 with the comments by staff relative to the 5.98 acres Ag delineation and removal of the two pages [pages 284 and 285] from the ordinance. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS FOR THE PROPERTY WHICH IS THE SUBJECT OF COMPREHENSIVE PLAN AMENDMENT 19-6, KL WATERSIDE, LLC, FUTURE LAND USE MAP AMENDMENT

This application is a request for a zoning district change on approximately 499.4 acres located south of SW 96th Street and west of Kanner Highway (SR 76). It is being considered concurrent with a proposed amendment to the Future Land Use Map (FLUM), CPA 19-6, KL Waterside. The request is to rezone portions of the property from WGC, (Waterfront General Commercial) and GI to AG-20A (Agricultural) and from A-2 (Agricultural) to LI, (Limited Industrial).

Agenda Item: 21-0274

RESOLUTION NO. 21-1.14

Ex parte communication disclosures were made by all five commissioners. There were no interveners. The proof of notification was filed with item PH-1. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Samantha Lovelady provided the staff's presentation to the Board. Comprehensive Planning Administrator Clyde Dulin assisted with Board questions.

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

APPLICANT: Lucido & Associates Senior Vice President Morris Crady provided the applicant's presentation to the Board.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Jenkins, for staff's recommendation with the additional comment of the removal of page 351, which was relative to the map that had the Ag 5.98 acre easement. The motion carried by the following vote:

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

Nay: 1 - Commissioner Heard

PHQJ-2 REQUEST FOR APPROVAL OF SEAWARD BOAT STORAGE FINAL SITE PLAN

Genie Investment Company is requesting approval of a major development final site plan to develop an approximate 25,210 square foot stabilized boat storage area and associated infrastructure. The 0.91-acre undeveloped site is located on the east side of SE Dixie Highway at the intersection of SE Seaward Street and SE Dixie Highway in Port Salerno. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 21-0282

RESOLUTION NOS. 21-1.15 and 21-1.16

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

COUNTY: Senior Planner Matt Stahley and Growth Management Director Paul Schilling presented the item to the Board.

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

APPLICANT: Lucido & Associates Senior Vice President Morris Crady provided the applicant's presentation to the Board.

Chair Hetherington solicited public comment; none was heard.

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

REQUESTS AND PRESENTATIONS**R&P-1 PAL MAR INFORMATIONAL PRESENTATION**

The purpose of this informational presentation is to provide a basic overview of the Pal Mar area. The presentation will discuss the environmental value, history and unique challenges that are facing Pal Mar. Over the next year County staff will be bringing forward a series of Board items focused on different aspects of the preservation and management of Pal Mar.

Agenda Item: 21-0286

This item was withdrawn from the agenda.

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: 21-0188

RESOLUTION NOS. 21-1.17 and 21-1.18

Director of the Office of Management & Budget Jennifer Manning presented the following items to the Board: (1) accept the CDC Drug Free Communities grant, (2)

Florida Division of Emergency Management grant for Mutual Aid Radio Cache [MARC], and (3) funding for Boat Ramp permitting.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, for staff's recommendations. 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: 21-0184

Purchasing Manager Krysti Brotherton presented the following items to the Board: (1) Parks landscape maintenance services, and (2) Surveying and Mapping services.

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

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

DEPT-3 2021 LEGISLATIVE PROGRAM, UPDATE, AND STRATEGY

Each year, the Martin County Board of County Commissioners adopts a state legislative program that sets the appropriations and policy priorities for the county. This is an overview of the proposed priorities compiled through coordination with staff, commissioners, and community stakeholders. An update on the success of the legislative program will be provided and an overview of the strategy the county will take during this upcoming session will be discussed.

Agenda Item: 21-0291

Legislative Coordinator Kloe Ciuperger presented the item to the Board. At Chair Hetherington's request, Deputy County Administrator Don Donaldson provided a brief update on the Hobe Heights neighborhood.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Ciampi, to adopt the 2021 Legislative Program, authorize the Chair to send a letter advocating for federal funding, and send a Chair letter thanking Emergency Management for all their assistance, specifically the Hobe Heights crisis that we dealt with earlier. Prepare a letter to our delegation referencing Senate Bill 62 and copy South Florida Regional Planning Council and Treasure Coast Regional Planning Council. The motion carried by the following vote:

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

UTILITIES AND SOLID WASTE

DEPT-4 SEPTIC TO SEWER PROGRAM UPDATE

Staff is prepared to update the Board on the status of the Septic to Sewer Program.

Agenda Item: 21-0287

Utilities and Solid Waste Director Sam Amerson provided the update presentation to the Board. Deputy County Administrator Don Donaldson assisted with Board questions.

DEPT-5 SECOND AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENTS TO PROVIDE A SECOND SIX-MONTH EXTENSION

Waste Management, Inc. Florida (WMIF) is the current contractor for the Solid Waste Franchise Agreements that provide for collection of solid waste and recyclables. The term of the Franchise Agreements was set to expire September 30, 2020. The County and WMIF amended the agreements to provide for a six-month extension, extending the expiration date to March 31, 2021. A second six-month extension will extend the expiration date to September 30, 2021 and provide adequate time for WMIF to purchase new collection vehicles and begin service under the new contract beginning October 1, 2021.

Agenda Item: 21-0289

Utilities & Solid Waste Director Sam Amerson and Deputy County Administrator Don Donaldson presented the item to the Board.

Chair Hetherington solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Ciampi, seconded by Commissioner Smith, to accept staff's recommendation as presented. The motion carried by the following vote:

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

DEPT-6 FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA (WMIF) FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIAL

On November 18, 2019, the County issued a Request for Proposals (RFP) from qualified vendors that wish to collect solid waste and recyclable materials for the County pursuant to an exclusive franchise agreement. The deadline for delivering proposals was February 19, 2020. Proposals were received from FCC Environmental Services (FCC), Waste Management, Inc. of Florida (WMIF) and Waste Pro. Presentations were subsequently made to the selection committee by all three proposers via Zoom on August 26, 2020. The selection committee's rankings were presented for Board consideration on September 15, 2020. In accordance with the options set forth in the RFP, the Board rejected all proposals and directed staff to negotiate a Franchise Agreement with WMIF.

Agenda Item: 21-0290

Deputy County Administrator Don Donaldson and USW Director Sam Amerson presented the item to the Board.

In response to Commissioner Heard's question, Waste Management Government Affairs Director Jeff Sabin assured the Board that no employee positions would be eliminated due to the implementation of automated recycling pickup.

A motion was made by Vice Chairman Smith, seconded by Commissioner Ciampi, for 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 WORKS

DEPT-7 SIXTH AMENDMENT TO THE COMMERCIAL LEASE WITH TRIUMPH AEROSTRUCTURES, LLC, REMOVING 1.57 ACRES KNOWN AS PARCEL C AT MARTIN COUNTY AIRPORT/WITHAM FIELD

This is a request for approval of a Sixth Amendment to the lease with Triumph Aerostructures, LLC, a Delaware limited liability company, for a partial turnback of approximately 1.57 acres of property known as Parcel C at Martin County Airport/Witham Field.

Agenda Item: 21-0270

Commissioner Hetherington announced that she would be abstaining from voting on this item and filed Form 8B, Memorandum of Voting Conflict, for the record.

Real Property Manager Carla Segura, Senior Assistant County Attorney David Arthur, Airport Manager Sam Carver, and Assistant County Administrator George Stokus presented the item to the Board.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins, for approval of the item. The motion carried by the following vote:

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

Abstain: 1 - Chair Hetherington

DEPT-8 APPROVAL OF A SHORT-TERM LEASE AGREEMENT WITH PRECISION JET CENTER, LLC, FOR PARCEL C AT THE MARTIN COUNTY AIRPORT/WITHAM FIELD

This is a request for approval of a Short-Term Lease Agreement of Parcel C at the Martin County Airport/Witham Field between Martin County and Precision Jet Center, LLC, a Florida corporation.

Agenda Item: 21-0271

Commissioner Hetherington announced that she would be abstaining from voting on this item and filed Form 8B, Memorandum of Voting Conflict, for the record.

Real Property Manager Carla Segura, Senior Assistant County Attorney David Arthur, Airport Manager Sam Carver, and Assistant County Administrator George Stokus presented the item to the Board.

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

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

Abstain: 1 - Chair Hetherington

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

None at this time.

ADJOURN

The Board of County Commissioners meeting of January 12, 2021 adjourned at 1:56 p.m.

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

Stacey Hetherington, Chair
Board of County Commissioners

Minutes approved:

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