

**THE MINUTES OF THE MEETING  
MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS  
HELD IN THE MARTIN COUNTY  
ADMINISTRATIVE CENTER  
2401 SE MONTEREY ROAD  
STUART, FLORIDA 34996**

December 13, 2011

1. [CALL TO ORDER](#)

THOSE PRESENT:

Edward V. Ciampi, Chairman  
Sarah Heard, Vice Chair  
Ed Fielding, Commissioner  
Patrick Hayes, Commissioner  
Doug Smith, Commissioner

ALSO PRESENT:

Taryn Kryzda, County Administrator  
Stephen Fry, County Attorney  
Mary K. Vettel, Deputy Clerk  
John Murray, MCSO

A. [INVOCATION - Reverend James Brocious ~ Stuart Alliance](#)

B. [PLEDGE OF ALLEGIANCE](#)

Nicole Tucker, of Jensen Beach High School, sang the National Anthem.

C. [ADDITIONAL ITEMS](#)

D. [APPROVAL OF AGENDA](#)

**Motion: Approval of the Agenda, the Consent Agenda with the additional items of items 2E, 6G and consent pull of 4B5 also the request to continue items 6D and 6E 'til January 10th. Moved by Doug Smith, Commissioner, seconded by Sarah Heard, Vice Chair. Motion carried unanimously.**

AYES:            ALL

E. **APPROVAL OF CONSENT AGENDA - NOTE: Consent Agenda items are considered**

routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

2. PROCLAMATIONS, OFFICIAL ACTS, SPECIAL PRESENTATIONS, AND LEGISLATIVE AFFAIRS

A. [1000 FRIENDS OF FLORIDA AWARD PRESENTATION 1000 Friends of Florida would like to present a statewide award to a Martin County resident. AGENDA ITEM: 8029e6f1](#)

Special Projects Coordinator Laura Beaupre introduced 1000 Friends of Florida President Charles Pattison, who presented the award to Commissioner Sarah Heard.

B. [RIVER COVE SEA GRASS AND MANGROVE PRESERVATION Commissioner Fielding requested that Charlie Carr from the Environmental Studies Center make a presentation on the preservation of sea grass and mangroves at the River Cove site. AGENDA ITEM: 8029cf0f](#)

Special Projects Coordinator Laura Beaupre introduced Charlie Carr, of the Environmental Studies Center, who provided the presentation to the Board.

**Motion: That we do authorize signage in the way that we did before, but it addressed 'motorized' craft rather than just any craft. Moved by Ed Fielding, Commissioner ,seconded by Sarah Heard, Vice Chair.**

Commissioner Fielding withdrew his motion.

C. [TREASURE COAST FOOD BANK PRESENTATION The Treasure Coast Food Bank will give a brief presentation to the Board of County Commissioners. AGENDA ITEM: 8029f73e](#)

Treasure Coast Food Bank Vice President of Development Tricia Jenkins addressed the Board about the work of the Food Bank.

D. [LEGISLATIVE UPDATE AGENDA ITEM: 80267a47 RESOLUTION NO. 11-12.4](#)

Director of Administration David Graham introduced the item. Intergovernmental Relations & Grants Coordinator Kate Parmelee provided the presentation to the Board. Paul Millar and Environmental Quality Manager Gary Roderick assisted with Board questions.

**Motion: Adoption of the [16 County] resolution as presented. Include the word in the 5th 'where as' - 'current.' Moved by Doug Smith, Commissioner ,seconded by Ed Fielding, Commissioner. Motion carried unanimously.**

AYES: ALL

**Motion: That this Board supports the continued public domain of water and not that it ever move to be considered to be sold to a private sector company. Moved by Patrick Hayes, Commissioner ,seconded by Sarah Heard, Vice Chair. Motion carried unanimously.**

AYES: ALL

**Motion: Support of that action [letter supporting the MPO resolution]. Moved by Doug Smith, Commissioner, seconded by Ed Fielding, Commissioner. Motion carried unanimously.**

AYES: ALL

**Motion: The remainder of the list of the priorities of the 16 County Coalition as a recommendation, I believe their top priority was still the continuation and the completion and funding for the Herbert Hoover Dike, also that we include in that the language of our strong support of the 16 County Coalition for the passage of a WRDA bill, which seems to be some discussion whether or not that will even come up this session, so my motion would be to support the remainder of the priorities of the 16 County Coalition meeting. Moved by Doug Smith, Commissioner, seconded by Patrick Hayes, Commissioner. Motion carried unanimously.**

AYES: ALL

**Motion: An additional comment, I guess, or letter that should be sent to our delegation, or certainly to the Florida delegation, I think Ms. Parmelee just outlined in there the House side has language in there removing Everglades funding; I think we should send a strong letter of support for removal of that language relative to the House side of that bill. So that we do send that to our Florida delegation, but also to the appropriate committees. Moved by Doug Smith, Commissioner, seconded by Ed Fielding, Commissioner. Motion carried unanimously.**

AYES: ALL

- E. [ADOPT A RESOLUTION OF SUPPORT FOR THE STUART SAILFISH REGATTA The sponsors of the Stuart Sailfish Regatta are requesting the Commission adopt a Resolution of support for their upcoming regatta and request that the Florida Department of Transportation close the Stuart Causeway to all but regatta spectators during their event. AGENDA ITEM: 802a37ca RESOLUTION NO. 11-12.3](#)

County Administrator Taryn Kryzda presented the item to the Board.

**Motion: Adoption of the resolution of support with the understanding that we will continue to have the interaction and to attempt to fully develop this opportunity. Moved by Ed Fielding, Commissioner, seconded by Doug Smith, Commissioner. Motion carried unanimously.**

AYES: ALL

### 3. COMMENTS

#### A. [A.M. PUBLIC](#)

Bill Summers spoke about a December 7th Stuart News article about Commissioner Smith's comments regarding the proposed developments in western Hobe Sound.

Donna Melzer expressed gratitude for our low unemployment, our youth, our schools and our quality of life. She also spoke about special interests and the greed for more taxpayer money, the Aquatics Center, the impact of wasteful budgeting, proposed developments in Hobe Sound and that the Commissioners should stick to the Comp Plan.

Chris Kilbride, Director of the University of Florida Cooperative Extension Service, made two announcements: (1) The University of Florida will be coming in the spring to train volunteers to become Florida Master Money Mentors (2) she introduced the new Sustainability and Commercial Horticulture Agent, Yvette Goodiel.

John Haddox, on behalf of the Veterans' Council of Martin County, returned the \$10,000 grant given by the Commission to buy a new van.

Henry Copeland congratulated Commissioner Heard on her award and suggested that the painting be mass-produced to help fund similar efforts. He also spoke about his out-of-county lawn maintenance firm and suggested that out-of-county firms be informed of our Fertilizer Ordinance. He asked the Board to follow SB1180 (regarding DRIs), and spoke about the Urban Service District, the underlying principals of the Comp Plan and asked the Board to leave protections for the wetlands consistent (item 6F).

Jackie Trancynger spoke about getting money out of politics, clean water, the Everglades, the purchase of judgeships and asked citizens to look up the campaign contributions of the candidates.

L.C. Jackson asked about Ordinances for minor criminal matters that need to be enacted to enable the Sheriff's Office to do its job.

Mark Perry spoke about the Legislative Update, the 16 County Summit and asked the Board to support the water management structure currently delineated in Chapter 373.

Diane Kimes thanked the Commissioners for their partnership and support of the Elliott Museum.

## **B. COMMISSIONERS**

Commissioner Smith spoke about the Jupiter Island Public Art Program and Sea Turtle ties, the Bahama Square ribbon cutting, the 16 County Summit (of the South Florida Water Management District) and Resolution 2011-1.

**Motion: That we adopt this resolution in support of the sixteen counties and the Nine County Coalition. Moved by Doug Smith, Commissioner ,seconded by Patrick Hayes, Commissioner.**  
Commissioner Smith withdrew his motion.

Commissioner Heard also spoke about the recent events and wished everyone a very very Merry Christmas.

Commissioner Fielding wished everyone safe holidays with their families.

Commissioner Hayes spoke about the Art Project at Hobe Sound Beach, the groundbreaking for Bahama Square and recommended a book by Thomas Friedman and Michael Mandelbaum titled "That Used to be Us." He also invited everyone to check out the Ecological and Environmental Christmas Tree in the lobby.

Commissioner Ciampi spoke about the fundraiser at Martin County Fairgrounds and wished everyone a healthy New Year.

## **C. COUNTY ADMINISTRATOR**

At County Administrator Taryn Kryzda's request, County Engineer Don Donaldson and Stormwater Maintenance Project Manager Jim Gorton provided an update on the heavy rains over the previous weekend.

4. **CONSENT**

A. **Clerk of the Circuit Court - None at this time.**

B. **Department of Administration**

1. ITEMS RELATED TO CONSTRUCTION AND CONSULTANT COMPETITIVE NEGOTIATION ACT (CCNA) ITEMS WHICH MEET THE THRESHOLD FOR BOARD APPROVAL AGENDA ITEM: 8026f6fb - None at this time.

2. GRANT APPLICATION, AWARD AND/OR AMENDMENT ITEMS WHICH REQUIRE BOARD APPROVAL AGENDA ITEM: 80242c3c **RESOLUTION NO. 11-12.5 (Shelter Plus Care grant)**

RECOMMENDATION (HUD Shelter Plus Care Grant): Adopt a budget resolution for the HUD S+C FL0118C4H091003 grant award.

RECOMMENDATION (Sheriff's Office Request for Funds): Authorize the Sheriff's Office to utilize \$8,311 from the Special Law Enforcement Trust Funds for Crime Prevention Programs.

RECOMMENDATION (St. Lucie Settlement Elevation Project): Authorize the Chairman or designee to execute Modification #4 and any non-monetary grant related documents to this approved grant upon approval of the County Attorney's Office.

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: 80242c40

RECOMMENDATION: Staff recommends the Board *note* these items on the agenda that were obtained from Commission Records on November 21, 2011.

4. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE APPOINTMENTS The Board is asked to confirm their appointments to the Comprehensive Economic Development Strategy Committee. AGENDA ITEM: 8028e9c4

RECOMMENDATION: The Board is asked to confirm their appointments to the Comprehensive Economic Development Strategy Committee for terms to begin January 1, 2012 and end December 31, 2012: Commission District 1 - Tammy Simoneau with Debbie Lewandowski as the alternate, Commission District 2 - Anthony Parkinson with Ed Maxwell as the alternate, Commission District 3 - Tim Dougher with Tobin Overdorf as the alternate, Commission District 4 - Pauline Becker with Kathie Smith as the alternate, Commission District 5 - Linda Hake with Melissa Corbett as the alternate. Authorize the Chairman to sign the letters as described under Background.

5. [TREASURE COAST REGIONAL PLANNING COUNCIL MUNICIPAL APPOINTMENTS](#) [The Board is asked to confirm the appointment of the City of Stuart's primary appointee to the Treasure Coast Regional Planning Council with Commissioner Paul Luger as the Town of Sewall's Point being the alternate appointee. The City of Stuart will make their appointments on December 12; therefore, Administration staff will distribute a Supplemental Memorandum prior to the December 13 meeting naming the City of Stuart's primary appointee. AGENDA ITEM: 8028260f](#)

Boards and Committees Coordinator Donna Gordon presented the item to the Board.

**Motion: Approval of Mayor Jeff Krauskopf as their primary appointee with Commissioner Paul Luger of Sewall's Point as being the alternate. Moved by Doug Smith, Commissioner, seconded by Patrick Hayes, Commissioner. Motion carried unanimously.**

AYES: ALL

RECOMMENDATION: Confirm the City of Stuart's appointment (submitted via Supplemental Memorandum) as the primary municipal appointment to the Treasure Coast Regional Planning Council for a term to end November 2012. Confirm the appointment of Commissioner Paul Luger, Town of Sewall's Point, as the *alternate* municipal appointment to the Treasure Coast Regional Planning Council for a term to end November 2012.

### **C. Engineering**

1. ACCEPTANCE OF SIX TEMPORARY CONSTRUCTION EASEMENTS ALONG SOUTHWEST SUNSET TRAIL IN PALM CITY This is a request for the adoption of a resolution accepting six temporary construction easements (TCE) for the Sunset Trail Roadway Improvement Project in Palm City. AGENDA ITEM: 8029411c **RESOLUTION NO. 11-12.6**

RECOMMENDATION: That the Board adopt a resolution accepting six Temporary Construction Easements which are to be acquired by Martin County.

2. REQUEST THE BOARD ADOPT A RESOLUTION ACCEPTING A CORRECTIVE WARRANTY DEED FOR A RIGHT-OF-WAY (ROW) DONATION ALONG CR-714 Karol A. Poderski and Robin Waters-Poderski, husband and wife, are providing a corrective warranty deed for a ROW donation that was made to Martin County in 2001 as part of a Site Plan Approval for the Martin Downs Pet Clinic project in Palm City. The property is located on the North side of County Road 714 between SW Mapp Road and SW Sawgrass Villas Drive. AGENDA ITEM: 802941d4 **RESOLUTION NO. 11-12.7**

RECOMMENDATION: That the Board adopt a resolution accepting a CORRECTIVE Warranty Deed from Karol A. Poderski and Robin Waters-Poderski, husband and wife, for conveyance of Property for ROW and authorize the Chairman to execute any and all documentation necessary to complete the transaction.

### **D. Martin County Airport**

1. WINGS, KEELS, AND WHEELS (ELLIOT CAR SHOW) USE AGREEMENT AMENDMENT The Historical Society of Martin County (HSMC) is requesting to use a portion of the Martin County Airport for hosting the annual Elliot Car Show (Wings, Keels, and Wheels). Due to a scheduling conflict HSMC is requesting to change the event dates from April 13, 2012 - April 16, 2012 to

February 10, 2012 - February 13, 2012. AGENDA ITEM: 8029d9d2

RECOMMENDATION: Approve the amendment as presented.

**E. Parks and Recreation**

1. APPROVAL OF THE HISTORICAL SOCIETY'S FY11-FY13 CONTRACT The Martin County Parks and Recreation Department and the Office of Tourism recommends contracting with the Historical Society of Martin County, Inc., for the period of October 1, 2011 through September 30, 2013 or until the Agreement maximum amount of one million dollars (\$1,000,000) is met, whichever occurs first. AGENDA ITEM: 80293f44

RECOMMENDATION: Approve the Historical Society's FY11-FY12 contract for a time period of October 1, 2011 through September 30, 2013 or until the maximum amount of \$1,000,000 has been met.

**5. BOARD AND COMMITTEE APPOINTMENTS**

- A. [NEIGHBORHOOD ADVISORY COMMITTEE APPOINTMENTS The Board is asked to make the necessary appointments to the Golden Gate, Hobe Sound, Jensen Beach, Palm City, Port Salerno, and Rio Neighborhood Advisory Committees due to resignations and/or terms expiring. AGENDA ITEM: 802465b2 RESOLUTION NO. 11-12.9](#)

Boards & Committees Coordinator Donna Gordon tallied the votes for the Board.

**Motion: Approval of Ms. Briley, Ms. Dixon for Hobe Sound; Jensen Beach was Ms. Adams and Mr. Eaton; and for Palm City it was Mr. Ahal; and for Port Salerno it was Ms. Karen Worden; and for Rio, Ms. Sherry Fisher. Moved by Doug Smith, Commissioner, seconded by Sarah Heard, Vice Chair. Motion carried unanimously.**

AYES: ALL

RECOMMENDATION: Make appointments to the Neighborhood Advisory Committees for the terms as outlined under issues. Authorize the Chairman to sign the Resolution of Appointment and letters as described under Background.

**6. PUBLIC HEARINGS**

- A. [ESCAMBIA COUNTY HOUSING BOND PROGRAM - PUBLIC HEARING TO AUTHORIZE A PLAN OF FINANCE FOR FIRST TIME HOMEBUYERS The Board of County Commissioners is required to hold a public hearing and approve a Resolution and Interlocal Agreement permitting the issuance by the Escambia County Housing Finance Authority, on behalf of Martin County, Single Family Mortgage Revenue Bonds. AGENDA ITEM: 80293296 RESOLUTION NO. 11-12.8](#)

Director of Administration David Graham introduced the item. Housing Program Manager Don Cole and Escambia County Housing Program Director C.J. Pipkins provided the presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

**Motion: Move approval. Moved by Doug Smith, Commissioner ,seconded by Sarah Heard, Vice Chair. Motion carried unanimously.**

AYES: ALL

RECOMMENDATION: Approve the Resolution and Interlocal Agreement and authorize the Escambia County Housing Finance Authority to issue single-family mortgage bonds on behalf of Martin County.

- B. [PUBLIC HEARING TO ADOPT NOTICE OF INTENT RESOLUTION REQUIRED BY SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS Public hearing to adopt a resolution declaring the Board's intent to use the uniform method of collection for Non-ad Valorem Assessments for a proposed series of special assessments within certain municipal service benefit units to be established for roads and ancillary drainage, stormwater services and facilities, water and/or wastewater and dredging. AGENDA ITEM: 8027f73a RESOLUTION NO. 11-12.10](#)**

Environmental Services Director John Polley and Project Manager Phil Keathley provided the presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

**Motion: Approval. Moved by Doug Smith, Commissioner ,seconded by Ed Fielding, Commissioner. Motion carried unanimously.**

AYES: ALL

RECOMMENDATION: Accept public comment and adopt the Resolution of Intent to use the uniform method of collection for Non-Ad Valorem Assessments for a proposed series of special assessments within certain municipal services benefit units to be established for roads and ancillary drainage, stormwater services and facilities, water and/or wastewater, dredging and burial of overhead utilities.

- C. [REQUEST FOR AMENDMENTS TO ARTICLE 5, ARTICLE 9, AND ARTICLE 10, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE With this initiative amendments are proposed to Article 5, Adequate Public Facilities Standards, Land Development Regulations \(LDR\), Martin County Code \(Code\), Article 9, Decision-Making and Administrative Bodies, LDR, Code and Article 10, Development Review Process, LDR, Code. AGENDA ITEM: 8028b0b9](#)**

**Motion: So moved [continue 6C and 6G to January 10th, 2012 and continue 8A1]. Moved by Patrick Hayes, Commissioner ,seconded by Ed Fielding, Commissioner. Motion carried.**

AYES: Edward V. Ciampi, Chairman, Ed Fielding, Commissioner, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

NOES: Sarah Heard, Vice Chair.

- D. REQUEST FOR AN AMENDMENT TO SECTION 3.93, ZONING DISTRICTS, ARTICLE 3, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE This is a request from Jensen Dunes, LLC for an amendment to Section 3.93, Zoning Districts, Land Development Regulations, Martin County Code to permit residential care facilities to have access from**

local streets. AGENDA ITEM: 8028b020

This item was continued to January 10th.

- E. **QUASI-JUDICIAL: JENSEN DUNES - REQUEST FOR A ZONING CHANGE TO THE PUD DISTRICT AND REQUEST FOR PUD MASTER SITE PLAN APPROVAL** This is an application for a zoning change to the PUD (Planned Unit Development) District including a request for PUD Master Site Plan approval for a 390-bed residential care facility on 34.3 acres located on the north side of Cedar Street, between the FEC Railroad and Savannah Road, and south and west of the Town of Ocean Breeze Park in Jensen Beach. AGENDA ITEM: 8028d1ef

This item was continued to January 10th.

- F. **PUBLIC HEARING TO CONSIDER ADOPTION OF AMENDMENTS TO ARTICLE 4, DIVISION 1, WETLANDS, MARTIN COUNTY LAND DEVELOPMENT REGULATIONS** The proposed amendments to the wetlands Land Development Regulations implement changes to the Comprehensive Growth Management Plan adopted in December 2009, specifically Chapter 8, Coastal Management and Chapter 9, Conservation and Open Space. AGENDA ITEM: 802934b7 **RESOLUTION NO. 11-12.11**

Senior Planner Clyde Dulin and Compliance & Enforcement Administrator Darryl DeLeeuw provided the presentation to the Board. Growth Management Director Nicki van Vonno and County Engineer Don Donaldson assisted with Board questions.

The following members of the public addressed the Board on this issue: Donna Melzer (speaking for the Conservation Alliance and herself), John Hennessee, Jackie Trancynger, Shaun Plymale, Joan Bausch, Greg Braun, Mitch Hutchcraft (on behalf of King Ranch), Julie Preast (representing the Rio Civic Club), John Patteson, Morris Crady, Rick Hartman, Rob Taylor, Toby Overdorf and Tom McNicholas (representing Caloosa Creek).

**Motion: That after the underlined portion of #2, that we put a period at the end of the word 'minimized,' (period) and put the following statement: "Furthermore activities/improvements which increase water retention and/or increase water quality improvements shall be encouraged." Moved by Patrick Hayes, Commissioner, seconded by Doug Smith, Commissioner. Motion carried.**

**AYES:** Edward V. Ciampi, Chairman, Ed Fielding, Commissioner, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**NOES:** Sarah Heard, Vice Chair.

**Motion: That we strike 4.2.J. Moved by Ed Fielding, Commissioner. The motion did not receive a second and was lost.**

**Motion: That 4.2.J remain, except that the second sentence "all such preserve areas shall be separate from the individual lots, tracts or parcels within all future land use designations." Moved by Sarah Heard, Vice Chair, seconded by Ed Fielding, Commissioner.**

**Motion: That we retain or we include the language of 4.2.J as it stands as staff's recommendation. Moved by Doug Smith, Commissioner, seconded by Patrick Hayes, Commissioner. Motion carried.**

**AYES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**NOES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**Motion: That we delete "isolated" from the beginning of the second sentence in 4.1.b.1. Moved by Ed Fielding, Commissioner, seconded by Sarah Heard, Vice Chair. Motion carried.**

**AYES:** Edward V. Ciampi, Chairman, Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**NOES:** Patrick Hayes, Commissioner, Doug Smith, Commissioner.

Commissioner Fielding made a motion regarding wetlands that he later restated (see below). Commissioner Hayes initially seconded the motion, but withdrew his second. Commissioner Heard then seconded the motion.

**Motion: Anytime that we refer to all wetlands delineated, that we add 'all wetlands whether or not delineated.' Moved by Ed Fielding, Commissioner, seconded by Sarah Heard, Vice Chair. Motion failed.**

**AYES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**NOES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

Staff Direction: Section 4.2.C.1 - staff would recommend it say 'subsections A and B.'

**Motion: That we strike 'one' out of that first underlined [in 4.2.E.2] and we substitute the number 'two' for the number 'one' that is in that first word in that line. Moved by Ed Fielding, Commissioner, seconded by Sarah Heard, Vice Chair. Commissioner Fielding withdrew his motion.**

**Motion: Let's substitute 'qualifying' in the place of 'all' property owners. Make it 'qualifying property owners' in section 4.2.F, first line. Moved by Ed Fielding, Commissioner, seconded by Sarah Heard, Vice Chair. Motion failed.**

**AYES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**NOES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**Motion: That we deny the staff request for a modification of the LDR. Moved by Ed Fielding, Commissioner, seconded by Sarah Heard, Vice Chair. Motion failed.**

**AYES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**NOES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**Motion: In every case, where there is someone who is appropriate to be making these decisions, then that expert needs to be the person who is designated, not the County Administrator. Moved by Sarah Heard, Vice Chair. The motion did not receive a second and was lost.**

Commissioner Heard withdrew her motion.

**Motion:** That we accept the language as provided and reviewed by both the staff and the LPA, provided by Mr. Overdorf with section 4.3.a.5.d "for single family home lots of record as of April 1st, 1982 that they have existing hardened shorelines as of June 1999, the owner may enhance water quality through installation of best management practices to include pervious pavers, swale, stormwater, stone, decking and other industry accepted materials that limit or eliminate the nutrient runoff into the wetland or surface waters of the state, thus eliminating the negative impacts of nutrient runoff. BMPs will require the approval of the County Administrator prior to installation and be compliant with 4.3.a.9 and 4.5.a.8." Initiate a Plan amendment to add that waiver language to the Plan. I recommend we do it simultaneously [Plan and LDR]. Initiate the Comprehensive Plan Amendment by resolution. Moved by Patrick Hayes, Commissioner, seconded by Doug Smith, Commissioner. Motion carried.

**AYES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**NOES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

**Motion:** I would move the clarity language from Mr. Crady relative to section 4.5.B. I will move, then, the remainder of the language added by staff both in the supplemental language and the regular agenda item, also include any ministerial changes or spelling corrections. Moved by Doug Smith, Commissioner, seconded by Patrick Hayes, Commissioner. Motion carried.

**AYES:** Edward V. Ciampi, Chairman, Patrick Hayes, Commissioner, Doug Smith, Commissioner.

**NOES:** Sarah Heard, Vice Chair, Ed Fielding, Commissioner.

County Attorney Stephen Fry asked for the following clarification: "The intent of this motion is to approve the staff's recommendations today except for those that have been changed by the Board by motion earlier in the day." Commissioner Smith's response: "For absolute clarity, yes. On votes that were taken prior, they would be part of this recommended action."

**RECOMMENDATION:** (1) Staff recommends approval of the text provided in Section 4.2.J regarding wetlands in the Agricultural Land Use Designations. (2) Staff recommends the Board review the waiver language suggested by Mr. Overdorf and determine that it is inconsistent with the Comprehensive Plan. Additionally, staff recommends the Board give direction regarding the initiation of a Comprehensive Plan Amendment to address the waivers allowed within the shoreline protection zone. (3) Lastly, staff recommends approval of the draft ordinance with inclusion of any language addressing items 1 and 2 above. The staff notes will be removed prior to the Chairman signing the ordinance.

**G. LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 10-22 BRIDGEWATER VENTURES TEXT** The applicant requests the Board of County Commissioners consider adoption of Comprehensive Plan Amendment 10-22 Bridgewater Ventures Text, a text amendment to the CGMP. **AGENDA ITEM: 802a39b3**

This item was continued to January 10th (see item 6C).

## **7. REQUESTS AND PRESENTATIONS**

A. [QUASI-JUDICIAL: REQUEST OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO WAIVE ARTICLE 4, DIVISION 18 TO ALLOW CONSTRUCTION OF THE C-44 TOWER](#) [The South Florida Water Management District is requesting a waiver of Article 4, Division 18 to allow construction of a tower in the C-44 Reservoir/Stormwater Treatment Area \(STA\).](#) [AGENDA ITEM: 8028de14](#)

Commissioner Fielding filed an Ex Parte Communication Disclosure Form. There were no Notices required for this Administrative action. There were no members of the public requesting to speak on this item.

Growth Management Director Nicki van Vonno provided the presentation to the Board.

**Motion: Staff's recommendation. Moved by Patrick Hayes, Commissioner ,seconded by Doug Smith, Commissioner. Motion carried unanimously.**

AYES: ALL

SFWMD Everglades Restoration Resource Area Chief Project Manager Susan Ray answered Board questions.

Chairman Ciampi solicited public comment; none was heard.

RECOMMENDATION: Staff recommends that the Board of County Commissioners waive the requirements of Article 4, Division 18 for the proposed tower to allow off-site monitoring and control of water control structures or pumping stations at the C-44 Reservoir stormwater treatment area.

**8. DEPARTMENTAL**

**A. Engineering**

1. TRANSIT DEPOT PROJECT CONTRACT AWARD Construction proposals have been received for the American Recovery & Reinvestment Act of 2009 (ARRA) Transit Depot Building and Staff is requesting approval. AGENDA ITEM: 8029e849

This item was continued (see item 6C).

**9. COMMISSIONERS - None at this time.**

**10. [P.M. PUBLIC](#)**

Donna Melzer, individually, spoke about Bridgewater Ventures (item 6G) and asked why so much staff time is being used on a developer's proposal.

**11. [ADJOURN, BOARD OF COUNTY COMMISSIONERS, DECEMBER 13, 2011](#)**

**Motion: Adjourn [at 6:48 pm]. Moved by Patrick Hayes, Commissioner ,seconded by Doug Smith, Commissioner. Motion carried unanimously.**

AYES: ALL

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Marsha Ewing, Clerk  
/mkv  
Minutes approved on \_\_\_\_\_

\_\_\_\_\_  
**Edward V. Ciampi, Chairman**