

AUGUST 12, 2008
MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
ACTION SUMMARY

9:00 AM - MARTIN COUNTY COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Doug Smith, Chair
Susan L. Valliere, Vice Chair
Lee Weberman
Sarah Heard
Michael DiTerlizzi

Duncan Ballantyne, County Administrator
Stephen Fry, County Attorney
Marsha Ewing, Clerk to the Board

Approved: DB 8/13/08

1. CALL TO ORDER – 9:00 AM

INVOCATION – Pastor Thomas Hartley
PLEDGE OF ALLEGIANCE

PRESETS

2D	Public	9:00 AM
10	Public	5:05 PM

2. **A. ADDITIONAL ITEMS** – The Board approved the agenda with the additional item of 3A.
B. APPROVAL OF AGENDA – The Board approved the agenda with the additional item of 3A. The Board approved the consent agenda minus the pull for discussion of item 4G1. The Board withdrew item 7A. The Board continued item 8B1 to the September 9, 2008 BCC meeting.
C. APPROVAL OF CONSENT AGENDA – The Board pulled from the consent agenda item 4G1. The Board approved the remainder of the 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.
D. PUBLIC - TO BE HEARD AT 9:00 AM. PLEASE LIMIT COMMENTS TO THREE MINUTES.
E. COMMISSIONER COMMENTS
F. COUNTY ADMINISTRATOR COMMENTS

3. PROCLAMATIONS, OFFICIAL ACTS, AND SPECIAL PRESENTATIONS

ADDITIONAL ITEM

A. RESOLUTION IN SUPPORT OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) ACQUISITION AGREEMENT FOR DONATION OF 2266 +/- ACRES IN MARTIN COUNTY

A request was made by the South Florida Water Management District (SFWMD) for a resolution by the Board of County Commissioners in support of a SFWMD Acquisition Agreement for Donation of 2,266 +/- acres by SFWMD located in Martin County.

AGENDA ITEM: 803f9024

RESOLUTION NO. 08-8.11

ACTION TAKEN: The Board approved the amended resolution in support of the SFWMD acquisition by donation of 2,266 +/- acres located in Martin County. The Board amended the resolution to show an estimate of 1,600 acres of water quality and treatment areas with a final number to be determined by staff.

4. CONSENT

A. Clerk of the Circuit Court, Marsha Ewing

- Minutes of the July 21, 2008 BCC Budget meeting.
- Minutes of the July 22, 2008 BCC Budget meeting.

B. Administration, Duncan Ballantyne, County Administrator

1. ITEMS RELATED TO CONSTRUCTION AND CONSULTANT COMPETITIVE NEGOTIATION ACT (CCNA) ITEMS WHICH 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.

AGENDA ITEM: 803e51c2

SUPPLEMENTAL MEMO

BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA
ACTION SUMMARY
AUGUST 12, 2008

4. CONSENT

B. Administration, Duncan Ballantyne, County Administrator

2. BOARDS AND COMMITTEES STATUS REPORT

This monthly Status Report is provided to keep the Commission apprised of all the current vacancies, expired terms, etc. on their various boards and committees.

AGENDA ITEM: 803e4768

C. Administrative Services, Taryn Kryzda, Assistant County Administrator

1. HABITAT FOR HUMANITY OF MARTIN COUNTY HAS REQUESTED THAT MARTIN COUNTY CONVEY OWNERSHIP OF A PARCEL OF LAND IN HOBE SOUND TO THEM

Habitat for Humanity of Martin County has identified a parcel of land in the Banner Lake area that they would like to build a house on. By letter dated January 23, 2008, they have requested that the County convey ownership of this parcel to them for this purpose. Staff recommends that the Board approve this conveyance for only the cost of recordation of the deed and the resolution.

AGENDA ITEM: 803a4fa3

RESOLUTION NO. 08-8.1

D. Community Development, Jeff Oris, Director

1. THE HOUSING AUTHORITY OF THE CITY OF STUART IS REQUESTING AN AMENDMENT TO THE GRANT CONTRACT WITH MARTIN COUNTY FOR HURRICANE HOUSING RECOVERY PROGRAM TO EXTEND THE GRANT PERIOD AND TO REVISE THE SCOPE OF WORK OUTLINED IN THE PROJECT IDENTIFICATION

The Housing Authority of the City of Stuart is contracted with Martin County to provide seven affordable housing units to be completed by June 30, 2008. This contract provides \$525,000 in accordance with the Martin County Hurricane Housing Assistance Plan (HHRP) and the 2005-2008 Local Housing Assistance Plan (LHAP). The Housing Authority is requesting an amendment to the contract to extend the completion date to May 31, 2009 and allow for a change of scope to provide three units.

AGENDA ITEM: 803ebfab

2. INDIANTOWN NON-PROFIT HOUSING, INC. REQUESTS AN EXTENSION OF THEIR GRANT PERIOD FOR 2006 HHRP RELATED TO HERITAGE PARK AND INDIANTOWN CONCENTRATED REVITALIZATION GRANTS

Indiantown Non-Profit Housing, Inc. (INPHI) was unable to complete their affordable housing projects prior to the June 30, 2008 deadline. They are requesting an extension from June 30, 2008 to May 31, 2009. INPHI has two contracts dated December 20, 2005: Heritage Park for \$960,000 and Indiantown Concentrated Revitalization for \$300,000.

AGENDA ITEM: 803ec23c

E. Community Services, Cheryl Bass, Director

1. REQUEST FOR BOARD APPROVAL OF THE MODIFICATION TO THE FY08 COMMUNITY SERVICES BLOCK GRANT SUBCONTRACT WITH THE TREASURE COAST COMMUNITY ACTION AGENCY FOR AN INCREASE OF \$354.00 ADDITIONAL REVENUES

Board approval is requested to modify the Community Services Block Grant (CSBG) agreement between the Martin County Board of County Commissioners and the Treasure Coast Community Action Agency to reflect an additional allocation to Martin County of \$354.00 for FY 07/08.

AGENDA ITEM: 803c4989

RESOLUTION NO. 08-8.2

2. FUNDING REQUEST FROM THE MARTIN COUNTY SCHOOL DISTRICT FOR THEIR DRIVER'S EDUCATION PROGRAM IN THE AMOUNT OF \$125,404.50

The Board is asked to approve a request from the Martin County School District for \$125,404.50 for their driver's education program. The funds are available through the Dori Slosberg fund set up by the Legislature to provide funding for driver's education and safety programs in public and non-public schools. The Board is also asked to authorize the County Administrator to execute a grant contract and budget transfer upon approval of funding.

AGENDA ITEM: 803dfc67

3. DRUG ABUSE TRUST FUND USE FOR TREATMENT OF JUVENILE IN THE AMOUNT OF \$1,500

Board approval to use funds from the Drug Abuse Trust Fund in the amount of \$1,500 to aid in treatment for a Martin County Juvenile.

AGENDA ITEM: 803ed392

BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA
ACTION SUMMARY
AUGUST 12, 2008

4. **CONSENT**

F. **Engineering**, *Don G. Donaldson, P.E., Director*

1. **DEBRIS MANAGEMENT PLAN**

The Martin County Board of County Commissioners is requested to review and approve the Debris Management Plan.

AGENDA ITEM: 803e99e6

2. **THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) REQUESTS MARTIN COUNTY SUBORDINATE THEIR UTILITY INTERESTS (DRAINAGE EASEMENT) THROUGH LOT 26 OF BLOCK 29 OF THE AMENDED PLAT OF PALM CITY AS THE FDOT BEGINS THEIR EFFORTS TO ACQUIRE RIGHT OF WAY FOR THE INDIAN STREET BRIDGE**

The Florida Department of Transportation is requesting Martin County subordinate Martin County's interests in the easements through Lot 26 of Block 29 of the Amended Plat of Palm City. The FDOT is beginning the process of acquiring right of way for the Indian Street Bridge.

AGENDA ITEM: 803e7a46

RESOLUTION NO. 08-8.3

G. **Martin County Airport**, *Michael Moon, Director*

1. **ACCEPTANCE OF A FLORIDA DEPARTMENT OF TRANSPORTATION JOINT PARTICIPATION AGREEMENT FOR PAVEMENT DRESSING CONDITIONER APPLICATION, RESTRIPING, AND LIGHTING IMPROVEMENTS**

The Florida Department of Transportation is offering a Joint Participation Agreement for Pavement Dressing Conditioner Application, Restriping, and Lighting Improvements for runways and taxiways at Martin County Airport/Witham Field.

AGENDA ITEM: 803e7108

ACTION TAKEN: The Board approved the resolution accepting the Florida Department of Transportation Joint Participation Agreement. The Board authorized the Chair to execute all required documents related to the acceptance of the agreement including the budget resolution.

RESOLUTION NO. 08-8.4a

RESOLUTION NO. 08-4.4b ~ budget

2. **REQUEST TO TRANSFER FUNDS FROM THE AIRPORT RESERVE ACCOUNT TO THE AIRPORT ADMINISTRATION AND OPERATIONS PROGRAM ACCOUNTS**

The Airport is requesting permission to transfer funds from the Airport Reserve Account to the Airport Administration and the Operations Program Accounts to ensure funding of year end expenses.

AGENDA ITEM: 803ef50d

H. **Utilities and Solid Waste**, *John Polley, Director*

1. **SOLID WASTE INITIAL ASSESSMENT RESOLUTION FOR FY 2008/2009 AND RESOLUTION TO AMEND SOLID WASTE TIPPING FEES**

The Board of County Commissioners is requested to adopt the Initial Assessment Resolution for FY09 and approve notification to affected property owners advising of the solid waste assessment rate and public hearing. In addition, the Board of County Commissioners is also requested to adopt a resolution amending solid waste tipping fees.

AGENDA ITEM: 803e8c55

RESOLUTION NO. 08-8.5

5. **BOARD AND COMMITTEE APPOINTMENTS**

A. **VALUE ADJUSTMENT BOARD APPOINTMENT**

Due to recent changes of Section 194.015, Florida Statute, the Board is asked to make a citizen appointment to the Value Adjustment Board.

AGENDA ITEM: 803e47a1

RESOLUTION NO. 08-8.6

ACTION TAKEN: The Board appointed Mrs. Ewa Lewinger to serve as the Commission's citizen member on the Value Adjustment Board for a term to begin September 1, 2008 and expire when the 2008 Value Adjustment Board completes their functions. The Board authorized the Chair to sign the Resolution of Appointment and any letters.

BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA
ACTION SUMMARY
AUGUST 12, 2008

6. PUBLIC HEARINGS

A. QUASI JUDICIAL: INDIAN RIVERSIDE PARK REVISED MASTER SITE PLAN FOR PHASES 2, 3, 4 & 5 AND FINAL SITE PLAN FOR PHASES 2 & 3

This is a request for approval of site plans for Indian RiverSide Park.

AGENDA ITEM: 803f16d2

SUPPLEMENTAL MEMO

ACTION TAKEN: The Board approved the revised Master Site Plan for Phases 2, 3, 4, & 5. The Board approved the Final Site Plan for Phases 2 & 3 including addendum to Indian RiverSide Park Preserve Area Management Plan (PAMP).

RESOLUTION NO. 08-8.7

RESOLUTION NO. 08-8.8

B. PUBLIC HEARING OF AN ORDINANCE CREATING AN ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM

This ordinance provides for payment of impact fees for qualified target industry businesses based on set criteria related to creation of jobs and capital investment in the County. The ordinance also provides for a method of payment from the County's Economic Development Fund and methods to replenish the Fund.

AGENDA ITEM:803ed5aa

ORDINANCE NO. 804

ACTION TAKEN: The Board approved the staff recommendation to adopt the Ordinance as presented including the Impact Fee Mitigation Program criteria for consideration and replenishment of and funding for the Economic Development Fund. The Board authorized staff to create and activate the Economic Development Fund.

C. ENVIRONMENTAL CONTROL BOARD

The Martin County Code requires that the Environmental Control Board meet no less frequently than once every 12 months to consider the activities of the Environmental Control Hearing Board, or any other matter under Martin County's Environmental Control Act.

AGENDA ITEM: 803dac7e

ACTION TAKEN: The Board adjourned as the BCC and convened as the Environmental Control Board. The ECB accepted the report. The ECB adjourned and reconvened as the BCC.

D. SITE BUILT STRUCTURES IN MOBILE HOME ZONING DISTRICTS

The Board of County Commissioners recently amended the Comprehensive Growth Management Plan to provide the option of allowing site built structures on land with a Mobile Home future land use designation and a homestead exemption. This proposed change to the Land Development Regulations will implement the Plan amendment.

AGENDA ITEM: 803e9d54

ORDINANCE NO. 805

SUPPLEMENTAL MEMO

ACTION TAKEN: The Board approved the draft ordinance, within the supplemental memo, with the amended language in section 3.98.B.

7. REQUESTS AND PRESENTATIONS

A. QUASI JUDICIAL: TURBOCOMBUSTER TECHNOLOGY, INC. REQUEST FOR ALTERNATIVE COMPLIANCE FOR PRECLUSION OF REASONABLE USE

Turbocombuster Technology, Inc. has requested the Board of County Commissioners to consider a request to allow for alternative compliance to the uplands protection requirements of Article 4, Division 2, Land Development Regulations (LDRs), Martin County Code.

AGENDA ITEM: 803e3261

RESOLUTION NO. 08-8.10

SUPPLEMENTAL MEMO

ACTION TAKEN: The Board approved the resolution with the language that an equal amount of similar required native upland habitat be created on site.

B. MINING WORKSHOP

Staff requests the Board consider State and local mining issues and direct staff on lobbying efforts and or changes to the Martin County Land Development Regulations.

AGENDA ITEM: 803a2d87

SUPPLEMENTAL MEMO ~ [Request to withdraw.](#)

ACTION TAKEN: The Board withdrew this item from the agenda.

BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA
ACTION SUMMARY
AUGUST 12, 2008

8. DEPARTMENTAL

A. Community Development, Jeff Oris, Director

1. RESOLUTION AFFIRMING MARTIN COUNTY'S COMMITMENT TO THE STATE OF FLORIDA'S QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM

This resolution affirms the County's commitment to participate in the State's Qualified Target Industry (QTI) Tax Refund Program. Under this program, certain targeted businesses can receive a rebates on certain taxes paid to the State. Eighty percent of rebate is paid by the State of Florida and participating local jurisdictions provide the remaining twenty percent.

AGENDA ITEM: 803ed596

RESOLUTION NO. 08-8.9

ACTION TAKEN: The Board approved the resolution reaffirming commitment to participation in the State's QTI program.

B. Building, Larry Massing, Building Official

1. REQUEST BY FRED AND CLARA KRAUS FOR A REDUCTION OF CODE ENFORCEMENT LIEN FOR PROPERTY LOCATED AT 2140 NW SUNSET BOULEVARD, JENSEN BEACH, IN MARTIN COUNTY, FLORIDA

Pursuant to the provisions of Section 1.98, General Ordinances, Martin County Code, Fred and Clara Kraus are requesting that the Board of County Commissioners consider a reduction of a code enforcement lien imposed by the Special Magistrate on December 22, 2007.

AGENDA ITEM: 803e52f3

SUPPLEMENTAL MEMO ~ [Request to continue to September 9, 2008.](#)

ACTION TAKEN: The Board continued this agenda item to the September 9, 2008 BCC meeting.

9. COMMISSIONERS - None at this time.

10. PUBLIC - TO BE HEARD AT 5:05 PM. PLEASE LIMIT COMMENTS TO THREE MINUTES.

11. ADJOURN -