

**JOINT MEETING: BOARD OF COUNTY COMMISSIONERS AND MARTIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

1. **CALL TO ORDER:** July 16, 2003, at 10:10 a.m., in the Abacoa Golf Club, Jupiter, Florida.

1.A. **PLEDGE OF ALLEGIANCE**

MEMBERS AND OFFICERS PRESENT:

Chair Karen T. Marcus
Vice-Chair Tony Masilotti
Commissioner Burt Aaronson
Commissioner Addie L. Greene
Commissioner Jeff Koons
Commissioner Mary McCarty
Commissioner Warren H. Newell - Absent
County Administrator Robert Weisman
Deputy County Administrator Verdenia Baker
County Attorney Denise Nieman
Recording Clerk Charmaine Craig

MARTIN COUNTY BOARD MEMBERS AND OFFICERS PRESENT:

Chair Michael DiTerlizzi
Vice-Chair Doug Smith
Commissioner Sarah Heard
Commissioner Susan L. Valliere
Commissioner Lee Weberman
County Administrator Russ Blackburn
Deputy County Administrator Dan Hudson
Assistant County Administrator Jim Sherman
County Attorney Stephen Fry

2. **INTRODUCTIONS**

Palm Beach County and Martin County board members were introduced.

3. **ITEMS FOR DISCUSSION**

3.A.

**TRAUMA CARE FOR NON-PALM BEACH COUNTY RESIDENTS.
DISCUSSED 7-16-2003**

St. Mary's Hospital Chief Executive Officer (CEO) Peter Marmmerstein briefed the boards regarding state hospital trauma center costs and discussed the following:

- * Relayed a case involving a family that experienced multiple trauma and received valuable service;
- * Stated he wanted services to be available to help save other families' lives;

3.A. – CONTINUED

- * Discussed the fact that trauma centers throughout the state of Florida faced serious problems due to trauma center physicians leaving the system for lack of payment for services;
- * Mentioned that funding of the trauma system in Palm Beach County had been provided by the Palm Beach County Health Care District, but the increased volume of non-county patients transported from Martin County to St. Mary's Hospital was straining the system at St. Mary's Hospital;
- * Advised board members that St. Mary's Hospital was certified as a Health Care Responsibility Act (HCRA) provider; and
- * Stated that HCRA did not cover physician services.

Commissioner Marcus advised that Palm Beach County wished to continue viability of this system in a partnership with Martin County and added that having a trauma center located in communities was important to all residents. She also questioned if available indigent funds paid for trauma patients.

Commissioner DiTerlizzi revealed that trauma was a payable expense under HCRA. Martin County had made payments to hospitals such as JFK Medical Center for indigent patient care and was willing to make payments to St. Mary's Hospital under guidelines set forth legislatively. The counties of Palm Beach, St. Lucie, Okeechobee, Martin, and Indian River impacted the trauma center system and should join together and request the legislature to make changes in the state-wide system in order to make it fair for other trauma hospitals throughout the state. Martin County board members felt they had an obligation to their indigent citizens and would continue to fulfill that obligation. If guidelines were followed to apply for payment, Martin County would provide assistance. The board and citizens of Martin County did not want Palm Beach County residents to pay for Martin County indigent residents.

Mr. Marmmerstein described the HCRA process and explained why physicians were not paid. HCRA was a mechanism designed to reimburse hospitals, not doctors, and HCRA only applied to out-of-county residents, he concluded.

Commissioner DiTerlizzi explained the process used when Martin Memorial Medical Center applied for funding through the Martin County Indigent Program, resulting in Martin County paying their hospital and doctor accounts. In order to obtain funds, Commissioner DiTerlizzi suggested that St. Mary's Hospital bookkeeping department file in the same aforementioned manner.

Commissioner Marcus stated that because HCRA would not pay doctor fees, other avenues needed to be addressed in order for St. Mary's Hospital to bill Martin County through HCRA for doctor and other services. In response, Commissioner DiTerlizzi advised that indigent tax legislation would need to be analyzed to determine how it was worded.

Additionally, Commissioner Marcus:

- * Recommended organization of a follow-up meeting with Commissioner DiTerlizzi, hospitals, doctors, and lawyers to analyze the definition of HCRA to determine what it allowed and what the indigent tax allowed;

3.A. – CONTINUED

- * Suggested that in the interim, as the issue moved forward on a state-wide basis, an effort should be made to get HCRA expanded to allow for payment to doctors;
- * Pointed out that asking the Legislature to make changes to the state-wide system was the best way to address this issue;
- * Stressed that interim talks were necessary to avoid a crisis;
- * Advised that when board members attended policy meetings for the Florida Association of Counties (FAC) in September 2003, this issue needed to become a number one priority;
- * Stated that statewide lobbying resources could be obtained if this issue was taken to the FAC;
- * Informed colleagues that they would be contacted within 30 days in order to begin working on the details of the issue and decide what could and could not be done; and
- * Announced that Palm Beach County would borrow Martin County's lobbying resources in order to help deal with this issue.

Commissioner Koons pointed out that it was necessary to make a commitment to address trauma support on a regional basis.

Commissioner Smith advised that the state Legislature needed to address the fact that the system was not working and if the Legislature decided to make a change to the polices, the issue of doctors not getting paid would resolve itself in the long term. Other issues to be addressed were how to deal with the regions as they were currently set up within a 50-mile radius, and where patients should go for medical attention. He stressed that the biggest part of the problem was finding a funding source that the state could allocate to support the system.

Commissioner McCarty requested that Legislative Affairs Director Todd Bonlarron place this issue on a future priority list.

3.B.

INCLUSION OF MARTIN COUNTY INTO THE REGIONAL TRANSPORTATION AUTHORITY (RTA). DISCUSSED WITH DIRECTION 7-16-2003

Metropolitan Planning Organization (MPO) Director Randy Whitfield discussed Regional Transportation Authority (RTA) legislation and how another county could become a member of the RTA. He also discussed funding issues; the four requirements needed to expand the RTA service area; and informed board members that:

- * The RTA governing board must pass a resolution expanding its service area and enter into partnership with the county desiring participation in the RTA;
- * The county desiring to participate in the RTA must be contiguous to the RTA's current service area;

3.B. – CONTINUED

- * Martin County must consent to the expansion;
- * Participation in the RTA could only be done during a year in which the federal reauthorization bill was being considered by Congress, which was once every six years; and
- * The current federal transportation bill expired September 30, 2003, and legislation was not expected to be in place by the October 1, 2003, deadline, or even by the next election.

Lengthy discussion ensued and:

- * Commissioner Koons announced that he served as MPO Chair in Palm Beach County and also served on the Regional Transportation Organization (RTO). The MPO and RTA wanted other counties to participate and were planning to expand Tri-Rail further north into Martin County on the Florida East Coast (FEC) Railway. Additionally, the counties were in an adversarial position with the Legislature on forming the RTA because of funding issues;
- * Commissioner McCarty questioned the status of negotiations with the FEC and reasons why the RTA wanted to get involved before they had access to the track. In response, Mr. Whitfield explained that the Department of Transportation (DOT), Amtrak, and the FEC had negotiated an agreement that would allow Amtrak to only operate the FEC from Jacksonville to West Palm Beach utilizing a certain number of passenger trains per day;
- * Commissioner Masilotti advised that he wanted to have Martin County involved in the RTA, but questioned the cost benefit associated with a \$2.6 million annual commitment. Commissioner Smith explained that further internal discussion on the cost factors involved and source of funds was necessary before a final decision was made to join the RTA; and
- * Commissioner Weberman informed colleagues of internal problems with Martin County's Transportation Disadvantage Program and agreed with Commissioner Masilotti that a cost benefit analysis needed to be conducted. He added that at a cost of almost \$3.0 million a year, he had no interest in joining the RTA until it could be shown that there was some tangible benefit.

Deputy Executive Director of Tri-Rail Jack Stephens introduced Government Affairs Manager of Tri-Rail, Ella Gilbert, who discussed steps involved in determining the impact of various alternatives. These alternatives included the possibility of extending service into Martin County after which time, the Federal Transit Administration (FTA) would grant permission to enter into preliminary engineering. She further stated that Tri-Rail was entering into negotiations with the FEC regarding the options of purchasing, leasing, or operating rights on the FEC corridor.

Commissioner Marcus questioned the status of FEC corridor negotiations and Mr. Stephens replied that FEC negotiations were at a preliminary level and all options were being explored. Currently, it was being determined which alternative was the most cost effective for leasing or purchasing on the FEC corridor.

3.B. – CONTINUED

With regard to the Jupiter extension, Ms. Gilbert added that another part of the process was to present a financial plan to the FTA. Although the current funding mechanism was a 80-20 local match, due to national competition, it was anticipated that a 50-50 local match needed to be presented to the FTA.

Due to the fact that Martin County had the fourth largest population as a metropolitan area in the United States, Commissioner Masilotti questioned if historically, population size had been an advantage when it came time to disperse funds. Mr. Stephens explained that trends, positioning of representatives and senators within the congressional setting, population density and growth, among other things, were factors that impacted the process by strengthening arguments in terms of citizen needs and the developing problem.

Commissioner Aaronson discussed the current funding mechanism which required an 80-20 match and questioned the ability to continue the RTA with a 50-50 match, because additional dollars might need to be contributed in order to obtain more money from the federal government. In response, Mr. Stephens clarified that the process was non-federally matched and in terms of looking for opportunities to bring in dollars that were other than federal monies, state partners and others would be relied upon to make the match.

Commissioner Smith questioned Amtrak's role with both the RTA and Tri-Rail and queried whether dual tracking and funding had been obtained through Congress to continue further south. In response, Mr. Stephens explained that Amtrak was a partner on the current rail and leased a line from the state, which generated income into the system. With regard to the FEC railway's role with the RTA and Tri-Rail, Mr. Whitfield interjected and explained that there were stations constructed for which Amtrak and the RTA would use the same station. Tri-Rail would benefit from any physical improvements made to the track by the RTA. Mr. Stephens added that the FEC was the owner of the corridor but eventually, there would be a need to negotiate with all users of the corridor.

Commissioner Marcus requested a copy of schedule of studies being conducted and information as to when the first train in Jupiter would be operational. Ms. Gilbert responded that staff would provide a schedule.

Commissioner Smith suggested that MPO chairpersons conduct a meeting to further discuss the subject issue and Commissioner Koons advised that in the future, quarterly MPO meetings with the three south counties would include Martin County.

In response to a query from Commissioner Marcus, Mr. Whitfield replied that FDOT was responsible for negotiations with the FEC.

Commissioner Marcus recommended that Martin County communicate with the FEC and relay their strong desire to join the RTA.

Commissioner Smith requested the name of the FDOT official responsible for the FEC project and in response, Mr. Stephens advised that Martin County staff would be provided with this information.

3.C. CONSERVATION LAND & TRAIL PLANNING

3.C.1.

NORTH PALM BEACH COUNTY/SOUTH MARTIN COUNTY NATURAL AREAS MASTER PLAN. DISCUSSED WITH DIRECTION 7-16-2003

Environmental Resources Management (ERM) Director Richard E. Walesky stated that:

- * Public land managers in the north county area recognized commonality in land areas and the need to closely work together;
- * A master plan development effort was undertaken, as it was important that trails be connected for ease in public use and access;
- * Other issues were important such as the need for management coordination, sufficient environmental educational facilities, and environmental research;
- * The Palm Beach commission hired Glatting Jackson, a land planning and architectural firm, through the Consultants Competitive Negotiation Act (CCNA) process, to develop a master plan. Consultant David Barth was available to provide details;
- * The study had three out of four phases completed to date (data collection, mapping existing systems and analysis; needs, and priority assessments for public use);
- * A draft scope on pricing was currently being obtained for the last phase. The last phase would include finishing the Master Plan, making recommendations for infrastructure and additional public access points, as well as perhaps for lands that are connector pieces that might be missing in the big picture;
- * A quarter of the geographic area covered by the Master Plan was in Martin County and South Martin County;
- * There were a number of financial partners in this plan, including the MPO, who had contributed approximately \$75,000; and
- * Palm Beach staff requested funding from Martin County for the last phase of the Master Plan, which would be supplied as soon as information on the cost of the final scope, which was the last phase, was determined by Mr. Barth.

Commissioner Koons stated this was an opportunity for everyone involved to make sure the Master Plan was done correctly. Once the infrastructure was in place, there were tremendous opportunities for Martin and Palm Beach counties for eco-tourism, bicycling and canoeing. Additionally, the subject plan connected into the Lake Okeechobee Scenic Trail. FDOT had contributed funds to the project, however, the Florida Department of Environmental Protection (DEP) had not provided any funds. Specific projects currently being addressed included working with the Florida Trail Association to build a lake-to-ocean trail and within the next year, the issue of connectors would be addressed to determine how to build under the Florida Turnpike and get connected to other areas such as Martin County from DuPuis Management Area and areas further north.

3.C.1. - CONTINUED

While referring to a distributed map and at the request of Commissioner Masilotti, Martin County Water Resources Manager Kim Love described proposed trails for Palm Beach County and efforts to acquire the last five sections of Pal-Mar natural areas. This would complete the northern loop and bring the Florida Scenic Trail out of Jonathan Dickinson State Park, resulting in a total connection with Palm Beach County's trail.

Commissioner Masilotti questioned if there had been an opportunity to obtain a commitment from the South Florida Water Management District (SFWMD) to participate in the acquisition of properties in the Pal-Mar natural area. Ms. Love replied that after applying to the Florida Communities Trust (FCT), SFWMD had made a commitment to partner with the Martin County Office of Water Quality. Martin County staff were also pursuing other funding partners such as the U.S. Fish and Wildlife Service and/or the U.S. Department of Agriculture (USDA) Wetlands Reserve Program.

Commissioner Masilotti questioned how the Martin County Office of Water Quality would direct staff to conduct maintenance and Ms. Love explained that as long as the FCT had money invested in the plan, the area was open for public use. This area was a multi-benefit project to be used for recreation, restoration for the Loxahatchee River, and as an alternative water management facility.

With regard to the Martin County contribution, Commissioner Weberman questioned the magnitude of the 25 percent contribution. Mr. Blackburn explained that the magnitude was much larger than 25 percent and Mr. Walesky added that although other partners had not come forward, it was estimated that Martin County's contribution for participation in the Master Plan study would be in the range of \$30,000-\$50,000.

In order to justify costs to Martin County residents, Commissioner Weberman requested that County Administrator Blackburn send Martin County board members a memo outlining financial contribution of funds to spend for preparation of the Master Plan. County Administrator Blackburn replied that dollar amounts for the Master Plan had not been received.

Commissioner Marcus added that when dynamics of the Master Plan were completed, Palm Beach County staff were directed to:

- * Send a proposal to Martin County staff to determine if they were willing to participate in the Master Plan study.

Commissioner DiTerlizzi directed County Administrator Blackburn to make a note that a proposal be sent to Martin County staff due to the fact that budget discussions were to commence in the near future.

Mr. Walesky responded by informing members that a proposal would be sent to Martin County staff in two months or less. Additionally, Commissioner Koons stated that at the next joint meeting, it would be advantageous for staff to invite the SFWMD to address the status of programs; the comprehensive view of the restoration; and how they could be linked together.

In order to assist Martin County in deciding when to budget, Mr. Barth advised that the final Master Plan study would be completed the week ending July 18, 2003, and would be given to Mr. Walesky.

3.C.2.

OKEECHOBEE GREENWAY PLANNING STUDY. DISCUSSED 7-16-2003

Ms. Love stated that a conceptual greenways study had been approved by the board, and currently, a committee was being put together. Staff was moving forward with the subject study which included the Ocean to Lake concept.

3.C.3

OCEAN TO LAKE TRAIL CREATION. DISCUSSED 7-16-2003

Mr. Walesky informed members that the objective was to try and get the project designated by the state of Florida and the federal government in order to apply for funding.

The vast majority of the trail was situated on existing public land; however, some of the trails were not ideally suited because they were on canal banks and various roadways. Also, missing gaps still existed in the land acquisition effort, especially between DuPuis Management Area and Lake Okeechobee, which was currently being appraised.

Commissioner DiTerlizzi questioned if it was possible to have a joint request between the two commissions and the MPO's of the DEP in order to start the planning process. Mr. Walesky replied that an informal application process had commenced and all that was required was for Martin County to allow their public lands to be used for future trails. Once the land had been designated, it was a simple process.

Commissioner DiTerlizzi requested that Mr. Walesky meet with Ms. Love to review the planning process, to which Mr. Walesky concurred.

Ms. Love added that the Pal-Mar east parcel of land needed to be acquired before any type of certification was conducted. There was also a potential for other trail options and Martin County staff had been working with Land Stewardship Division Director for the South Florida Water Management District (SFWMD), Fred Davis.

Commissioner Koons suggested creating multiple trail options for different types of uses such as eco-tourism and waterways trails, to which Ms. Love concurred.

3.C.4.

ECO-TOURISM STRATEGY. DISCUSSED 7-16-2003

Commissioner Koons made the following suggestions to staff:

- * Make sure everything was coordinated because once the system was in place, people would come from all over the world to implement these systems, due to the fact that our system would be unique;
- * Give support to Commissioner Masilotti in focusing on the Lake Okeechobee Scenic Trail. He also voiced frustration with the state of Florida for not providing funds for this program; and
- * Create a memo suggesting how to get the state of Florida to provide funds.

3.C.4. - CONTINUED

Commissioner Masilotti made the following comments:

- * The Lake Okeechobee Scenic Trail ran through Martin County and plans were being completed to finish it through Palm Beach County. Unfortunately, there would be a shortfall because DEP had not allocated committed funds in the budget to the project;
- * The Lake Okeechobee Scenic Trail and other trails would be huge providers of tourism dollars and jobs; however, there needed to be some concerted effort through the Tourist Development Council (TDC);
- * Questioned the steps Martin County was taking in promoting eco-tourism. Commissioner DiTerlizzi replied that Martin County passed a tourism tax in November 2002; established a TDC; and was in the process of developing a marketing plan. Additionally, he stated that eco-tourism was part of the tourism plan; tourist taxes related to off-season; and the marketing plan, once developed, would include a big part of eco-tourism; and
- * Suggested both counties coordinate through their TDC's in the future when it came to marketing because scenic trails and greenways would be linked.

Commissioner Marcus discussed eco-tourism marketing for groups of people who enjoyed hiking and walking.

Commissioner Aronson requested Commissioner DiTerlizzi contact him or the executive director of TDC in putting resources together for eco-tourism, as it would benefit the economy of both counties tremendously.

Commissioner DiTerlizzi questioned if Martin County had given any financial assistance to the Okeechobee Scenic Trail and Ms. Love explained that DOT had been in charge of this issue, but she did not know if Martin County had given any financial assistance to the subject project.

Commissioner DiTerlizzi directed County Administrator Blackburn to have Assistant to the County Administrator David Graham submit a draft letter to the legislative liaison asking for financial commitment from the DEP.

County Administrator Blackburn suggested that this item be placed on the joint agenda for both counties.

3.D.

UPDATE ON SCHICKEDANZ/ISLAND WAY EXTENSION. DISCUSSED 7-16-2003

Martin County Transportation Planning Administrator Gary Roberts gave an update on the interlocal agreement between Martin County, Palm Beach County, and the Town of Jupiter for the Island Way road extension. Mr. Roberts stated that:

- * Martin County entered into the interlocal agreement on February 12, 2002, with Palm Beach County and the Town of Jupiter;

3.D. – CONTINUED

- * Martin County and staff members had been moving forward with certain requirements outlined in the interlocal agreement;
- * Staff took the conceptual alignments contained in the original interlocal agreement to the Martin County Board of County Commissioners and executed a development agreement in September 2002, with individuals that were responsible for constructing and acquiring the right-of-way for the roadway facility for Martin County;
- * An application based on the alignment had been submitted to SFWMD in the first part of 2003, and a permit was anticipated from the Martin County board in August 2003;
- * A text amendment would be presented to the Martin County board on August 5, 2003, which related to the Comprehensive Plan with regard to facilitating negotiations or coordination with Palm Beach County to ensure the road was in place at the proper time;
- * Staff had been meeting with several property owners to discuss alignment and access considerations. On June 24, 2003, the Martin County board directed staff to continue property owner negotiations; however, if negotiations failed, staff was permitted to begin the eminent domain process with the stipulation that there be traffic calming features, particularly on the north end of the corridor, and two 10-foot, temporary easements on each side;
- * Staff would return to the board on August 5, 2003, to finalize the alignment as staff proceeded through the finalization of the process; and
- * Deeds from the Nelson property, located just north of the Palm Beach County line, had been received a few days ago for right-of-way for construction of the roadway.

Commissioner Marcus questioned if C-1 Alignment had been selected. In response, Commissioner DiTerlizzi explained that there had been some question as to the definition of C-1;

Commissioner Weberman informed County Administrator Blackburn and Martin County Transportation Planning Administrator Gary Roberts that Martin County board members had made a commitment and signed a contract agreeing that the subject road in Martin County would be a slow speed, traffic calmed, wetlands avoidance road; and

Commissioner Marcus questioned the status of the permitting process and Town of Jupiter Assistant Town Manager Andrew Lukasik responded by stating that the development order approved by council required construction of the Island Way corridor by June 30, 2004. Staff had been proceeding with that date in mind.

Mr. Lukasik voiced the following concerns regarding the Island Way Corridor:

- * Storm water management design concerns had briefly been reviewed by staff who ascertained that many of the systems were disjointed and not functioning properly as a whole. These items were currently being reviewed by a consultant;

3.D. – CONTINUED

- * Protections required by the development order, such as managing storm water flow and moving it away from existing residents, were not going to meet the expectations of the development order. These issues were currently being addressed by staff; and
- * An administrative hearing regarding technicalities of recent approvals of the Town of Jupiter's Comprehensive Plan amendments was in progress. The town attorney was in the process of taking depositions from parties that had filed the challenge and staff was currently working through that process and trying to stay on the schedule approved by the development order. There also were engineering issues, with respect to storm water, that needed to be addressed.

Commissioner Marcus queried the fact that the Town of Jupiter's portion of the road needed to be completed by June 30, 2004; however, Martin County would not complete their portion of the road until 2005. Mr. Lukasik clarified that it was possible the 2004 requirement was for the developer's portion of the road and stated he would verify these dates. Commissioner Marcus also questioned a condition in the agreement stating that the project would have to come back. Mr. Lukasik replied that the project would be returned if the 2004 date was not met.

Commissioner DiTerlizzi questioned engineering and drainage issues and Mr. Lukasik replied that an outside professional was analyzing this issue. After consideration of Mr. Lukasik's response and to be sure the plan met all requirements, Commissioner DiTerlizzi requested Mr. Lukasik to coordinate with Martin County staff and conduct an in-house review addressing how the subject plan fell within Martin County Roadway Land Development Regulations (LDR) and drainage requirements.

Commissioner Masilotti inquired if the roadway designer encountered problems from environmental groups and if there had been concerns with where roads were being located. Mr. Lukasik stated he was not aware of any concerns.

Commissioner Marcus questioned if any permitting agencies had rejected the roadway design. In response, Palm Beach County Roadway Reduction Division Project Engineer Bill Sears advised that staff had been reviewing the developers' plans and coordinating with various permitting agencies. After resubmission of the environmental resource permit application, all questions on the application had been accepted.

Commissioner DiTerlizzi questioned if Mr. Roberts had an opportunity to review the roadway plans, to which Mr. Roberts concurred. Aside from the alignment, which the developer said he would change and return to C-1 based on board direction, would staff be able to review those plans for compliance with Martin County rules. Mr. Roberts concurred and stated that the developer would attend the August 5, 2003, meeting.

Commissioner Weberman voiced road concerns and Commissioner Marcus added that council members from the Town of Jupiter would clarify this issue, as it sounded like there were two different dates involved.

RECESS: The chair recessed the meeting at 12:05 p.m.

RECONVENE: The meeting reconvened at 12:35 p.m.

3.E.

UPDATE ON SEAFARER PIPELINE. DISCUSSED 7-16-2003

Martin County Environmental Administrator Ross Wilcox gave an outline of the Seafarer and Gulfstream Pipelines and mentioned the following:

- * The Seafarer Pipeline was a proposed pipeline originating from the Bahamas into the Port of Palm Beach, then traveling up Route 10 into the Indiantown Florida Power & Light Company (FPL) site;
- * In February 2003, the joint boards issued a letter indicating to the president of FPL their concerns on environmental and other issues;
- * The Gulfstream Pipeline, a separate pipeline coming in from Louisiana through the Port of Tampa, and going north above Lake Okeechobee, was permitted and had federal and state permits. One segment of the subject line had been completed into Polk County; and
- * The second leg of the pipeline extension will travel from Lake Okeechobee down the eastern side of Lake Okeechobee and Route 710 to the Martin County plant site. It will be operational in late 2004.

With regard to the Gulfstream permitting process, Commissioner Heard requested an assessment of how effectively Dr. Wilcox had advocated for Martin County during the team permitting process.

In response, Dr. Wilcox explained that he had participated in team reviews, document reviews, and some of the mitigation activities that were involved in the eastern part of the routing process. He felt his suggestions were implemented and considered. Impacts of the pipeline were minimized because existing rights-of-ways were being followed and none of the environmentally sensitive lands were proposed to be impacted.

Commissioner DiTerlizzi questioned if there was discussion on public commitment, impact fees or funding of government projects throughout the community, and if there were any community projects or opportunities for extraction.

Dr. Wilcox explained that there were commitments for community involvement, especially for the Gulfstream Pipelines, and there were a number of commitments made by Gulfstream to assist in some of the local communities. Additionally, there were commitments made to the Indiantown area.

Commissioner DiTerlizzi directed Dr. Wilcox to supply a breakdown of the commitments made to the Indiantown area.

Commissioner Smith questioned if anything was done with bonding of any issues on the maintenance routine and Dr. Wilcox replied that there would be bonding in the next construction phase, but he was not sure of all the construction details at the present time.

Commissioner Weberman advised that if state roads were being used, Martin County could not mandate DOT to notify the counties when work was done on a state right-of-way.

3.E. – CONTINUED

After consideration of additional information from Commissioner Masilotti, Commissioner DiTerlizzi requested that either County Administrator Blackburn or Dr. Wilcox make a request to DOT, under the Public Information Act, for copies of all their documentation. This would inform Martin County when DOT would be doing work on state right-of-ways and would keep Martin County Emergency Services Department alert and abreast of when work was being done on a right-of-way or when maintenance was being conducted on a pipeline. One request to DOT would keep Martin County continually apprised of state right-of-way projects.

Commissioner Smith informed colleagues that other states had agreements in place which stipulated that every time maintenance was to be conducted on a pipeline, timing agreements stipulated that the jurisdiction had to be notified in advance, and bonds were in place in case damage was done to a wetland or natural habitat, but he was not sure if this was relative to a county or state right-of-way.

3.F.

OVERVIEW OF PALM BEACH COUNTY SECTOR PLAN. DISCUSSED 7-16-2003

Planning, Zoning and Building Executive Director Barbara Alterman stated that a contract had been implemented with WilsonMiller, Inc., to do a Sector Plan for approximately 57,000 acres in the central western communities. The subject plan would consist of open agriculture and existing residential development and would try to balance serving the communities and make sure development proceeded in an orderly fashion.

Ms. Alterman explained that last month, the Palm Beach County commission heard a presentation from WilsonMiller, Inc., on the latest drafted version of the plan. The hybrid plan consisted of elements of both a rural stewardship and an Agricultural Preservation plan. The board then further directed staff to do modifications to the plan and return it for further review. Further direction would then be obtained on going forward with the next implementation stage.

Commissioner DiTerlizzi questioned mechanisms to be used and Ms. Alterman discussed the 50/50 development cluster on new residential areas. Staff was instructed not to allow additional density in that area. Additionally, lot size and preserving open space were issues that would be brought back to the board.

Commissioner Masilotti explained that the county was working on incentives to allow clustering in order to keep the vast majority of the area open space which would allow SFWMD to acquire the area free of charge. Keeping the area as open space would also allow units to be moved into one area, maintaining the rest of the area as permanent open space through perpetuity, reducing the amount of services required, such as running a bus to pick up youngsters for school, delivering mail, and provision of emergency services. Additionally, density would not increase and additional homes would not be built other than those originally approved.

Commissioner DiTerlizzi questioned if the agricultural community felt staff was moving in the right direction. Ms. Alterman replied that it was a balancing act to maintain open space, which the community definitely wanted, and still allow some development to proceed while maintaining a rural character to the area.

3.F. – CONTINUED

In response to queries from Commissioner Smith as to what staff was trying to accomplish with the Sector Plan, Ms. Alterman explained that staff was directed to significantly reduce commercial areas and not go over the 20,000 dwelling-units limit on residential areas.

Commissioner Marcus explained that the board disposed of the consultant, re-created some of their work, and gave staff direction with the possibility that staff would give the board additional suggestions or recommendations. The original recommendation from the consultant was to do a 70 percent preserve, but the board wanted larger lots with more rural-type uses. There also was the question of whether there was to be a water storage reserve for south Florida versus Agricultural Preservation.

Commissioner Koons commented that residents became upset when they saw the proposed road network. He further mentioned road building strategies and levels of service and stated that residents in the area were looking at two-year planning horizons; however, staff saw the need to address 20-year planning horizons to avoid future traffic congestion.

Commissioner Marcus added that residents objected to taking an existing roadway system and expanding it to the four and six lanes necessary to build a highway.

Commissioner Heard questioned why staff elected to significantly scale down commercial development. Commissioner Marcus replied that the amount of commercial area would exceed resident needs so staff had tried to be more realistic about containing traffic and the amount of daily trips;

Commissioner DiTerlizzi questioned the level of service for commercial areas and Ms. Alterman stated that the consultants conducted a Needs Assessment and then determined how much commercial area was necessary; however, the Palm Beach commission decided to further reduce commercial areas.

Commissioner Masilotti explained that Palm Beach County wanted to address the creation of an industrial-type employment center instead of general commercial areas which would allow reverse transit. People would be traveling west in the morning instead of going east, which would help alleviate the need for future expansion of other roads.

3.G.

DISCUSSION ON CAULERPA IMPACTS. DISCUSSED 7-16-2003

(CLERK'S NOTE: A copy of a distributed rap sheet was not given to the minutes clerk.)

Dr. Wilcox briefed board members on the issue of Caulerpa impacts and the potential for Caulerpa, which was an exotic invasive marine algae species, to invade the Martin County Indian River Lagoon and replace native sea grass species.

Dr. Wilcox stated that Harbor Branch Oceanographic Institute Research Scientist Dr. Brian LaPointe hypothesized that the explosive growth of Caulerpa was fueled either by nitrogen from sewage discharges or seepage from deep-well injection of waste matter.

3.G. – CONTINUED

Commissioner Marcus voiced concern as to whether Caulerpa impacts affected county reefs.

Mr. Walesky stressed that board members should not overreact as Caulerpa impacts possibly could be a cyclical, regular, natural occurrence. Mr. Walesky further added that there was a group studying the causal effects of Caulerpa and hopefully, information gathered from the study would give staff direction as to how to respond to the subject issue.

In response to concerns raised by Commissioner Marcus, Mr. Walesky replied that:

- * The issue of the rapid growth of algae in various areas was not new and it was affecting some offshore reefs;
- * Other similar species had affected offshore reefs in the past, but had been very short-lived and cyclical;
- * From a Palm Beach County perspective, Caulerpa was less of a concern than in the Indian River Lagoon area; and
- * Indian River Lagoon Advisory Board members had directed some of their resources to monitoring efforts and were conducting aerial over-flights to determine if they could pick up the algae in their infrared, aerial, over-flights.

Commissioner Marcus questioned if the invasion of Caulerpa was caused by sea lice and Mr. Walesky gave an explanation as to why this invasion was not caused by sea lice.

3.H.

LEGISLATIVE PRIORITIES. DISCUSSED 7-16-2003

Commissioner DiTerlizzi announced that several Martin County board members sat on the board of directors or on committees in the Florida Association of Counties (FAC) and had worked very hard to help convince the legislature to address county needs. Commissioner DiTerlizzi also discussed unfunded mandates and Article V, Revision 7.

Commissioner Marcus informed board members that she spoke to two legislators regarding the issue of Medicaid and cost shifts and was told there was a possibility these issues would resurface this year (2003).

Commissioner DiTerlizzi stated Martin County was impressed by the fact that Palm Beach County sent Truth in Millage (TRIM) notices to citizens apprising them of information regarding cost shifts and what the legislature had done to their tax bills. He advised that this was an excellent opportunity to keep the public informed and Martin County had contemplated doing the same thing.

Commissioner Masilotti informed Commissioner DiTerlizzi that he thought health care, Lake Okeechobee Scenic Trail, and the RTA would be issues of the highest priority. Commissioner DiTerlizzi replied that the aforementioned issues were on the priority list. Commissioner Marcus added that both counties would continue to work together as the FAC on cost shifts.

3.H. – CONTINUED

Palm Beach County Director of Legislative Affairs Todd Bonlarron advised board members on the issue of shared title on conservation lands and the desire to continue working cooperatively with Martin County on this issue.

Additionally, Mr. Bonlarron mentioned there was some interest in the Comprehensive Everglades Restoration Plan (CERP), both federally and at the state level, and reiterated the desire to continue working cooperatively on this issue.

Commissioner DiTerlizzi announced that due to the fact the Loxahatchee River fell within both counties, the Indian River Lagoon feasibility study as well as CERP should also be a part of cooperative work between both counties.

In response to a query from Commissioner Smith regarding federal lobbyists, Commissioner Marcus responded that Palm Beach County used the services of U.S. Strategies Corporation. If desired, Commissioner Smith would be supplied with their contact information.

Commissioner Koons stated that he wanted to make sure the North Everglades issue was scheduled for the next joint workshop meeting. The water manager and DEP would be in attendance, and discussion on the issue of Indian River would be conducted at the subject meeting.

Commissioner DiTerlizzi requested that County Administrator Blackburn meet with County Administrator Weisman and have someone attend the September 2003 North Everglades workshop.

Commissioner Weberman questioned how Palm Beach County was notified of lake releases to the south and also, how they were notified when the system was being tweaked. Commissioner Marcus replied that Palm Beach County was notified of lake releases by newspaper.

Commissioner Weisman stated that news releases regarding C-51 had been rerouted, which had never been an issue for Palm Beach County because there was nothing environmentally sensitive about C-51.

Commissioner Marcus suggested conducting the next joint meeting early next year (2004) with the FAC. Commissioner DiTerlizzi advised that the Martin County Administrator would contact the Palm Beach County Administrator to arrange the next joint meeting.

Commissioner Marcus announced that the meeting was helpful, enjoyable, and a great deal had been accomplished.

4. ADJOURNMENT

The Chair declared the meeting adjourned at 1:00 p.m.

ATTESTED:

APPROVED:

Clerk

Chair