



Don't blame jurors for failing to find guilt

After a five-day trial, jurors decided not enough evidence had been presented to prove Commissioner Sarah Heard was guilty as charged. pg 15

FREE

Martin County **CURRENTS**

Volume 9 Issue 2
June 2019

How low is too low?

The debate grows over Lake O water levels pg 12

Photo: SFL/MD



Opportunity (zone) knocks
pg 7



A new way to park
pg 17



ITown Mayor defends stance
pg 20

As water recedes in Lake O, the rarely seen Okeechobee gourds begin to grow.

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Through July 26 Waiting list for Turtle Walks

All the slots are filled but Hobe Sound Nature Center is taking names for its waiting lists for the Sea Turtle Nesting Walks, which occur on Thursdays and Fridays, through July 26 (no walks the week of July 4). A total of 30 people maximum per night. If you get called to fill a slot, meet at the Nature Center,

13640 S. U.S. 1, Hobe Sound at 8 p.m. to sign in; orientation will be at 8:30 p.m.; participants will then drive to a public beach to wait in a covered pavilion until a nesting loggerhead sea turtle is located. No flash photography. Cost: \$5 per person. To have your name put on the waiting list, call 772-546-2067 or go to http://hobe-soundnaturecenter.com/event_calendar/book_event.

Through July 28 Between the Tides exhibition

If it's a rainy, thundery day outside, go inside and get a look at the maritime artwork by Ron Garrett being showcased at the Elliott Museum, 825 N.E. Ocean Blvd., Stuart through July 28. This collection is designed to celebrate our maritime heritage and the living waters by Garrett. Featured are mixed-media sculptures, paintings, linocuts and etchings of marine life and shipwrecks found in the waters from Biscayne National Park up to the Treasure Coast. Select pieces also are being shown at the House of Refuge Museum, 301 S.E. MacArthur Blvd., Stuart. The Elliot exhibit opened May 21 with a Meet The Artist Reception held May 23. Elliot Museum is open 10 a.m.-5 p.m., daily; 1-4 p.m., Sundays. Admission: \$14 adults; \$12, seniors over 65; \$6, children, 6-12, under six are free; \$13 to military personnel with current I.D. Call 772-225-1961 or go to www.elliottmuseum.org.

Through Aug. 10 Summer Reading Program

With Martin County public schools dismissing on May 30, youngsters can have fun reading during the summer when they sign up for the Martin County Library's Sum-

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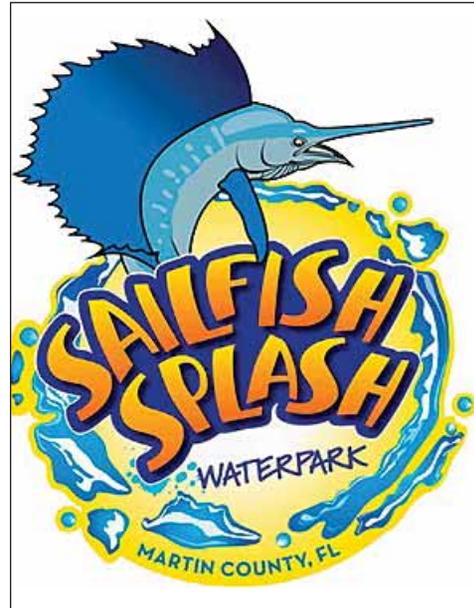
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mer Reading Program, which launched May 31 and runs through Aug. 10. Open to youth, from infancy up to those entering 12th grade, prizes will be awarded. Kids can read to earn FREE prizes and an invitation to the Finale Party. Teens can earn 30 minutes of volunteer time by submitting book reviews and a chance to win a \$50 Amazon gift card. Details: www.martin.fl.us/Libraries.



Friday, June 14 Splash and Movie Night

Keep your fingers crossed that no storms will dampen Splash and Movie Night on Friday, June 14, at Sailfish Splash Waterpark, 931 S.E. Ruhnke St., Stuart. Enjoy frolicking in the water from 6 to 7:45 p.m., then relax on an inner tube to watch "The Lego Movie 2: The Second Part" at 8:15 p.m. Splash and Movie Night tickets are \$12.95 and can be purchased online only. Tickets are non-refundable. In case of inclement weather, the event will be Friday, June 21. Go to www.SailfishSplash.com and click on "Buy tickets now."

Saturday, June 15 ARC KDW Fishing Tournament

Get those rods & reels ready for the Sixth Annual ARC KDW Fishing Tournament on Saturday, June 15 kicking off at 7 a.m. Anglers who participate are supporting programs and services provided by the ARC of Martin County throughout the Treasure Coast region. A Captains Meeting is planned for Friday, June 14 at 6 p.m. at Manatee Island Bar And Grill, 4817 S.E. Dixie Highway, Port Salerno. A total of \$5000 in cash prizes for 1st, 2nd and 3rd places will be awarded to the boats with the heaviest of each species, as well as a cash prize for top Junior Angler, and top Lady Angler. Registration: \$200 before May 30; \$250 after. To register or more information, go to www.arcmc.org or call 772-283-2525.

Saturday, June 15 Mrs. P's Dance & Acrobatic Studios 12th Annual Dance Showcase 2019

You'll get to see all kinds of dance and acrobatics in Mrs. P's Dance & Acrobatic Studios 12th Annual Dance Showcase 2019, set for Saturday, June 15 at 4 p.m., at the Lyric Theatre, 59 S.W. Flagler Ave., Stuart. Works of ballet, tap, jazz, hip hop, lyrical, contemporary, musical theatre, pointe, acrobatics and more will be featured in the 12th such showcase. Featured will be the Extreme Dancers Competitive Team members who are current Regional and National Dance title holders. Tickets: \$27. Go to www.lyrictheatre.com or call 772-286-7827.

Thursday, June 20 World's Largest Swimming Lesson

If you've got youngsters who have never ventured into the water - ocean or pool - above their knees, here's a chance for him or her to take part in a FREE swimming lesson offered at Sailfish Splash Waterpark, 931 Ruhnke St., Stuart on Thursday, June 20. This is the 10th year for the 2019 World's Largest Swimming Lesson with Team WLSL continuing its goal to reach more than a billion internationally with the message that "Swimming Lesson Saves Lives." Parents/guardians are required to complete the forms for each child who will be participating in the event. "Day of" registration begins at 9 a.m. and the 30-minute swim lesson starts at 11 a.m. Complete the registration form online at www.martin.fl.us/worlds-largest-swim-lesson-sailfish-splash; or the form can be downloaded online at www.SailfishSplash.com.

Thursday, June 20 Dinner Dance - A Benefit for The Club

If you haven't danced in years or if you've just recently "tripped the light fantastic," you might still want to consider attending the Dinner Dance - A Benefit for The Club at the Kane Center, 900 S.E. Salerno Road, Stuart on Thursday, June 20 at 5 p.m. Featured will be live entertainment by Daryl Magill and a gourmet dinner - chicken florentine, infused wild rice, fire-roasted corn and dessert - will be prepared by Chef Christopher Collier. Tickets: \$15 per person/\$80 for a table of eight. The Club is an Integrative Memory Enhancement Program offered at the Kane Center. Go to www.kanecenter.org or call 772-223-7800.

Calendar

continued from PAGE 3

Thursday, June 20
Bingo Italian Night

Enjoy an Italian dinner, then get ready to win prizes at Bingo Italian Night, set for Thursday, June 20 at St. Luke's Episcopal Church, 5150 S.E. Railway Avenue, Cove Road at Old Dixie Highway, Port Salerno. Doors open at 5 p.m.; dinner is at 5:30 p.m.; Bingo begins at 6:30 p.m. Cost of \$10 includes a Bingo card and a pasta dinner with salad and dessert. Beer and wine will be available for a donation along with the purchase of additional cards and specials. For more information, call 772-286-5455 or go to www.stlukesfl.org.

Saturday, June 22
Lionfish Round-Up 2019

They're invasive and not all that nice to look at, either. That's why there's a planned Lionfish Round-Up (the ninth one), set for Saturday, June 22 at Jupiter Pointe Marina, 18701 S.E. U.S. 1, Tequesta. Cost: \$70 per diver/\$210 for a team of four before June 15; cost is \$85 per diver and \$250 for team of four after June 15. Mandatory diver's briefings are Thursday, June 20 at Pirates Cove Re-



sort & Marina or Friday, June 21 at Blue Pointe Bar & Grill at Jupiter Pointe Marina. A fish tally/awards party are Saturday, June 22 at 2 p.m. Lionfish threaten our natural reef systems throughout the Caribbean and along the southeastern seaboard of the United States. They are popular with aquarium enthusiasts around the world. To register, go to www.mclionfish.com or email info@mclionfish.com.

Thursday, June 27
Story Time in the Gallery

Youngsters can can a fun art-themed education at Story Time in the Gallery on

Thursday, June 27, 10-11 a.m., at the Arts Council of Martin County, 80 S.E. Ocean Blvd., Stuart. The program is sponsored by PNC Bank's Arts Alive program, which offers art-themed story time on the last Thursday of each month, geared towards families of preschool children. FREE. Call 772-287-6676 or go to martinarts.org.

June 27, 28, 29, 30
StarStruck's 'Mamma Mia'

Love the music of Abba? So do the students at StarStruck Academy Theatre, 2101 S. Kanner Highway, Stuart. and the group - fifth through 12th graders - are spending almost all of June getting their production of "Mamma Mia!" ready for your viewing & listening pleasure. Performances are June 27, 28, 29 at 7 p.m.; June 29 at 2 and 7 p.m.; and June 30 at 2 p.m. Tickets: \$19.99-\$39.99. Call 772-283-2313 or go to www.starstruckfl.com

Saturday, June 29
2019 Endless Summer River Paddle & Sandbar Party

It's just a few weeks away but you probably can still get your rowing arms in shape for the 2019 Endless Summer River Paddle & Sandbar Party by Club Scrub on Saturday, June 29. Paddle from Jonathan Dickinson State Park River Area/Swim Beach five miles down the northwest fork of the Loxahatchee River. Stop at floating refreshment/party boats along the way. Rest for a bit then paddle the rest of the way to the Rocking Jupiter Sandbar Party. A few hours later, you'll paddle back to the park with the current. Registration fee: \$45 for Club Scrub members; \$50 for non-members. Registration fee includes park admission. One free draft with your entry, then \$3 per glass. Lunch will be catered by 3 Natives. Chips, fruit and soft drinks at Sandbar Party. Arrive at park no later than 10 a.m. Paddling begins at 10:45 a.m. Event slated to end at 5 p.m. Register in advance only. Go to www.clubscrub.org.

Sunday, June 30
Music at the Mansion

rhythm & blues sounds of the Melinda Elena Band will be wafting through the early evening air in the Music at the Mansion program at the Mansion at Tuckahoe, 1707 N.E. Indian River Drive, Jensen Beach on Sunday, June 30 at 5 p.m. FREE. Activities for youngsters are planned and food and drinks will be

available for sale. No coolers allowed. Call 772-463-3201.

Wednesday, July 3
Beach Dynamics

Put on those hiking shoes and join naturalist Kim Mohlenhoff in a hike at the Hobe Sound National Wildlife Refuge beach on the north end of Jupiter Island for Beach Dynamics Wednesday, July 3 at 3:30 p.m. This could be a beach combing adventure to find treasures brought to our shores by ocean currents and waves. Watch for wildlife, pick up some trash and litter along the way. Reservations are required. All ages. FREE. Call 772-546-2067 or go to www.hobesoundnaturecenter.com.

Thursday, July 4
4th Of July Flying Over Flagler Park

Grab a good spot early at Flagler Park, 201 S. Flagler Ave., Stuart during 4th Of July Flying Over Flagler Park, not just to see the fireworks but to watch Stuart Air Show pilots roar through the sky. On Thursday, July 4, from 6 to 7 p.m., pilots John Black, Gene McNeely and Chefpitts Airshows will fly their American Champion Decathlon, North American T6 Texan, and Pitts Special S1S planes. At 7:30 p.m., a Rock'n Riverwalk concert - sponsored by Stuart Main Street - will be on the Riverwalk Stage. At 8 p.m., attendees can pose for pictures with the pilots before the fireworks start at 9 p.m. Right after, the Rock'n Riverwalk concert recommences. Admission: FREE. Hotdogs and hamburgers will be for sale at the park. The city tram will remain in operation throughout the day to shuttle residents and guests around town. Go to www.stuartairshow.com.



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High hopes for 'nicer' commission meetings

Even prior to his election in 2016 as a Martin County Commissioner, Harold Jenkins called for greater civility among commissioners, staff and the public, and improved customer service for all governmental functions. After his election, he soon proposed a civility code, after talking to several other groups and studying civility codes of other governmental bodies.

He posted his final draft in early 2017 on the lectern used for public comment in the commission chambers, and immediately he was lambasted for attempting to stifle the public's First Amendment rights to free speech. The code was removed, but Jenkins persisted.

"In no way is this an attempt to infringe on anyone's rights to express their thoughts or their concerns," he said. "It is just merely an attempt to remind people – commissioners included – to be courteous and respectful to each other, even when we disagree."

The commission again deliberated April 28 this year on adding civility standards to the county's Rules and Procedures manual, finally adopting unanimously the following points:

- Treat everyone courteously.
- Give open-minded consideration to all viewpoints.
- Listen to others respectfully.
- Focus on the issues and avoid personalizing debate.

- Exercise self-control.
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

"Of course, we cannot force people to do this," Jenkins added. "It's entirely on them, though, if they insist on acting like spoiled children throwing a temper tantrum, knowing everyone else in the room understands the meaning of common civility."

He says his hope is that conducting "the people's business in a civil manner" may encourage more residents to voice their opinions at commission meetings, becoming more involved with their local government, "as it should be." ■

Giunta, Hoffman named to new leadership positions

Two local women were tapped recently to serve in leadership positions at organizations dedicated to fostering the well being and education of Treasure Coast children.

Angela Hoffman, the CEO of the Hobe Sound Chamber of Commerce for the past eight years, was recently named Chief Advancement Officer for the Boys & Girls Clubs of Martin County Inc. She will continue to serve the Hobe Sound Chamber through July 4, and begin her

new responsibilities August 5.

A farewell breakfast for Hoffman is planned for Thursday, June 13, at the Hobe Sound Bible College on Gomez Avenue in Hobe Sound at 8 a.m. Reservations may be made by calling 772.546.4724.

A search is already underway for candidates to take Hoffman's place.

"I'm excited for the chamber," Hoffman said. "The search committee won't be looking for someone to fill my shoes; they'll find someone to make their own footprints, who will take the chamber to the next level."

She also was recently named chair of the Children's Services Council of Martin County, a post previously held since 2016 by Bill Tulko.

Hoffman, a UF graduate who joined the executive team at the Hobe Sound Chamber in 2011, also is currently vice president of the Business Development Board of Martin County, chair of the Early Learning Center of Hobe Sound Advisory Board, and former chair of the Hobe Sound Neighborhood Advisory Committee. She and her husband, Jason, are the parents of two daughters.

The Children's Services Council, a voter-approved taxing authority, ensures that its dedicated funding supports quality programs and services for the children of Martin County.



Leigh Giunta



Angela Hoffman

In another recent appointment, Leigh Giunta, first vice president, PIM portfolio manager, and financial advisor at Wells Fargo Advisors, was appointed by Gov. Ron DeSantis as chairwoman of the

Early Learning Coalition of Indian River, Martin and Okeechobee Counties.

Giunta, a licensed investment professional for more than 24 years, is a director of the Alliance for Better Community Schools, Inc, which led the successful referendum in Martin County last year to change from an elected school superintendent to an appointed one.

A resident of Palm City, Giunta takes over the local Early Learning Coalition position from outgoing board chair Brandon Tucker, who had completed his term.

Giunta has been active in a number of other local organizations, including the Martin County Taxpayers Association, Soroptimist International of Stuart, Hibiscus Children's Center, Leadership Martin County, and The Historical Society of Martin County. She and her husband, David, are the parents of twin daughters.

The Early Learning Coalition of Indian River, Martin and Okeechobee Counties, one of 30 statewide and headquartered in Stuart, is a non-profit that provides the resources, advocacy, leadership, coordination and oversight for early care and education from birth to school-age children. ■

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The Azul Apartment complex in downtown Stuart has begun leasing units with an anticipated move-in date of August 1.

Former Stuart editor Nancy Smith among Azul's first tenants

Housing choices in downtown Stuart will expand this summer with the opening August 1 of the Azul Apartments on Joan Jefferson Way. Among the first six tenants who already signed a lease is Nancy Butler Smith, executive editor of Sunshine State News, based in Tallahassee.

"The location is fantastic," said Smith, who was The Stuart News editor for 28 years prior to accepting her position at SSN about 10 years ago. "I've always wanted to live in downtown Stuart."

Smith will continue to lead SSN's editorial department, which will require periodic commutes to Tallahassee, she said, but it also means she'll be back home in familiar territory among family, friends, and only a stone's throw from City Hall.

The 1.6-acre parcel directly across from the sailfish fountain roundabout is owned by the City of Stuart, purchased for \$1.5 million in 2013 with an eye, at first, toward building a parking garage. Marketing studies, however, demonstrated that the city would receive a greater long-term return on its triangle-property investment by allowing a developer to build rental apartments.

With proposed monthly rents estimated at the time by New Urban Communities to be in the range of around \$1,200 - \$1,500, an apartment complex also would meet a demonstrated need for additional housing within city limits.

A 99-year contract was signed, tax concessions made for the first 10 years, and a timeline that guaranteed completion by June 2020. Instead, they will finish 10 months ahead of schedule.

The New Urban Communities website is now taking apartment reservations for the remaining 43 units. The advertised rental prices are slightly higher than first estimated; in fact, rental rates were not published until the units went on the market this spring.

The least expensive unit, an 800-sq-ft one-bedroom, one-bath unit, leases for \$1,495 per month. To increase the space to 1,062 sq. ft. also increases the rent to \$2,095.

The most popular size, two-bedroom, two-bath apartments begin at \$2,095 for 1,135 sq. ft. and \$2,895 for a 1,332 sq. ft. unit. Thirty-four units are available.

Four luxury units of three bedrooms and two baths are offered at a beginning price of \$3,195 per month.

All the apartments have high ceilings and gourmet island kitchens. Some have river views with balconies and covered parking. Those units that do not include parking can lease an on-site parking space for an additional \$99 per month.

Amenities include a fitness center, club room and a swimming pool. Tenants are required to purchase a minimum \$100,000 liability insurance policy. Smith added.

The additional charges are worth it, she said. "The stars aligned (to make the move possible)," she added. "I'm very excited."

Additional projects in downtown Stuart include Seminole Bluff, which will offer 20 units starting at \$1.1 million, and River House Stuart, offering 15 condos and five townhouses starting at \$850,000.

Clerk of Court's record of excellence recognized nationally

For the 25th consecutive year, the Martin County Clerk & Comptroller's Office was recognized for excellence in financial reporting by the Government Fi-

nance Officers Association of the United States and Canada, and honored by Martin County Commission Chair Ed Ciampi.

"This is no small achievement," Ciampi remarked during a January commission meeting. "We should not take our Comptroller's record of excellence for granted, just because she makes it look easy."



Clerk of Court Carolyn Timmann

The Certificate of Achievement for Excellence recognized Martin County's comprehensive annual financial report for fiscal year 2017. The report provides transparency and insight into how the county manages public funds.

"Obtaining this milestone certificate is the highest form of recognition in governmental accounting and reporting," said Clerk of the Court Carolyn Timmann. "My entire professional finance team shares in this accomplishment. The record of 25 consecutive years of achievement is a testament to their dedication of financial reporting and government transparency to our taxpayers."

The Florida Constitution established the independent office of the Clerk & Comptroller as a public trustee, responsible for safeguarding public records and public funds. In addition to the roles of Clerk of the Circuit Court, County Recorder and Clerk of the Board of County Commissioners, the Clerk & Comptroller is the Chief Financial Officer, Treasurer and Auditor for Martin County, and is an elected official. ■

Florida loses three prominent Democrats

Three elder statesmen who had a lasting impact on Martin County, indeed, on the entire state, and were often called "titans of Florida's golden age," all died on the same weekend in May.

South Florida native and long-time chairman of the South Florida Water Management District Governing board, attorney Allan Francis Milledge, 88,

died May 24. The 1975 author of the state's first growth management plan, he also chaired the Environmental Land Management Study Committee (ELMS II) for Gov. Bob Graham, as well as a host of other major environmental appointments that addressed the pollution of the Everglades, restoring the Kissimmee River and Florida Bay, and re-plumbing the Central and Southern Florida Flood Control Project.

The next day, Florida lost its property-rights champion, Bert Harris Jr., 99, on May 25. He was the Highlands County extension agent throughout the '50s, '60s and '70s, after which he served two terms in the state legislature, for which he was best known for passing the state's Property Rights Law that protects private property owners from government overreach.

One of the Martin County lawsuits filed in 2013 as the result of the county commission's Heard-Fielding-Scott decision to deny the Seabranche townhouse development, which had met the county's Comprehensive Growth Management requirements, was based on the Bert Harris property rights law. (The case was settled out of court and resulted in the Sheridan development in Hobe Sound.)

A portion of the Harmony lawsuit against the county also is a "Bert Harris claim," according to court records, and had the Flash Beach Grille lawsuit proceeded to court in 2013, it too would have been based in part on the Bert Harris law to protect private citizens' property rights.

Attorney Talbot "Sandy" D'Alemberte, 85, former president of FSU and First Amendment rights champion who has led Maggy Hurchalla's recent appeal of a civil court jury's award of \$4.4 million in damages to a private company, died May 26. He was respected throughout legal circles for his work on human rights, civil rights, open government and social justice, writing in favor of the passage of Amendment 4 to restore voting rights to former felons.

Former dean of the FSU College of Law, D'Alemberte also served two years as the president of the American Bar Association, prior to being named president of FSU. ■

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Tax breaks offer zones of short-lived opportunity

BY MIKE MASON
Special to Martin County Currents

The clock is ticking for community and business leaders in Indiantown and Rio, Martin County's two Opportunity Zones. The new federal program to stimulate private investment ends at the end of 2019. Opportunity Zones, which are becoming known colloquially as "O-zones," were created by the Tax Cuts and Jobs Act of 2017.

Census tracts with low median income were designated to attract private investors by offering them a deferral of up to seven years on taxes on accumulated capital gains held and a 15-percent discount on those taxes after seven years.

Also, investments held for 10 years would be subject to no taxes on new gains during that decade. With at least one O-zone in every county, there are 8,700 across the nation, 427 of them in Florida, including Indiantown and Rio in Martin County.

"It's a huge incentive to take that investment and deploy it into Opportunity Zones," said

Erin Gillespie, who founded Madison Street Strategies, an Opportunity Zone advising group, after 11 years working in state government. She has been conducting Opportunity Zone workshops throughout the state to generate interest among investors.

Before leaving state government in December, Gillespie was most recently deputy chief of staff for the Department of Economic Opportunity, working with businesses and communities to promote Florida's economic success.

In that role, she led the selection of the state's Opportunity Zones and worked with communities to develop strategies to attract investment in them.

To get the full tax benefits of an O-zone investment, however, the investment must be made this year.

"It's just a great opportunity for Indiantown," said David Powers, a veteran commercial real estate broker in Indiantown whose term as president of the Indiantown Chamber of Commerce ended in January, the same day as the workshop. "This stuff is not going to make a bad project good, but what it's going to do is make a good project that much better."

The problem for Indiantown, according to Powers and other Indiantown business leaders, is that significant investors are leery of making a huge commitment in a new town that still does not yet have its own Comprehensive Growth Management Plan approved and in place. They need the assurance that rules will remain the same, providing stability in business and banking.

Still, the O-zone will "make it easier to finance some things," Powers added, "and that might give Indiantown a different financing opportunity."

Though not at the Indiantown workshop, Martin County Commissioner Doug Smith was among several from the county who attended other O-zone workshops last fall.

"Indiantown and Rio are the perfect areas for this," Smith said, noting that Indiantown has two business parks primed for development, and there are several tracts of Rio land in play where the county hopes a mixed-use town center will be developed.

"I'm really excited to see where this goes and who steps forward to take advantage of it," Smith said.

The Tax Foundation, a leading independent tax policy nonprofit, said O-zones were estimated to cost the federal government \$1.6 billion in lost tax revenue from 2018 through 2027. New regulations stipulate that the program's benefits would continue through 2047, meaning the program's revenue impact could increase over time, depending on how many investors utilize the program.

In an essay for the Tax Policy Center

at the Urban Institute, tax law attorney and senior fellow Steven M. Rosenthal wrote that Opportunity Zones have three novel features:

– Unlike earlier programs, taxpayers need only to reinvest gains, not the entire proceeds from a sale of assets.

– The other programs permitted a taxpayer to defer gains from the sale of assets within a qualified zone, but not outside the zone.

– Syndicators may organize and market the opportunity funds, which can invest more expansively than earlier programs could because there are 8,700 O-zones. By comparison, during the Clinton administration Congress authorized only 40 empowerment zones and 40 renewal communities, which have now expired.

Eligible O-zone businesses are more wide-ranging, including investments such as residential rental property businesses, which were excluded by the earlier programs, Rosenthal wrote.

The next step, Gillespie said, is for Indiantown and Rio to further develop their strategies to attract O-zone investment.

Smith said that at the request of the village after it was incorporated, the county terminated the growth management plan for Indiantown, so it could develop its own plan. Mayor Susan Gibbs-Thomas said Indiantown does have a workable comp plan and is willing to work with people.

"It may not be the comp plan we end up with in two to three years, but it is a workable plan," Gibbs-Thomas said.

Investors can get involved individually, but many will invest through opportunity funds, some of which target certain types of projects or geographical areas.

Gillespie said one type of investment project already generating high interest for O-zone investment is affordable housing projects.

"There are people and groups that all they do is affordable housing," she said. "They believe in affordable housing; they want to make things better for people who have a lack of access for housing and are willing to take less of a return (on their investment) to make sure affordable housing is better in Florida, because they have such a crisis here." ■

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Mobilizing to fight assault on growth management rules

Environmental groups from throughout the state have launched a campaign to persuade Gov. Ron DeSantis not to sign a last-minute bill passed by the Florida legislature on the last day of the session that critics say will jeopardize the enforcement of local growth management rules.

One of the most strident voices in opposition to allowing House Bill 7103 to become law is Martin County Commissioner Harold Jenkins, who immediately wrote to the governor on behalf of his constituents in Hobe Sound, Jupiter Island and Indiantown, prior to a similar action by the Martin County Commission as a whole.

On the last day of the legislative session, an amendment was proposed that was never fully vetted or debated before a vote was taken, Jenkins pointed out to the governor in his letter. If signed, the new law would require:

- That citizens and others who challenge development proposals, and lose the challenge, will automatically be liable for paying the prevailing party's attorney fees.

- That new towns, such as the Village

of Indiantown, must adopt policies in their comprehensive plans based on developers' plans for growth, rather than on the input of local residents.

- Restrict whether local governments may require that affordable housing be part of any new development.

"If signed into law," Jenkins said, "few citizens will step forward to challenge a development order for fear of bankruptcy. It strips away the voice of Martin County citizens to participate in growth management issues."

Jenkins called the provision "financial intimidation," and is not necessary to combat frivolous lawsuits, as intended, since judges can order sanctions for lawsuits that have no merit.

"While I understand there are aspects of this bill you favor," he said, "signing it into law carries a heavy burden. In my view, it will be in direct violation of the rights of citizens to participate in planning and growth management for their community."

To reach the governor, call during business hours: 850.717.9337, or visit: www.flgov.com/email-the-governor to send an email, or Tweet @GovRonDeSantis. ■

'Home Rule Heroes' named in Stuart, Indiantown

Three of Martin County's city officials were among 100 persons named "Home

Rule Heroes" by the Florida League of Cities, following the 2019 state legislative session.

Stuart City Commissioner Mike Meier and Indiantown Councilwomen Janet



Stuart City Commissioner Mike Meier



Indiantown Councilwoman Janet Hernandez



Indiantown Councilwoman Jackie Clarke

Hernandez and Jackie Clark earned the recognition through their activism in Tallahassee and within their municipalities to protect the ability of a city to address local problems through local solutions with minimal state interference.

"The biggest surprise I had after being elected to the (Indiantown) Village Council was finding out that the fight for independence and self-destiny did not end by winning Indiantown's right to incorporate," remarked Indiantown Mayor Susan Gibbs-Thomas at an Indiantown Chamber meeting this spring.

"You don't realize until you're in government yourself that you're in this constant battle with the State of Florida to keep decisions that affect your community local," she added. "Those decisions need to be made here in Indiantown, for Indiantown, and not in Tallahassee, where they do not know a thing about Indiantown, or what Indiantown needs."

The right of municipalities to make their own rules was enshrined in the state constitution in 1968; however, for the past 15 years, the state legislature has slowly eroded those protections. This year, bills were introduced in a number of areas that would impact the future of local rules affecting Community Redevelopment Areas, that would limit certification of local contractors, and prevent local officials from creating laws that affect any kind of business.

Most new regulations did not pass due largely to the Florida League of Cities' efforts to inform and engage municipal officials in their lobbying efforts. One rule that did pass, however, would prohibit growth management rules, requiring that a percentage of a development's housing units be considered "affordable" by local standards as a condition of approval. ■

Costco: here today, gone tomorrow, back again?

The hope by many residents that Costco could open on Kanner Highway in mid-2021 is beginning to slip away. To meet that objective, all approvals and permits would need to be in place and construction would have to begin in September.

No one – at least no one who will



Protesters objected to the proposed location of a new Costco Wholesale store and mixed-use development on 29 acres on Kanner Highway, citing traffic and water pollution concerns.

talk about Costco's plans – seems to know why Costco canceled the first of its reviews in January before the City of Stuart's Local Planning Agency, although a small core of protesters had increased their visibility and numbers in early January.

The plan submitted to the city differed substantially to the development plan submitted to the county four years ago, and withdrawn in September 2017, for a 153,000-square-foot store and 18-pump gas station at the southwest corner of Martin Highway and High Meadow Avenue in Martin County.

The new development application included a second phase after the 154,000-square-foot Costco Wholesale store and gas station was completed. It consisted of an additional 13,700 square-foot restaurant fronting Kanner Highway to open in June 2022.

The third phase would include the addition of four more restaurants and stores, all between 6,000 and 7,500 square feet, opening a year later, and the remaining acreage would become a residential development, according to planners, although detailed plans have not yet been submitted to the city.

Stuart officials seemed amenable to Costco's presence on land that the city had annexed in January 2017. It's 29-acre site is between Monterey Road and Indian Street on the east side of Kanner Highway, which is being widened to six lanes. The project site had not yet been zoned by the city, but had been slated previously for low-density residential development by the county.

Costco planned to anchor its multi-use development between a new assisted living facility being built adjacent to Cleveland Clinic Martin Medical Center and Martin County High School that could include up to five restaurants or stores and 75 multifamily housing units, according to a zoning application filed with the city by Lucido & Associates, on behalf of M&M Realty Partners.

The Stuart City Commission would need to approve a new commercial zoning and future land-use designations before the development could move forward, said city officials. M&M Realty does not yet own the property but is under contract to purchase it, according to planning documents. ■

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Local politicians file for re-election in Martin County

Although presidential candidates dominate national and statewide news cycles, the local 2020 election season in Martin County also is underway. Get ready for the onslaught of robocalls, mailed postcards, advertisements, rallies, signs, and forums – the painful part of democracy – all on its way to your neighborhood.

The local candidates who have officially filed for the August 2020 primary election thus far include:

- Carolyn Timmann, Republican incumbent, Clerk of Court & Comptroller.
- Vicki Davis, Republican incumbent, Supervisor of Elections
- Ruth “Ski” Pietruszewski, Republican incumbent, Tax Collector
- William Snyder, Republican incum-



Vicki Davis



Carolyn Timmann



Ruth Pietruszewski



Toby Overdorf

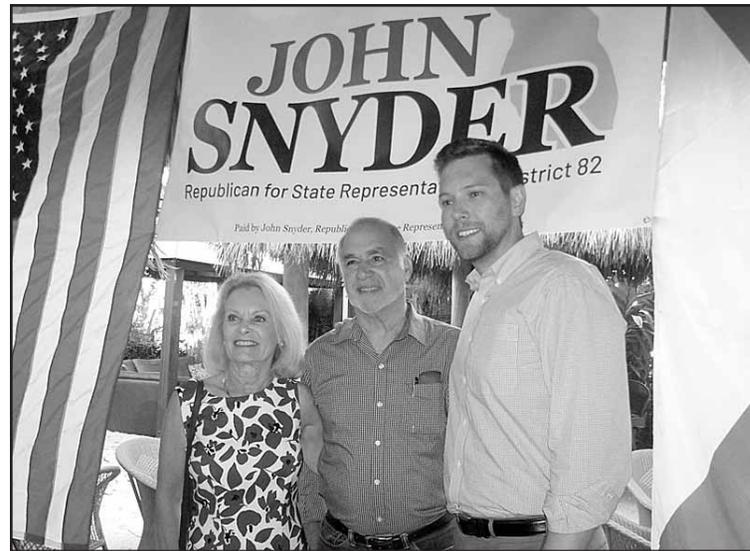


Harold Jenkins



Will Snyder

- bent, Sheriff
- Harold Jenkins, Republican incumbent, District 3 County Commissioner
- Toby Overdorf, Republican incumbent, State Representative, District 83
- John Snyder, Republican, State Representative, District 82
- Carl Domino, Republican, State



Republican John Snyder, right, launched his campaign May 30 at Harry & the Natives in Hobe Sound to fill the soon-to-be vacant District 82 state representative seat, pictured with well-wishers Sewall's Point Mayor Vinny Barille and his wife, Denise. Around 70 people attended, including his father Sheriff Will Snyder, and a host of other Martin County dignitaries and political figures.

- Representative, District 82
 - Gayle Harrell, Republican incumbent, State Senator, District 25
 - Brian Mast, Republican incumbent, US Representative, District 18
 - Louis Larsen, 19th District Circuit Court Judge
- Several other seats will be up for

election, including a dozen seats in the 19th Judicial Circuit, two Martin County School Board seats (Marsha Powers and Michael DiTerlizzi), two City of Stuart commission seats (Becky Bruner and Kelli Glass-Leighton), and two council seats in the Village of Indiantown (Janet Hernandez and Guyton Stone). ■

Former Stuart official arrested on sexual battery charges

When an older sister saw some “inappropriate” pictures of her younger sister, age 13, on Instagram, she showed them to her mother. The family lives in Hobe Sound. After confronting the 13-year-old, the mother discovered that two older teen boys and two adult men had been contacting her daughter on Instagram and Snapchat, allegedly demanding sexual contact and photos.

After conferring with the girl's father, the Martin County Sheriff's Department was called May 18, and their investigation led to the arrest May 31 of former City of Stuart Senior Executive Coordinator John Baker, 48, of Hobe Sound on one felony charge of lewd or lascivious battery on a child between the ages of 12 and 15.

Baker was employed as the assistant to former City Manager Paul Nicoletti for a short period; however, the city has not responded to requests for information as to how long Baker was employed. Baker's LinkedIn account indicates he has held the administrative position at Stuart since 2016.

The girl told investigators that Baker allegedly had contacted her for the first time on SnapChat during the first week of May. He allegedly picked her up from her home after she sneaked out of her house, took her to his home and to a park on the same night, where they engaged in sexual activity, returning her to her home around 2 or 3 a.m. After their encounter, Baker allegedly contacted the girl to tell her to delete all their messages from SnapChat and blocked her from his SnapChat account, she told deputies.

She also said that she had told Baker her age. He had commented he was old

enough to be her father, and that he knew what he was doing was wrong, according to the report.

Although she could not remember Baker's SnapChat account name, she described the vehicle he was driving and the inside of his home, according to the report. When detectives visited Baker's home, he gave the detectives the name of his SnapChat account, but a search of his phone did not uncover any inappropriate photos of the victim.

The descriptions provided by the girl of the home and the vehicle, however, matched sufficiently for officers to obtain a warrant to search Baker's SnapChat account, and allegedly revealed photos and messages between Baker and the young girl, according to the report. He was arrested May 31.

Baker appeared in court June 1 before Circuit Court Judge Michael McNicholas, who set bond at \$500,000. Baker is under house arrest, wearing an ankle bracelet, and ordered by the judge that he is to have no contact with any child under the age of 18, including his own children. Divorced, Baker is the father of six, three of whom are adopted, ranging in ages from five to 22.

Baker, an Army veteran, has no previous criminal record other than one arrest in 2014 by the U.S. Army for “failure to obey a general order, child pornography,” according to court records.

The Sheriff's Department is continuing its investigation of another man named by the victim, the teen boys, and the possibility of two other underage victims identified in the girl's Instagram and SnapChat photos. The 13-year-old told investigators that the other adult male had been contacting her since last sum-

mer, demanding nude photos and sexual contact, threatening that he “would con-

tact her relatives” if the girl did not comply, according to the report. ■



John Baker of Hobe Sound

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Editorial: We cannot ignore public records violations

The point of prosecuting a county commissioner and former commissioners for violating public records laws has been lost, buried under deliberate obfuscation and distortion of fact. The result was an expensive court debacle.

Yes, Commissioner Sarah Heard was found not guilty – as charged – for breaking public records laws, which had been presented to six jurors in the narrowest of scopes. We would like nothing better than to sigh, shake our heads in disbelief, but close the case and move on. Frankly, after five years, we're sick of talking about this.

But Heard herself keeps the public records case open.

How? By reminding us that she has no respect for our public records laws, suddenly deciding in mid-May to post on the county's public servers more than a dozen emails she'd had on her NEW private Yahoo! email account – for three and four years! They were not from the private email account frozen by the court in 2017. These emails were from her new private email account, emails which she'd kept private and away from public scrutiny for years!

And that's the point. All the fuss and furor over public records changed not

one lick of Heard's unethical practices.

Our public records laws were created to protect citizens, who do not stand a chance in protecting their interests or the interests of their community in the face of the nearly absolute power wielded by their elected officials.

Their most important tool is the federal Freedom of Information Act, strengthened by the State of Florida through its Sunshine and public records laws that take the actions of politicians from behind closed doors and secret meetings into the light. It's called transparency in government.

They prevent, in the largest degree possible, the abuse of power.

Heard's charges were the result of more than just her failure to turn over public records and failure to protect those records in her possession (to which she admitted in previous 2015 trial testimony). It was about her lack of respect for the spirit of those laws, made evident yet again by her mid-May postings.

She just flaunted her power to let you know only what she allows you to know and when she allows you to know it.

That attitude dragged Martin County through a period controlled by a shadow government in 2012-2016. Non-elected residents pulled the strings of three

commissioners, dictating to them in the dark, which is why the public records that would have exposed that corruption of power were so important.

It's why exposing those who attempt to circumvent our public records laws is vital, even when politicians tell us, "the ends justify the means." No, they don't. You may like certain "ends" now, but it doesn't guarantee you'll like the "ends" of other politicians.

After understanding the value in and role of protecting public records, the question we must ask ourselves now is this: Is a courtroom the best place to expose those who abuse their power by ignoring Sunshine laws?

The answer is yes, when that abuse leads to the theft of public funds or to the financial enrichment of an elected official or his or her cohorts. But when it's a case of deceiving your constituents as to your motivations, or when your actions harm others' reputations, or when you manipulate our laws for the benefit of a few at the expense of the greater good, then it's clearly a violation of ethical standards.

To prove guilt in a court of law, as we've just seen, robs taxpayers of great sums of money. It also relies on a judicial system whose players may be con-

nected politically to those being prosecuted, which became painfully obvious to spectators during Heard's trial.

What citizens are most interested in is preventing this situation from ever arising again – regardless of who the elected officials are.

Others have suggested that it's time for Martin County to create an independent ethics commission to look into violations of ethical standards by elected officials, whose members are NOT appointed by politicians. Perhaps more important, to establish and employ an independent Inspector General to ferret out questionable contracts and uncover questionable practices by local government at all levels.

We cannot afford that, you say? Hmm, just this one case, involving just one contract and three commissioners has cost Martin County taxpayers \$25.5 million thus far, and that's without paying the \$450,000 being charged to the county for Heard's defense. And this is not the only case.

The reality is that we cannot afford to continue without creating an ethics commission. We must have the ability to settle ethical and procedural questions outside of a courtroom. The time to do it is now. ■

Letters to the Editor:

Have we lost the lessons of history?

I was taught that being a Christian meant following the Golden Rule and showing love throughout your life; a person was as good as their word; American prosperity was built on hard work, the free exchange of ideas supported by our Constitution and scientific advances; we are a nation of laws and that no one is above the law. Also, that alliances with other Western democracies keep us free.

Today, those lessons seem lost and have raised a few questions about the future of our constitutional democracy.

Who benefits from a weakened United States due to internal conflict, trade wars with trading partners, and the creation of issues with long-standing allies? Russians predicted that they would destroy us from within. What are we doing to stop this foreign attack, and why does our President require no witnesses in his meetings with its dictator?

Why does the President of the United States — the "leader of the free world" — feel he needs to constantly lie, changing his story multiple times in one day? And what's in his tax returns and the complete Mueller report that scares him?

When did it become OK for the chief law enforcement officer in the United

States to act more like a defense attorney than a protector of the Constitution and the laws of our democracy?

Why did my Republican Party decide that a growing national debt is OK, and oversight of the President is too much of a burden?

How can Christians blindly support individuals who are admitted and/or known liars, sexual harassers, adulterers; are cruel, preach hate and support tyrants and murderers?

How can anyone believe that building a wall across Texas, New Mexico, Arizona and California is more important to Florida's future than mitigating or stopping the effects of climate change?

Frank Wacha, Stuart

Brian Mast: What are you saying?

Dear Congressman Mast:

Today on Facebook (June 6) and in a formal press release you made the following statement:

"The conspiracy theorists who are trying to profit off of convincing people that Lake O discharges don't cause algal blooms on the Treasure Coast are having a rough week as the central premise of their deception unravels. Because the lake is so much lower right now than it

was last year, we aren't receiving discharges and therefore haven't had algal blooms on the Treasure Coast.

"This goes to prove not only that discharges are the primary cause of toxic algal blooms on the Treasure Coast but also that operational changes like what the Army Corps did this dry season can make a huge difference for the health of our community and the environment of our estuary! #LowerLakeO #SendTheWaterSouth."

As a concerned Citizen in your district, I am sending you this e-mail to ask that you please clarify who it is you are referring to. I am referring to the first sentence of your statement: "The conspiracy theorists who are trying to profit off of convincing people that Lake O discharges don't cause algal blooms on the Treasure Coast are having a rough week as the central premise of their deception unravels."

Who, specifically, are you talking about?

It would appear from the language you use in your statement that you have first-hand knowledge of these "conspiracy theorists who are trying to profit," otherwise why would you make such a statement, with what could be construed as a derogatory claim against these people who you do not identify?

You state that they: "are having a

rough week as the central premise of their deception unravels." To make such a statement on your part, I would assume you have some document or transcript that you can point to, in which this "deception" that you speak of, is outlined.

As you assert, these conspiracy theorist are trying to profit off of convincing people that Lake O discharges don't cause algal blooms. My question is, how are they profiting? What are they selling or providing to people, to make a profit?

I am confident that you, as a sitting US Congressman, will be able to answer, clarify and identify the persons or entities involved in such actions that you assert in your release, for if you don't, there may be some who might mistakenly believe you created a "Bogeyman" out of thin air, and I think we can both agree...you don't want that.

*Sincerely,
Scott Watson
Palm City*

Editorials in Martin County Currents are written by its editor. If written by a guest editor, they are identified as such. To respond to this editorial in a letter to the editor, email up to 300 words to editor@martincountycurrents.com.

He signed his cards to me, 'Son-in-Love'



**Barbara
Clowdus**
Unfiltered

Admittedly, my son-in-law's death Jan. 18 knocked my world, my daughter's life, and the production of this paper a little off kilter. Well, okay, a lot off kilter, since this is the first issue in months.

Those who know me personally and knew of Chuck's transplanted heart expressed surprise that none of us were prepared for what we considered a sudden, unexpected death. Neither were we consoled by, "Well, he's been through so much, and now he's in a better place."

No, his place is here, with his daughters, Morgan, 5, Reagan, 9, and Melody, 18, and his sons, Grant, 12, and Zack, 20, all still at home. Even Cody, 25, who is now an Air Force officer stationed in Ohio, needs still needs "Pop's" presence.

Yes, Chuck had been through so much: a rare blood cancer that first was diagnosed for two years simply as carpal tunnel syndrome, which ultimately destroyed his heart. He was on death's doorstep almost four years ago when the true origin of his illness was uncovered. No hospital would treat him, however, except Brigham & Women's Hospital in Boston.

More than 200 contributions from Martin County residents to that GoFundMe account made that trip possible, not only for Chuck, but for my daughter, Christina, and their children to follow. Many readers told me that they'd been touched by the prospect of such young children losing their father.

In Boston, the renowned expert who had agreed to treat Chuck told my daughter that if he remained in Boston for treatment, he most assuredly would die. He needed a heart transplant immediately, and the only hope for getting it done was at the Cedars-Sinai Hospital in Los Angeles.

But the insurance company denied him coverage of the eight-hour air ambulance flight from Boston to LA. As his heart weakened by the hour, the word spread among their friends and church family, reaching back even to the now-grown men whom Chuck had mentored in fifth and sixth grade Sunday School. They flew to Boston, and to LA. They helped raise funds to pay privately for that air ambulance.

When my Martin County friends asked me about my daughter, they dropped checks and shoved cash into my pockets, which enabled Christina to join him there.

She lived at first in the hospital lobby, until a stranger offered her a room. GoFundMe provided the funds for a rental car, until the day came right before Christmas that doctors announced that Chuck needed a mechanical heart. Now.

His heart's ejection fraction, indicating the volume of blood being pumped from his heart, had been 11 when he ar-



At Chuck's memorial service, my daughter, Christina, could not help but smile at the memories, forgetting to explain that years ago, Chuck had picked out a red dress and black hat with a feather, telling her, "That's what I want you to wear to my funeral."

rived in LA, and was continuing to drop. A normal ejection fraction ranges between 50 and 70.

For more more than two months, he remained tethered to a machine on wheels that pumped his blood, constantly whirring beside him, reminding him that a heart no longer beat inside his chest. He suffered extremes of cold and heat, periodic bouts of pain and depression, and late one night, for the first time, with Christina's arms wrapped around him to share the warmth of her body to fight the unyielding cold, he cried.

He was not afraid of dying, he said. After all, that would mean he would finally come face to face with Jesus. Instead, he was suddenly afraid of living.

The storm passed, however, as Chuck fought to be with his children again. Soon his doctors realized that Chuck had a following, not just from the countless friends who flew to Los Angeles from throughout the U.S., but the doctors and nurses from Boston who called often to check on him.

And the hospital's own staff, even from other floors, who came to sit with Chuck, who cracked jokes, smiled his inimitably broad grin, took strangers by their hand, and listened to their stories with loving kindness. And he cracked jokes, he sang, and he prayed; his room was lit with joy, despite his own physical discomfort. He was God's pied piper.

In March, the heart of a 28-year-old man was transplanted into Chuck's chest. When he awoke from surgery, he needed no pain medication. None. After a mere five days, he was ready to leave the hospital. Doctors, who had expected it would take six weeks or so, called his recovery "a miracle." Chuck never doubted it.

In six weeks, he was in Colorado Springs, wearing his Army captain's uniform to help my daughter pin bars on Cody's uniform, signaling his graduation from Air Force Academy cadet to 2nd lieutenant in the US Air Force.

"I told you that I would live long enough to do this," Chuck said, as he stood next to Cody and beside his own



Chuck and his youngest children in Los Angeles three years ago. His Air Force Academy classmates set up a GoFundMe account for the children's education, "The Children of Chuck Hood Memorial Scholarship Fund." Melody, their eldest daughter, starts college this fall.



Chuck with his father, Maj. Gen. Charles M. Hood, with Cody at his Air Force Academy pinning ceremony.

father, a retired Army major general, also in uniform.

A lot of walking was required that weekend. In the brief moments that Chuck needed to rest to catch his breath, he confided his anxiety over disappointing his father and his wife, equating his illness to weakness. His inability to provide an income for his family gnawed at his identity.

Chuck's presence on the Academy campus had been bittersweet. He'd been appointed to the Air Force Academy right out of high school, but after two years, Chuck had washed out. When he went home to Atlanta, he said, his duffle bag flung over his shoulder, jauntily swinging his tennis racket, his father greeted him with, "I don't see that you have anything to smile about."

Although Chuck graduated from the University of Colorado at Boulder, served 10 years in the Inactive Army Reserves, and went on to have a successful career as an early education administrator, serving the Florida Department of Children and Families, the United Way of Miami-Dade County, and the Early Learning Coalition of Broward County, among others, he knew he would never be a wealthy man. He still felt the sting of his father's disapproval. He said he had never felt he would earn the respect from his father that he'd lost all those years ago.

Chuck persevered though, and by last Christmas, he was healthy again. He proudly announced that was taking only four medications daily, down from 16, and after nearly four years of unemployment, he had a job interview on Jan. 18. A real job.

The uncertainty and fear were over.

Then suddenly, inexplicably, he could not breathe. He drove himself the 45 minutes to the hospital, found an empty wheelchair and rolled himself into the emergency room, where he waited 29 hours for a room. He had had a heart attack, followed by another one that put him into a coma for two days, then he awoke. Doctors told Christina that Chuck needed a mechanical device implanted on one side of his heart, but he would be transferred to another hospital for the surgery. Chuck canceled his job interview.

After nine hours of surgery, he remained in a coma, one from which he did not awaken.

His doctors were perplexed. None of the tests showed any signs of organ rejection. He had undergone stem cell therapy a few months previously to rid his blood of cancer cells with no issues, and no sign that his blood cancer had returned. Eventually, they concluded after an autopsy, that his heart had been attacked by a virus.

It's true. He'd been through so much. Christina had been through so much, but they'd come out the other side. All who loved him knew – they just knew – that he would get through this crisis, too. But then, he didn't.

My daughter felt compelled to hold a memorial service immediately. No obituary was published. Those who filled the church had heard about Chuck's death simply through word-of-mouth. They came and they spoke of how Chuck had changed their lives. For two hours, his father sat in the front row and heard story, after story of this remarkable man.

His face glowed, and I so hoped that Chuck could see that.

Then his father stood, wearing his dress uniform, tall and handsome, speaking firmly with no need for a microphone, to these mostly strangers, who had shared stories he'd never heard. Then he spread his arms and said, "Look. Everyone, just look at the diversity that's in this audience. This is how it should be," he said, pausing for a moment. "What is wrong with this country?" And they applauded.

He could see the impact his son had had on the world. It was sitting right in front of him.

Cody, the eldest child, had been nine years old when his mother introduced him to Chuck, telling Cody she thought Chuck would be a good role model for him. Cody chaffed. He didn't need a role model, he thought. He had a biological father who was a more-than-adequate role model.

With the wisdom that comes with maturity, though, Cody recounted that first meeting, then adding, "Chuck was a good role model," he said softly. "He was my role model."

The truth is, Chuck Hood was a role model for all of us. ■

Maybe lower lake levels will no longer be needed

“We’re on the verge of actually handling this,” remarked Commission Chair Ed Ciampi, after seeing that an additional 577,900 acre-feet of storage had been added to current projects, as well as an additional of 78,000 acres of stormwater treatment areas within the Lake Okeechobee watershed.

The prospect of clean water flowing in the St. Lucie River may be possible, after all, perhaps without artificially lowering lake levels.

With the promised \$200 million in federal funding in this year’s budget approaching near-approval, the outlook for finishing the repairs to the Herbert Hoover Dike, completing the C-44 and C-43 reservoirs by 2022, and making serious strides in construction of the Everglades Agricultural Area reservoir look solid, according to Army Corps Lt. Col. Jennifer Reynolds.

Rewriting the Lake Okeechobee System Operational Manual (which will replace the current Lake Okeechobee Regulation Schedule (LORS) is timed to be completed when dike repairs are finished. The proposed operational changes, which will take three years to finish, is what prompted US Congressman Brian Mast, and now Gov. Ron DeSantis, to call for a permanent change by maintaining a 10.5-foot water level at the end of the dry season to allow more water to be stored inside the lake during the wet season.

Currently, the Army attempts to keep the lake between 12.5 and 15.5, but this year, they started discharges early in the dry season, taking the lake to 11.3 feet, which is still within the operational band. (The lake has continued to drop in depth, however, due to evaporation and only sporadic rain.)

It is that proposal to lower lake levels that has residents, farmers, anglers and business owners from around the Lake deeply worried, because droughts cannot be predicted.

BUT HOW LOW IS TOO LOW?

It depends upon whom you ask.

Audubon scientist Dr. Paul Gray, who has spent the past 30 years studying the Lake’s ecology and is the area’s leading expert, will tell you that the lake can rebound from water that’s either too high and water that’s too low, but neither for extended periods.

He has warned that the plants vital to the lake’s ecology, which are re-sprouting nicely now in the lower water levels that allow the sun to reach the plants after three straight years of water too high, could fail to germinate if a prolonged 10.5 water level was maintained, thus destroying the lake’s ecology.

Gray did not address the audience

After officials from the South Florida Water Management District and the US Corps of Engineers gave an update of their Everglades Restoration Strategies projects to the Martin County Commission on June 4, commissioners were almost giddy with excitement.



The Martin County Commission traveled to Okeechobee County for an historic meeting May 7 among the five counties most directly affected by the ecology of Lake Okeechobee.

during the five-county commission meeting May 7 in the Okeechobee High School auditorium, but he was present among around 350 residents from throughout the Glades area.

The historic meeting had followed an invitation to the Martin County Commission by former Pahokee Mayor JP Sasser and former Hendry County Commissioner Janet Taylor to have a joint meeting with Hendry County’s elected officials in order to reach common ground.

“We’re not your enemy,” Sasser told commissioners. “We all want the same thing; we’re all in this together.”

That was the overriding theme of the May 7 meeting that included not only Hendry and Martin county commissions, but also Okeechobee, Palm Beach and Glades county commissions.

The meeting was led by Florida Association of Counties president Karson Turner, a Hendry County Commissioner, who managed to keep public comments civil.

FEDERAL FUNDING LEADS TO MORE PROJECTS

The Corps and the SFWMD, partners on many projects, also will be completing the most recent Tamiami Trail bridge project, elevating another two miles of the roadway that connects Miami to the West Coast to allow more clean water to flow into the Everglades National Park, Reynolds told commissioners on June 4.

Several flow equalization basins also will be expanded, so that when a “slug of water” comes from a heavy rain event to the north, it does not overwhelm the stormwater treatment areas south of the lake, making them less effective in reducing the federally mandated limit of

10 parts per billion of phosphorus.

The President’s additional funding also will allow the Everglades Agricultural Area reservoir south of Lake Okeechobee to be built in about eight years, according to Reynolds.

“Just the design of that reservoir will take two and half years,” she told commissioners, and the design must be completed prior to asking for federal funds.

Another two significant projects underway now will speed the EAA reservoir construction, Reynolds reported. The Army has built its own testing lab at the site, so instead of sending soil samples off to an outside laboratory, their engineers can conduct their own analysis and get nearly immediate results.

The soil testing is crucial to the design, she said, since the soils must be able to support the walls of the reservoir that will reach heights greater than 24 feet.

In addition, the SFWMD has begun work on the stormwater treatment areas adjacent to the reservoir. They will be completed long before the reservoir, so water from the Miami Canal can be pumped into their treatment cells, even before the reservoir is constructed.

None of the projects, however, will be finished soon enough to end Lake Okeechobee discharges, which is why Congressman Mast is demanding that water levels in the lake be brought to an artificially low 10.5 feet (above sea level), a modification of his initial demand to lower the lake to eight feet.

The lake level plan is a balancing act, however. Palm Beach County officials have expressed concern that water levels falling too low could mean water shortages not only for farmers but also for the urban communities of southeast Florida,

and salt water intrusion at the mouth of the Caloosahatchee River.

RESOLUTIONS PROMISED

Turner told the audience that initially, his goal for the meeting was a joint resolution. “I found out you can’t do it because it’s illegal,” he explained; however, each individual board can pass its own resolution, so that all the counties have the same message.

Ciampi suggested that each county has its own “backyard” projects that would help improve water quality, adding that it would be logical for county staffs to work collaboratively to avoid duplication and to maximize resources, a point to be included in the resolution.

He also said that he wished that “all of Martin County could be in this room” to hear the comments from the wider community; therefore, he proposed the next meeting of the five counties should be in Martin County.

“We need to have a common focus, starting with the level of the lake,” concurred Okeechobee County Commissioner Kelly Owens. “Slowing the flow from the north end is critical. That needs to be one of the pieces in the letter that we hope to put together,” as well as the message “to be heard loud and clear” that the 10.5 water level proposed by Mast “just is not viable.”

Ciampi added that now that the counties have gotten together, he would like to switch the conversation from “shared adversity” to “mutually beneficial.”

“And we need to hear a lot more about what they are doing north,” he added. “We cannot continue to handle all of the water they keep sending to us.”

Glades County Commissioner Tim Stanley pointed out that their \$15 million annual budget would be seriously depleted by taking 6,000 acres off the tax rolls to store water, thus the state should compensate counties when they take land for public projects.

The resolution that Ciampi promised was superseded on June 4 by a ceremonial letter that ignored all his proposals, including meeting in Martin County. Instead, Mast requested that all five counties meet in Clewiston, so he can respond to his critics.

“That’s fine,” Ciampi said. “We all know how to get to Clewiston.”

The date has not yet been set. ■

--Barbara Cloudus

Pirates, put down your sabers and look north!



**Nyla
Pipes**

*One Florida
Foundation*

Just because we celebrate the Treasure Coast's strong pirate heritage here, we do not have to behave like sword-clanging misfits! Yet, all too often, that's exactly what it sounds like whenever we have a public gathering to discuss the critical issues relating to our waterways.

Yes, we're tired. Tired of the discharges from Lake Okeechobee. Tired of cyanobacteria, commonly called blue-green algae. Tired of polluted water, and tired of the half-empty promises to fund CERP's federal projects.

Now comes a new promise from U.S. Congressman Brian Mast to stop the discharges, thus end the blue-green algae blooms – the promise of a new kind of buried treasure for all to share!

The congressman has been pushing the Army Corps of Engineers to lower Lake Okeechobee during the winter dry season, to somewhere around 10.5 feet, because it is his view that if the lake is lowered during the dry season, we could avoid high-volume discharges throughout the summer's rainy season.

Coastal residents grabbed onto this idea with fervor and hope. Nowhere was this more apparent than the recent Lake Okeechobee Systems Operating Manual meetings in Stuart, where residents leveraged their anger to make their points. They did so, however, at the expense of our neighbors, who filled an Okeechobee school auditorium just last month to describe their own plight.

We are not the only ones who suffer at the hands of this man-made flood control system.

Lake Okeechobee itself has lost most of its submerged aquatic vegetation, a devastating blow to the lake's ecology, its fish and wildlife habitats, and for filtration of its waters. This well-documented loss is due to the extended high-water conditions over the past three years, combined with over-spraying of exotic vegetation, and the flow of nutrients into the lake from the Kissimmee River basin.

Much like our own St. Lucie River, Lake Okeechobee is on life support.

Intentionally forcing lake levels to go down too low each year, however, causes additional problems. Fish don't spawn, and as well-respected scientist, Dr. Paul Gray, points out, the native vegetation won't germinate properly at 10.5 feet. It is evident that for environmental reasons alone, Lake Okeechobee levels can't be too high OR too low.

Remember, it's the vegetation in the lake that are the only filters to cleanse its water.

THE CHANTS NEVER CHANGE!

And what is the chant that we hear most often? "Send it south!" However, send-



As water levels continue to drop in Lake Okeechobee, they have not quite reached drought stage, but they are close. Heavy rains over the lake like this have been only sporadic.

ing water south is not easy, since the Water Conservation Areas get flooded by southern rains, as happened a year ago in May. Draining those areas is impeded by the nesting Cape Sable Seaside Sparrow, protected by the federal Endangered Species Act.

Over the past several years, we've lost many tree islands in this part of the Everglades, which means less habitat for fur-bearing animals, on which the tribes depend. They have used these islands for hundreds of years.

Another popular idea floated now is the concept of "flooding the fields" or "moving those people" out of the Everglades Agricultural Area. We have heard more than one speaker stand up and proudly state that "there are MORE of us coastal residents," so our needs should be met first! Really?

When an 18-year-old man stood before us, wearing his Future Farmers of America jacket from Moore Haven, and told us about his family's livelihood, a self-professed leader from our community sat behind me muttering, "Poor darlin'... ignorant... and it's not his fault." That's unacceptable, uncalled for, and beneath us.

Agriculture is an important part of our economy in Florida. True, there may be more coastal residents, but many of these agricultural families have been in Florida since before it was a state. They have property rights, and a right to expect flood control, just like we do on the coast.

Until we start asking the Army Corps to flood our own backyards and city parks, many of which were built where water used to sit, we should never hear a comment again suggesting that we should flood others' land.

We're all in this together, like it or not!

WHAT'S IN OUR BACKYARDS?

Speaking of our own backyards, many speakers also bring up the health effects of cyanobacteria. Yes, there is emerging science that shows a connection to some very scary diseases; however, much of those effects are based upon ingestion and bio-accumulation. We also tend to forget that lead, mercury, aluminum, cadmium, arsenic, pesticides, and even the volatile organic compounds put off

from household carpeting, have been linked to these same diseases.

Evidence of airborne exposure revealed by nasal swabs is alarming, for sure, but not enough scientific analysis has taken place yet to call for the level of alarm being espoused. More study is needed, and we applaud the efforts of the Atlanta-based Centers for Disease Control that have begun that study now of Lake Okeechobee fishermen. We encourage their cooperation.

As for non-alcoholic fatty liver disease, the incidence rate of this condition has risen nationwide and is also linked to increased rates of obesity. It's not just in Martin County, where we're fortunate enough also to have wide access to health care and to imaging technology that may be detecting higher numbers.

Yes, a dog died and others became ill, but they swallowed cyanobacteria, which we already knew would be potentially fatal to animals that ingest it. My heart goes out to these animal owners, but it's a poor example of the threat to human health, since no human eats dead fish covered in algae, or licks himself clean after swimming in the river.

While we have potential health risks from exposure to cyanobacteria, it's interesting that nobody seems as concerned about the health risk due to being exposed to sewage. The presence

of enteric bacteria regularly closes our waters for human contact WITHOUT Lake Okeechobee discharges, and yet, a few speakers are always bold enough to declare, "It's not our septic tanks!" Encephalitis, Hepatitis A, Salmonella – these are just a few of the dangers of human exposure to sewage.

Where is the outcry over THAT health crisis, which is brewing?

IT'S NOT A SILVER BULLET

The adversity is not ours alone. Asking for a lower Lake Okeechobee endangers the water supply for millions of Floridians south of Lake Okeechobee, not just the farmers. It endangers the ecology of Lake Okeechobee. It also means MORE discharges to our St. Lucie River, not less.

The truth is the local basin discharges more freshwater and nutrients to the St. Lucie River than Lake Okeechobee does. We know that during a very wet year, those septic tanks are also flushing more waste right into our groundwater and straight to the canals and rivers.

With all that local water and all those locally available nutrients, it's highly likely our estuary would still be more fresh than salty, and weather conditions could still happen that would cause warm, stagnant water to bloom with toxic blue-green algae. We MUST stop denying the problems in our own back yard!

We are stuck with discharges from Lake Okeechobee for a while yet, no matter what we do with the lake levels. Instead of fighting with one another, losing all human kindness, and saying awful things about and to our neighbors, why don't we go to bat together to slow the inflow to Lake Okeechobee from upstream?

Why don't we put away our harsh words and self-absorbed comments – our sabers – and truly look to solve all our problems, instead of just blaming others? We are not pirates, entitled to whatever only we want. We are part of a community that cares about our environment – and each other, if given half a chance. ■

Nyla Pipes is a founder of One Florida Foundation, which addresses water issues throughout the state.

DISCUSSING VICTORIES & DISAPPOINTMENTS!

Senator Gayle Harrell, Rep. MaryLynn Magar, Rep. Toby Overdorf will talk about the state's new laws and what they mean to you!



**Martin County Taxpayers Association Luncheon
Thursday, June 27, noon**

Twisted Tuna
4290 SE Salerno Road, Upstairs

\$27.50 per person.

Pay online at www.mctaxpayers.org

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Hurchalla argues that jurors, judge got it wrong

Environmentalist Maggy Hurchalla's day in court March 12 was a day of tired adages, conflicting opinions and blurry lines between federal and state law regarding protected speech.

Hurchalla's throng of supporters rallied around her in the lobby of the Fourth District Court of Appeal Courthouse in West Palm Beach, convinced that Hurchalla's First Amendment rights would set her free from a Martin County Circuit Court jury's nearly \$4.4 million judgment against her for interfering in a business contract.

Supporters even wore tiny campaign buttons depicting a silhouette of Hurchalla in a kayak holding an oar with both hands overhead in triumph.

Inside the courtroom, the questions from the panel of three judges, Burton C. Conner, Dorian K. Damoorgian and Alan O. Forst, split judicial hairs over the interpretation of the lower court's jury instructions.

– Did Circuit Court Judge William A. Roby properly apply federal law and state common law when he instructed the jury that they could decide if Hurchalla's actions were proper or improper, thus inferring intent?

– Did trial testimony prove that Hurchalla's actions demonstrated expressed malice (per federal statute) or implied malice (per state law), which would undercut Hurchalla's First Amendment defense, or prove no malice at all?

– Did Hurchalla intend to harm Lake Point as her sole motivation, or was it primary among other reasons, or was the harm unanticipated?

The questions from the three-judge panel balanced the interests of both sides, taking the opposing counsel's viewpoint, as they examined the legal – or flawed – basis for the jury to infer malicious intent on Hurchalla's part due to her use of improper methods.

The jury's conclusion led to its decision to award damages to Lake Point, a decision now before the appellate judges. Their decision is expected soon.

THE LAKE POINT RESTORATION PROJECT

Lake Point Restoration had purchased about 2,000 acres of land in western Martin County in 2008, half was an ongoing housing development on 20-acre lots and the other was farmland and cow pasture with the intent to convert the development into a rock mine and water restoration project.

The parcels were strategically located near Lake Okeechobee, between the C-44 canal that discharges polluted water to the St. Lucie River to the north and the L-8 canal to the south.

The company entered into an agreement in 2008 with the South Florida Water Management District, which signed an interlocal agreement in 2009



Environmental icon Maggy Hurchalla testifies in a Martin County courtroom in February 2018. She is now appealing the jury's \$4.4 million award in damages to the Lake Point Restoration business.

with the Martin County Commission, to recognize Lake Point as a public works project if Lake Point was successful in obtaining proper permits from the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida Water Management District.

After Lake Point successfully obtained all applicable permits and applied in 2012 to have the county revoke the housing development order, as required by the interlocal agreement, the county commission refused to do so. They would not recognize Lake Point's standing as a public works project, and returned Lake Point's \$45,000 check, uncashed, as payment of its environmental fee.

In fact, the commission ordered code enforcement action against Lake Point in 2013, not as a rock mine, but as a housing development, after Hurchalla determined that the company had changed its environmental objectives, which led to Lake Point lawsuits against Martin County, the SFWMD and Hurchalla.

Lake Point representatives had approached West Palm Beach during a public meeting about paying for excess water from the C-44 canal, cleansed on its property, to supplement the drought-stricken city's water supply, which Hurchalla's attorney claimed had been a secret plan.

According to civil court testimony, that initiative had been part of the original plan, although a contract outlining specifics was awaiting the development of a market and a SFWMD permit. The agreement was crafted to ensure that Lake Point could earn a return over 20 years on its \$50 million investment by any legal means and without interference by the county or state, prior to do-

inating 1,800 acres to the state, including all of the stormwater treatment areas constructed by Lake Point.

HURCHALLA'S DEFENSE

Hurchalla's new defense team, led by the late Talbot "Sandy" D'Alemberte, president emeritus of FSU and former dean of the FSU law school, argued that Hurchalla, an acknowledged and widely recognized environmentalist, enjoyed "protected privilege" as a US citizen and Florida resident petitioning her county commission to address concerns about the environmental impact of the Lake Point project.

At this point, Conner interrupted D'Alemberte's remarks: "They don't get a pass on nefarious conduct," he said, "just because they carry the label of 'environmentalist'."

D'Alemberte argued that Hurchalla had been "unaware of any misstatements," harbored no malice toward the business, that she is allowed to express her opinion, that she is not responsible for missteps by government officials, and that the contract was never breached, since it remains in force.

He proposed that Roby should have stopped the case from going to the jury to impose his own ruling, called a directed verdict, because, he said, Lake Point had not presented a preponderance of evidence that malicious intent was Hurchalla's sole or primary motivation, the only exception to free speech protection, he said.

LAKE POINT'S ARGUMENTS

Conner suggested that perhaps Hurchalla's misstatements were the result of "negligent investigation," a notion vigorously rejected by Lake Point attorney Jon Tasso. He pointed to Hurchalla's persistent claims that wetlands had been

destroyed – "she pounded that drum for weeks and weeks" – despite the testimony of the county's Growth Management Department and SFWMD experts that no wetlands had been destroyed, had been a deliberate attempt to turn public opinion and the county commission against Lake Point.

Tasso called her actions "absolutely reckless." He also rejected D'Alemberte's characterization of Hurchalla's communications with commissioners as merely her opinion.

"She was making these statements as factual assertions," Tasso said, "not opinion."

Her influence was persuasive, since the three commissioners who comprised the majority at the time, Sarah Heard, Ed Fielding and Anne Scott, all admitted during previous trial testimony that they had not read any of the permits or any of the Lake Point agreements.

"Their only source of information," he added, "was Maggy Hurchalla."

The bulk of the email correspondence between Hurchalla and the private email accounts of the three commissioners no longer exists, thus the direct evidence of malice that might have been revealed in private correspondence is unavailable to the court.

"They covered their tracks," Tasso said, by deleting emails, which Hurchalla claims were not related to Lake Point. Since only the emails themselves, which no longer exist, can verify that the emails are material to the case, the jury was allowed to decide if they were or were not relevant.

A handful of recovered emails showed Hurchalla giving specific steps to then-Commissioner Fielding, "Don't worry about the money. Don't worry about the environment. Just cancel the contract," steps which Fielding followed.

Hurchalla also signed emails as Mrs. Machiavelli, a name taken from the infamous Italian philosopher who wrote a political treatise in the 1500s advocating "the ends justifies the means" behavior, acting without a moral code, especially among politicians seeking power.

"She self-described herself as Ms. Machiavelli," Tasso said. "Lake Point did not call her that."

THE JUDGES' DECISION

Damoorgian, the presiding judge, commented that Hurchalla's arguments during the civil trial and even written in the motion for summary judgment had "blurred the lines" between meeting federal standards to establish malice, and those required by state common law, thus opening the judge's instructions to the jurors to errors. No clear path to the panel's decision, which can take weeks or months, was evident at the end of the hour-long proceeding. ■

Don't blame jurors for inability to convict Heard

Following the jury's decision, Heard's attorneys submitted a bill of \$450,000 to the county – \$25,000 per week – for Heard's defense.

The commissioner was found not guilty of violating the state's public records laws that state all public records, including those residing on private electronic devices, must be preserved and protected. The Florida Supreme Court ruled in 2015 that no excuses are acceptable, even claims of negligence or inadvertence in failing to preserve or maintain public records.

Since a civil court had already weighed in on Heard's actions, however, none of that evidence presented previously would be admitted in the criminal case, due to rulings by Circuit Court Judge James Langford.

The previous civil case in 2017 resulted in court-ordered sanctions against Martin County totaling \$502,000 for public records violations, as a result of conduct by Heard and two other commissioners, Ed Fielding and Anne Scott. The ruling itself, the arbitrator's report, and none of the evidence presented was allowed as evidence in the criminal trial.

Among the evidence that jurors did not hear:

- Heard's court testimony in 2015 that public records were, indeed, among the emails that she had claimed had been deleted from her personal computer after a "hacking" on Jan. 31, 2013.

- That Heard refused to allow Yahoo! to search her personal, web-based email account to retrieve those public records, until a court subpoena was issued four years later demanding that Yahoo! conduct a search for Heard's deleted emails.

- That Heard's failure to recall her password, or the back-up phone number to her account, which delayed Yahoo!'s search, also was stricken from evidence, as well as the results showing that Yahoo! eventually retrieved around 600 emails from her personal email account, 40 of which responded to multiple public records requests, according to hearing transcripts.

- Testimony by the county's IT expert that he could detect no evidence that Heard's personal computer had been hacked, but he did find that the hard drive had been "cleaned" in December 2012, and no public records remained on her personal computer's hard drive.

- Heard refused the invitation to testify before the Martin County grand jury, which returned two criminal indictments of Heard for public records violations in January 2018.

- Heard sought Fifth Amendment protections in the civil trial of former commissioner Maggy Hurchalla, who was found to be liable in 2018 for tortious interference in a business contract, in a case where secret email correspondence with commissioners was central.

More evidence was excluded in the prosecution of Martin County Commissioner Sarah Heard's alleged public records violations in April than was allowed. As a result, the six-member jury took only 30 minutes to elect a foreman, look at the charges, and conclude there was insufficient evidence to convict.



The principals in the criminal trial of Commissioner Sarah Heard from April 8 - 12 in Martin County, from left, attorney Barbara Wagner, Heard, Judge James Langford, and Jordan Wagner.

(The ruling is now under appeal.)

- Heard's testimony in two court-ordered videotaped depositions was stricken at every point that the questions referred to Maggy Hurchalla, or that Heard received emails from Hurchalla.

- Heard had accepted a plea deal with state prosecutors in November 2018, which would allow her to plead guilty to one civil infraction of not responding to a Jan. 15, 2013, public records request in return for her resignation from office at a court hearing Nov. 28 at 2 p.m. She attended the hearing at the Martin County Courthouse, which was blocked to media and the public, but had fired her attorney and backed out of the deal. (Heard claims she was being "forced" by the state attorney's office to sign the deal.) The attorney allowed inside the courtroom was Barbara Wagner, who told reporters that was her first day representing Heard, whom she continued, along with her husband, Jordan Wagner, to represent throughout the criminal trial.

Assistant State's Attorney Ryan Butler said after the jury verdict that he was hamstrung by Langford's pretrial ruling that barred prosecutors from introducing evidence from any of those previous civil cases into Heard's criminal trial.

"It's definitely difficult to present a case when some of the most powerful incriminating evidence you have, the judge says you can't use," Butler said.

The 64-year-old Heard, elected last August for a fifth term on the Martin County Board of Commissioners, had been charged in an indictment in January 2018 with two first-degree misdemeanors: being a public officer who knowingly failed to maintain public records and failure of a public official to permit inspection and copying of public records.

THE STATE'S BURDEN OF PROOF

Jordan Wagner, in his 45-minute closing argument, said the state failed to prove intent.

"You are a criminal court," Wagner told the jury. "You are not here about negligence, you are not here about accidents, you are not here about mistakes. You are here about things done with intent, and there's no proof of that."

Wagner also picked at the details of the

state's charging document.

"There is a stark difference between what she (Heard) is charged with and what they are trying to convict her of," he said.

The original grand jury indictment Jan. 4, 2018, was broad, stating only that Heard had refused the copying or inspection of public records, and had failed to maintain public records, but did not specify which public records.

Three months after the grand jury indictment, Heard's attorneys demanded a "statement of particulars" from the state attorney's office as to the specific public records being targeted "so the defendant can mount an effective defense."

The state identified one email, referred to as the "water" email during the trial, as evidence of Heard's "failure to maintain" her public records between Sept. 1, 2012, and Feb. 7, 2013. The state also identified only three other emails allegedly between Hurchalla and Heard that the commissioner had not produced; however, court testimony later failed to prove conclusively that the emails had originated on Hurchalla's computer.

The state did not include Lake Point's first, unfulfilled public records request Jan. 15, 2013, prior to the hack of Heard's private email account, in its indictment, and the charges included only the public records request by Lake Point attorney Ethan Loeb on Feb. 7, 2013, who asked for all correspondence between environmentalist Maggy Hurchalla and three county commissioners, including Heard.

Although the state attempted by amending its charging documents to include Loeb's Feb. 14, 2013, public records request specifying that the public records in Heard's private email account needed to be produced as well, Heard's attorney characterized it as a "new" charge, as "moving the goalpost," since that request was not included in the state's original charging documents.

The jury apparently agreed. ■
— Barbara Cloudus

New judge assigned to Scott's, Fielding's cases



Ed Fielding



Anne Scott

Martin County Circuit Court Judge Lawrence Mirman has been assigned by Chief Judge Elizabeth Metzger to hear the criminal misdemeanor cases filed by the state against former commissioners Anne Scott, defeated in a 2016 re-election bid, and Ed Fielding, who did not seek re-election last year.

Both commissioners face charges of public records violations stemming from the same Lake Point case as Commissioner Sarah Heard, who was found not guilty of violating public records laws.

Both Scott and Fielding have pleaded not guilty.

Scott's trial has been set for Sept. 16, after her attorney was granted a continuance due to a conflict. Fielding, who attended every day of Heard's week-long trial, will go to court August 5.

Assistant State's Attorney Ryan Butler said the outcome of Heard's trial will not affect how prosecutors proceed in the cases against Scott and Heard.

"The evidence and witnesses are all different," Butler said.

In addition to two misdemeanor counts for failing to produce public records, Scott also is charged with two additional counts relating to failing to turn over the public records in her possession within 10 days after she left office. ■

Familiar Golden Gate activist named CRA chair

Many people may not remember how to pronounce her name properly, but they do know – or at least have heard of – Saadia Tsafarides of Golden Gate, recently appointed by the Martin County Commission as chairwoman of the county's independent Community Redevelopment Agency, succeeding Rick Zurich of Rio.

She tells strangers – and certain Martin County commissioners – just to remember that the “T”s are silent, pronounced safaREEdes.

“I can't help it if my husband is Greek,” she says with a grin. “Blame him.”

But don't get confused by the double “a”s in her Moroccan first name, either. It's pronounced, saDEEYa. Much simpler.

Actually, she is Amazigh, the indigenous peoples who predate the Moroccans in northern Africa. They just celebrated their 2969 New Year.

The name Amazigh means “noble blue blood,” she will tell you. Their culture is built on the principles of loyalty, hospitality, and a sincere appreciation of friends, family and neighbors, a creed that Tsafarides expresses often by inviting friends, and even strangers, to share meals at her table.

“She's been everywhere doing good work for her community, for years and years,” said Commission Chair Ed Ciampi, “and, of course, she's chair of the Golden Gate NAC (Neighborhood Advisory Committee) ... She's well qualified for this position.”

Tsafarides was the driving force behind the restoration of the Golden Gate building on Dixie Highway, founding the non-profit, “The Friends of the Golden Gate Building” in 2004, hosting home-cooked Moroccan dinners and baking cookies. She often carried cookies in little plastic containers in her car, just in case a county official needed a little needling – or a show of appreciation.

“I baked a lot of cookies then,” she says, shaking her head, her jet-black



The Golden Gate building in 2001 and after its full restoration. Restored, the Golden Gate Center of Enrichment and headquarters of the House of Hope, it is a collaborative community center offering free classes, workshops and numerous programs geared to children and families.

hair tamed by a tight bun.

She's still baking cookies and hosting Moroccan dinners, most recently at the Kane Center to raise funds to restore sailfish artwork by Florida Hall of Fame artist James Hutchinson, hidden on the inside walls of the Golden Gate Center.

Her interests are not limited to the Golden Gate building, however. She's also passionate about the ongoing work of redevelopment within all six of the county's Community Redevelopment Areas – Old Palm City, Hobe Sound, Port Salerno, Rio, Jensen Beach, and Golden Gate.

She recognizes that she's at the helm of a changing CRA, one that could well meet its full potential. For the first time ever, the CRAs will have its own chapter, Chapter 18, in the Comprehensive Growth Management Plan, with illustrations that will show what can be built within those neighborhoods, changing from suburban rules to those that apply more appropriately to urban neighborhoods with a mix of uses in a town-like core.

“It is a privilege to work with those who truly believe in the quality of life for others,” she said in her opening remarks



Saadia Tsafarides
Chair of the Community
Redevelopment Agency

to the CRA board at its May 28 meeting, “with opportunities for businesses and workforce housing, making our six neighborhoods walkable and sustainable places to live, work and play.”

She came to the position with a list of priorities that she hopes to accomplish over the next year, including:

- EDUCATION: Consider developing a program containing credits with a certificate of completion, possibly six sessions starting with “CRA 101,” utilizing the videos of the Treasure Coast Regional Planning Council seminars held last year for CRA volunteers. Make all seminars mandatory for members of the NACs and CRA board.

- OUTREACH: NAC and CRA members should listen to residents, business owners, and long-time property owners; meet with them, describe and discuss the neighborhood master plan. Assist them with signing up for the CRA online newsletter and notifications. Be active ambassadors for your neighborhoods and the CRA program. Share your neighborhood's story by sending e-mail updates.

- NOTIFICATION: All CRA neighborhoods should have electronic digital signs announcing NAC meeting dates and time. Increase community participation at meetings.

- PUBLIC & PRIVATE INVESTMENT: Marketing of the redevelopment program through all appropriate means, especially the proposed Comprehensive Plan Chapter 18 and associated regulations that are specific to accomplishing community redevelopment. Keep an open mind and search for processes and programs that have worked in other communities and could be potential tools for achieving our CRA objectives.

“I remember a commercial on TV,” she said, “stating that the ‘well-informed consumer is our best customer.’ That's a great message.”

Tsafarides often pokes fun at herself, reminding people that English is her second language, and at times, she struggles to find the precise English word to express her thoughts, since her native tongue is Tamazight and French. Words do not always translate exactly.

Although she has been a U.S. resident for 48 years, attending classes as an adult to sound more American, the accent remains.

“What can I expect,” she laughs. “I married a Greek!”

Because she is so passionate about the future of her adopted community of Martin County, especially Golden Gate, Tsafarides sometimes get frustrated and impatient with others. She apologized in advance to the community development staff “if I ever step out of line.”

Tsafarides recognized the “hard work they do behind the scenes,” and concluded her remarks with one of her favorite quotes, “When we raise the quality of life for the poorest among us, we, by that same degree, raise the quality of life for our most fortunate citizens.”

And Martin County is most fortunate that Saadia Tsafarides is one its citizens. ■

Golden Gate building's historic marker unveiled

No one was more delighted than celebrated artist James Hutchinson to take part in the unveiling of the new historic marker for the Golden Gate building on May 11. He and his wife, Joan, once lived within its walls, leaving behind artwork that Golden Gate activist and Community Redevelopment Agency Chairwoman Saadia Tsafarides hopes one day to restore.

Martin County Commissioner Stacey Hetherington was featured speaker at the event that recognized numerous individuals responsible for obtaining the building's historic status, including Julie Preast of Rio, Martin County Commissioner Doug Smith, and the county's community development and growth management staff.

Later that evening, Hetherington emceed a fundraiser at the Kane Center that featured Moroccan dishes, music, authentic dress and even a professional

belly dancer to raise funds for the artwork restoration.

Hutchinson, known for his landscapes of the Florida coast and Jamaica, moved out of the Golden Gate building after he was commissioned to paint the Seminole and Miccosukee people in the late 1950s-1960s, ultimately producing 50 paintings of Native Americans on display in Tallahassee.

After living in Hawaii, the Hutchinsons returned to the mainland, living in Sewall's Point since 2011. Named as a Florida Hall of Fame artist, Hutchinson's works have been featured in numerous private and public showings and galleries along the Treasure Coast, Palm Beach and Miami.

The iconic Golden Gate building on Dixie Highway, south of Indian Street, has been designated an historic landmark in Martin County and is listed on the National Register of Historic Places. ■



The historic marker for the Golden Gate building was unveiled in a ceremony under a light drizzle by Martin County Commissioner Stacey Hetherington, left, Florida Hall of Fame artist James Hutchinson, and Saadia Tsafarides, chairwoman of the Community Redevelopment Agency.

Improved Bridge Road parking coming soon

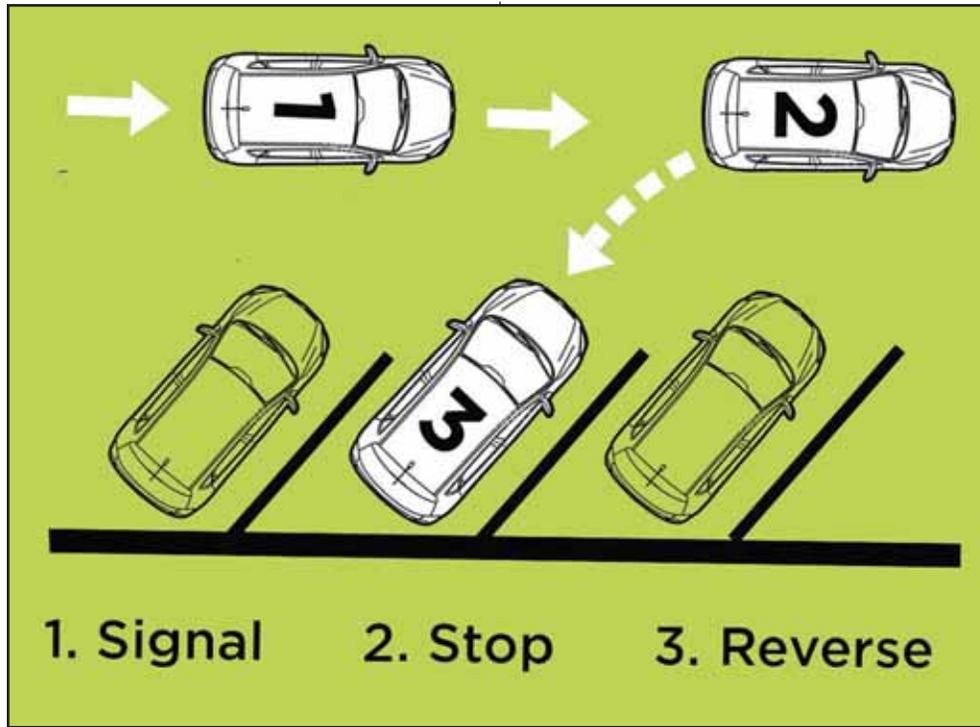
After nearly 20 years of start-stop-start-again planning, the revitalization of Hobe Sound's core business district on Bridge Road is about to become reality.

All the landowners who needed to donate property along Bridge Road to increase the county's right-of-way have done so. The design is 100 percent complete. Florida Power & Light and the county's utilities department are working together to get power lines buried.

If the weather holds, construction could begin this summer, disrupting local businesses as little as possible, and prior to the peak season for snowbirds this fall.

In addition to hardening the power grid and increasing parking, the style of parking itself on Bridge Road is about to change. Instead of pull-in, angled parking, drivers will now need to get used to back-in angled parking, the safest method of parking, because the driver has an expanded view of the road – including any bicyclists – as they leave their parking space.

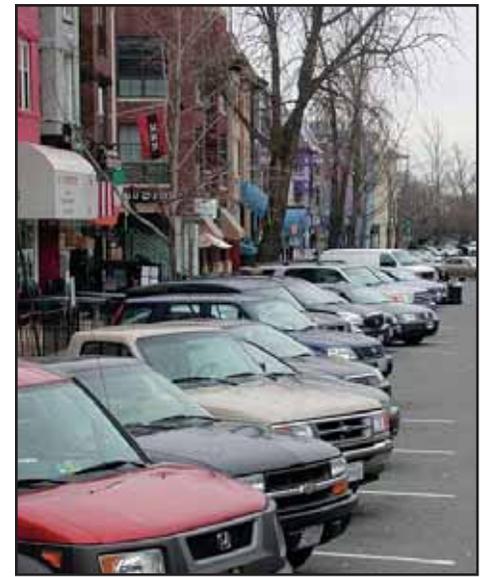
The first two steps in backing a vehi-



cle into a spot are identical to the first two steps needed to parallel park. With the number of SUVs now on the road these days, drivers parked next to one

have a nearly impossible task of seeing oncoming traffic – including bicycles..

In an effort to ensure that Hobe Sound residents and business owners are informed and have an opportunity to ask questions that may arise over the next few months, the Hobe Sound Chamber of Commerce is making its up-



More towns are discovering a safer way to park, particularly in their town centers that have more pedestrians and bicyclists on the roads.

stairs conference room available to the county's Community Development staff.

They will be present tentatively on the first Thursday of the month at 5:30 in the John H. Filer Memorial Board Room of the Hobe Sound Chamber to answer questions. For more information, contact the chamber of commerce, the Community Development Department, or Commissioner Harold Jenkins. ■

A little known, but safer way to park



Edward Erfurt Jr.

Restless Urbanist

There are many kinds of parking, and each provides unique benefits when applied. One of the lesser known types of parking is Head-Out, or Reverse-Angle Parking.

In 2011, I had the opportunity to work with my good friend and mentor, Dan Burden, and his team at Walkable and Livable Communities to produce an educational video on this type of parking. Thousands of views later, I still refer back to this video. (Portions of it were filmed in Hobe Sound.)

Over eight years later, I have had the opportunity to implement Head-Out, Angled Parking into several projects. In every case, I received the initial response, "No one will ever use that," or "People can barely parallel park, so I do not know how you think someone will be able to do this!"

One project was completed outside my office window, so I saw this all first hand. For six months, the contractor did not post the parking signs or stripe the

lines. Yes, this was a complete mess, because cars parked perpendicular to the curb, parallel, and at angles I never thought possible to achieve in a car.

After a month with no striping, head-in angle parking prevailed. During the subsequent five-month period, there were several accidents from cars backing out into traffic. I had a very patient team in the city, however, who just held their breath until the day the striping was installed.

The contractor striped the head-out stall angles late one afternoon. Within 24 hours, cars followed the lines and backed into the angled spaces. The first weekend, there was a large event at an adjacent church, which was the first big test of guests from around the region. They too figured it out without any issues.

I do encourage sharing this video at: <https://vimeo.com/35268340>, if you want to try this parking in your community. I would also be happy to provide any testaments to its benefits for the skeptics in your neighborhood. ■

Edward Erfurt, assistant city manager for the City of Ranson, W.Va., was a senior planner in the Martin County Community Development Department from 2009 to 2015. You may contact him by sending an email to edward@martincountycurrents.com.

The advertisement features large, blue, 3D-printed text that reads '3D PRINTING' on a grid background. Below this, the website '3D-Printing-Expert.com' is written in red and blue. Underneath, 'Product-Development-Experts.com' is written in black. Further down, a list of services is provided: 'CAD Design • Product Design • 3D Printing • Rapid Prototyping', 'Product Licensing/Consulting • Manufacturing Drawings', and 'Manufacturing Pricing • Manufacturing Short Runs'. At the bottom, the phone number '772-934-6014' is displayed in large red digits.

Indiantown

B A S E B A L L

See what Indiantown Community Athletic Association has to offer!

BASEBALL CLINICS

Saturday, June 22
Noon to 5 p.m.
Big Mound Park

4-6 YEARS OLD FOR T-BALL

7-9 YEARS OLD FOR COACH PITCH

10-12 YEARS OLD FOR LITTLE LEAGUE

13-15 YEARS OLD FOR CO-ED SOFTBALL

COACHES NEEDED FOR ALL AGE GROUPS!

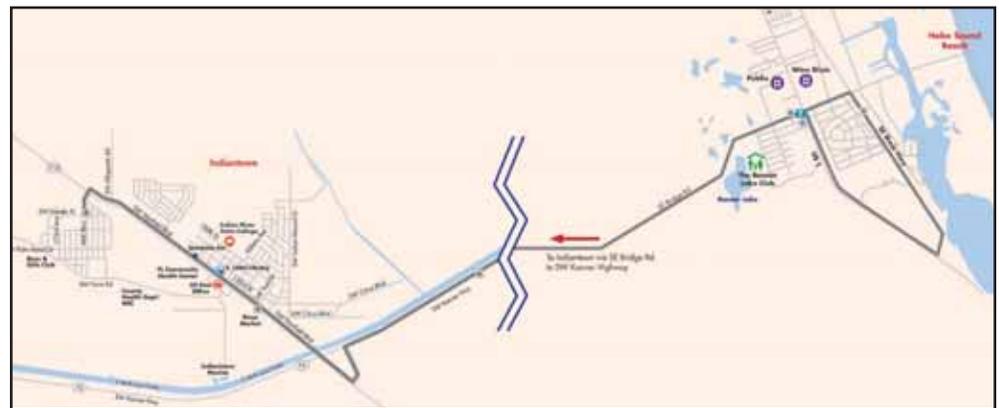
We would like all the kids of Indiantown to show up and have fun!



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MARTY 30X EXPRESS	TRAIL DR & WARFIELD BLVD (RINES MARKET)	LINCOLN ST & MLK, JR DR	ST. LUCIE MOBILE HOME PARK	US 1 & BRIDGE RD	DIXIE HWY & SE ADONIS ST
	BUS STOP #927	BUS STOP #932	BUS STOP #926	BUS STOP #957	BUS STOP #970
AM EAST (ESTÉ)	6:50	6:55	7:05	7:35	7:40
	8:30	X	8:40	9:10	9:15
PM EAST (ESTÉ)	5:55	X	6:05	6:35	6:40
CONNECTIONS				RT 20X	

MARTY 30X EXPRESS	DIXIE HWY & SE ADONIS ST	BRIDGE RD & US 1	ST. LUCIE MOBILE HOME PARK	LINCOLN ST & MLK, JR DR	TRAIL DR & WARFIELD BLVD (RINES MARKET)
	BUS STOP #970	BUS STOP #971	BUS STOP #926	BUS STOP #932	BUS STOP #927
AM WEST (OESTÉ)	7:40	7:45	8:15	8:22	8:30
PM WEST (OESTÉ)	5:05	5:10	5:40	5:47	5:55
	6:40	6:45	7:15	7:22	7:30
CONNECTIONS		RT 20X			



New bus route opens from Indiantown to Hobe Sound

It seemed like a “no-brainer” solution, observed Martin County Commissioner Harold Jenkins. Lots of Hobe Sound businesses needed workers, and Indiantown has an abundance of young men and women who need jobs.

The only issue was getting those Indiantown workers to Hobe Sound.

“I discovered during an Indiantown Village Council meeting that transportation to jobs was a big issue,” he said. “The ‘Marty’ bus route went from Indiantown to Stuart, but no bus came to Hobe Sound.”

Hobe Sound is home to at least four major landscaping contractors, three or four roofers, fencing companies, building contractors, and house painters, all of which have had difficulty finding workers.

After some exploration and work with the county’s transportation staff, a plan emerged just to finagle some existing routes in order to create a brand new bus route, without needing a new bus to do it.

“The beauty of this is that if someone in Indiantown needs to go to the VA hospital, or spend money at the mall,” he added, “they can ride from Indiantown to Hobe Sound, get off at the corner of US 1 and Bridge Road to make the connection with another Marty bus going to Palm Beach County.”

The buses for the new Route 30X will



Commissioner Harold Jenkins, on the phone, took the inaugural ride June 3 of the Marty 30X bus from Indiantown to Hobe Sound, back to Indiantown, with Village Council Mayor Susan Gibbs-Thomas, Councilwoman Jackie Clarke, right, and not pictured, Councilman Anthony Dowling and Village Manager Howard Brown.

run Monday through Friday, during the peak traffic hours – a morning and evening commute each day. The cost for boarding is \$2, and bus passes for 10 rides are available from the driver for \$20.

If a valid military veterans ID is provided, the ride is free.

Riders can use the MyRide link at www.myride.martin.fl.us to get real-time information about how long it will take the bus to get to the stop, since buses can be delayed by trains or traffic. We can provide information cards for riders to assist them with using this link. ■

ATTN: Hobe Sound Employers HAVE JOBS IN HOBE SOUND?

Post them here for FREE. Let your Indiantown neighbors know what you need! Send a job description to jobs@MartinCountyCurrents.com.

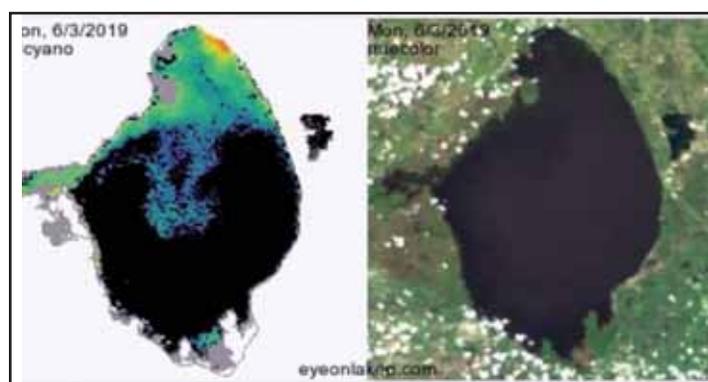


WHO are you talking about, Brian? **WHO** are the “Conspiracy Theorists?”

Congressman **Brian Mast** released the following statement on the recent discovery by NOAA satellite images of non-toxic algae blooms in Lake Okeechobee to CBS12 News:

“The conspiracy theorists who are trying to profit off of convincing people that Lake O discharges don’t cause algal blooms on the Treasure Coast are having a rough week as the central premise of their deception unravels. Because the lake is so much lower right now than it was last year, we aren’t receiving discharges and therefore haven’t had algal blooms on the Treasure

Coast. This goes to prove not only that discharges are the primary cause of toxic algal blooms on the Treasure Coast but also that operational changes like what the Army Corps did this dry season can make a huge difference for the health of our community and the environment of our estuary.”



I would like Brian Mast to identify, exactly, who these "conspiracy theorists who are trying to profit" are.

Scott Watson

Indiantown Marina

Proudly situated on the banks of the Okeechobee Waterway in Indiantown.

Taking over village parks turns into a hot topic

The Indiantown Village Council's action on a proposal regarding employee health insurance and vacation benefits was expected to be controversial at its May 23 meeting. Instead, a discussion of an initiative to take control of public parks in Indiantown turned out to have a little more heat.

Eric Sullivan, a partner in Sports Facilities Advisory, a Clearwater firm, gave a detailed report on the potential costs and development opportunities for the four parks situated in Indiantown. The report was the result of the first phase of a contract the village council made that paid Sullivan's firm \$15,000 for the research and report.

The council has not decided whether to move forward with a second phase of the contract for an additional \$20,000.

Vice Mayor Guyton Stone said parks in Indiantown do not get the same level of attention from Martin County parks supervisors and maintenance staff, perhaps because Indiantown is far from the main population centers.

Stone said it seems that to the county parks department, the Indiantown parks are "out of sight, out of mind."

Sullivan said a customer satisfaction survey found Martin County parks were rated highly by 94 percent to 98 percent of parks users. Stone responded that he wished Sullivan had surveyed In-



Post Family Park playground in Indiantown.

diantown residents about their parks, because he thinks such a survey would find a much lower rating.

Sullivan's study found that the income from the Indiantown parks would be only a small portion of the expense to operate and maintain them, especially if the cost efficiencies for equipment, supplies and staff that currently exist as part of the countywide park system are lost.

Furthermore, efforts to increase revenues from the parks would end up being passed along to the Indiantown residents who use those parks, as in added fees.

During the council's discussion that ensued after Sullivan's 30-minute presentation, Martin County Commissioner Harold Jenkins was granted his request to be heard (without filling out the request card required of most members of the public).

"This is crazy," Jenkins told the council members. "Why are you focusing on parks when you have so many other things to do?"

The first-term commissioner, whose District 3 runs along southern Martin County from Hobe Sound to Indiantown, said, "I'm here to represent you (Indiantown) in the county; I've also got to look out for the Martin County taxpayer."

Jenkins said the 37-acre Timer Powers Park -- with its community center, boat ramp, fishing pier, amphitheater, playground, and the county's only public equestrian arena -- is a regional park that the county paid to be built and maintained.

"It's completely different than the other three parks (in Indiantown)," he said. "You're not going to get that."

Jenkins said if there are problems with the facilities or maintenance at the other parks -- Big Mound Park, Post Family Park or Booker Park -- village officials should let him know and he will work to get the Parks & Recreation Department to fix problems.

Annual costs to maintain the other three parks would total about \$200,000, Sullivan said, with revenues totaling less than \$5,000.

After the meeting, Stone and Jenkins seemed to have reached agreement that Stone and the village would become more of a "squeaky wheel" over any maintenance or scheduling problems at the parks and Jenkins would use his influence as a commissioner to get a better response from the parks department. ■

— Mike Mason

Special to Martin County Currents

Mayor explains why council members deserve benefits

As for the debate about whether to give village council members health insurance benefits, Mayor Susan Gibbs Thomas gave an extended response to some of the comments she said she had been hearing on the topic from village residents, including local business owners MaryBeth Batchelor and Joe Walsh, both of whom spoke at the meeting against council members getting insurance benefits.

"Just to clarify. When we're talking about this, we're talking about an ordinance that was done in 2018 ... back in August, Ordinance No. 11-2018, that the positions that are covered are paid employees of the village, including elected officials.

"It's been written and I've heard it's community service. When I was elected, I was elected to do a job. I wasn't elected to do community service. I was elected to do a job. And we are working. We are working. I'm losing money. Do you think I'm gaining something?"

"I'll tell you what, it's the honest to god's truth, I'm losing money. The places that I go, the places that I do, the things that I support -- event tickets, raffles, 50-50s, my gas -- I'm losing money to do this job.

"So, if you think I'm gaining or I'm trying to be a Washington elite, and trying to get something in my pocket, I'm not.

"We are an employee, and we're part of that ordinance, so we're lumped in there with the rest of them.

It's nothing that we're trying to do just for ourselves. That's not what this is.

"And we are trying to set up, and like it was said, it's like trying to build a plane as you're flying.

You know, this is a frame in review. We do it, we find out it's too



Village Mayor
Susan Gibbs-Thomas

onerous, we should back off, we can change it. It's not written in stone.

"This is a very controversial thing, apparently, from what I'm hearing. It's damned if you do, damned if you don't. I've heard people say, 'Well, you guys should get more.' I've heard people say, 'Well, I don't know why you're getting what you're getting.' So, it doesn't make

any difference what we do, someone will think it sucks.

"The reason that we are here is to try to do what we feel is best, listening to the public, listening to more than just two or three people, listening to the general public. Getting out there amongst them and listening to what people are saying. And then we are your representatives.

"And it's the kind of thing that, when it comes down to it, if it comes to election time and you don't agree with us, then that's when we're out."

Attorney Wade Vose explained that an ordinance that affects compensation for elected officials would require four votes to pass.

That was defeated 3-2, with only Thomas and Jackie Clarke voting for it. Then Dowling moved to amend the ordinance to exclude council members from health insurance. That passed unanimously.

The decision on health insurance, however, does not apply to the retirement plan that was approved for all council members in March. The council voted unanimously to include council members in the retirement coverage, and paid an additional \$34,000 to back date the policy to March 2017 for council members. ■

— Mike Mason

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Manager balancing government-lite with needs

Indiantown's incorporation organizers assured residents during their year-long campaign that a village could operate – and make its own decisions – without additional taxes to run it. Granted, the first year would be tough, according to the consultants, because Indiantown would have few state revenue-sharing funds to cover the cost of interim administrators – no cash at all for the first six months, in fact.

Not even a checking account. But things would even out by the second year, according to the experts. The budget was projected to reach around \$5 million or so annually, and the Indiantown administration would follow the “government lite” model – hiring contractors instead of employees, which would limit an out-of-control government bureaucracy by not having the obligations of providing lifetime retirement or the rising costs of health care.

The Village would need to borrow money, and CenterState Bank extended the fledgling village the credit they needed. The Village still owes \$227,350 on the loan to CenterState, and is currently making interest payments monthly.

Using contractors also would give the Village flexibility to cut the workforce during lean times, if needed, without consequences or long-term financial obligations. Government-lite is the model that the City of Weston, with a population of more than 60,000, adopted when it incorporated 20 years ago.

After Indiantown residents won in-

corporation, held their first-ever Village election and their first council meeting, reality began to set in. Residents filled the Indiantown Civic Center with lists of needs and wants for the Village that far exceeded their budget, everything from public restrooms to improved parks, from code enforcement to fixing their flooded streets.

And they needed jobs.

The decline of the citrus industry and the county's rejection of industrial projects had hit Indiantown particularly hard over the past decade, fueling residents' and business owners' fire to seek Indiantown “independence.” In less than two weeks, they had obtained more than 1,000 signatures of their 6,000 or so residents. Even after the election, the passion remained.

Village Council meetings have yet to go unattended by the public. In fact, they often have a crowd.

SETTING UP A GOVERNMENT

Under the guidance of former Stuart City Manager Paul Nicoletti, who had served as Indiantown's interim city manager, the council signed contracts over the next few months with a new city clerk, a city manager, and a city planner to write the Comprehensive Growth Management Plan and Land Development Regulations, considered by most



Howard Brown
Village Manager

as the most important single element in shaping Indiantown's future.

The council appointed an Indiantown citizens' group to vet and recommend a building permitting firm, which was done, and named seven qualified citizens to a comprehensive plan committee, which was disbanded within a few months. The planning consultant, Bonnie

Landry, continues to gather citizen input through neighborhood meetings, and says she's on track to produce a first draft soon.

The idea of government lite sounded promising, but the reality was entirely different, according to the village's mayor.

“We discovered quickly that the problem with taking that (government-lite) approach was the lack of responsiveness (to citizen's needs) and accountability,” said Indiantown Mayor Susan Gibbs-Thomas, at a recent Indiantown Chamber of Commerce meeting. She also chafed at having a Village office open only two days a week.

After some dissension, the council abandoned the idea of having nothing but contracted employees, and switched to the idea of having a combination of both staff and contractors.

Their first full-time position as an

employee of Indiantown is Howard Brown, a former city manager at Bell, Calif., and Muskogee, Okla., as well as a certified planner for the City of Opa-Locka in Miami-Dade County. Although Brown's benefits were addressed in his contract with specific days for vacation, sick leave, retirement, plus a \$500 stipend for health insurance, it became obvious that – along with the need for direct employees of the village – was the need to provide those inconveniently expensive benefits more broadly.

“Indiantown needs to provide benefits to its employees if we're going to be competitive,” Brown told the council at its May 9 meeting.

“If you want the best,” Thomas added, “and we want the best, then you've got to provide benefits.”

Brown already got the Village Council's approval in March to enroll Indiantown in the Florida Retirement System (FRS), in which the Village pays 100 percent of the employees' contributions to retirement. The payment is based on a percentage of their salaries.

At Brown's suggestion, the mayor and Village Council voted unanimously two weeks later to enroll all the council members, as well, making a one-time payment of \$36,000 to ensure their enrollment term began when their term began.

After eight years, they will be eligible for lifetime retirement benefits, even if they are not re-elected, thus the beginning date is important. ■

Few cities pay elected officials same as employees

As the Village of Indiantown begins to replace some contracted staff with direct-hires, Village Manager Howard Brown Jr. urged council members May 9 to add a benefits package that includes full premium payments for retirement and health (medical, dental and vision) insurance in order to attract the best candidates.

Although the Village currently has only two direct-hires (the village manager and the village clerk), the number will soon increase, Brown said, pointing out that a consultant is performing a staffing analysis for Indiantown.

The Village currently also is advertising for two positions: an Office Coordinator requiring a minimum education of high school or GED with a salary of \$42,000 to \$52,000, and a Management Analyst with a salary of \$38,000 to \$44,000 requiring a bachelor's degree. (Full qualifications are posted on the Indiantownfl.gov website under Job Opportunities.)

Brown acknowledged Indiantown's preferred “government-lite” model that limits direct-hires, preferring contractors to meet a municipality's service needs, thus the village's staff will be a combination of both contractors and direct-hires.

The City of Weston in Broward

County is considered the state's “poster child” of the government-lite philosophy. After 20 years, even Weston has some direct-hires – 10 full-time employees for a city of 66,000 residents, collecting \$19 million in taxes with a millage rate of 2.39, according to the Florida League of Cities, the lowest in Broward County and less than Indiantown's millage rate of 4.3.

More than 20 municipalities in Florida are statistically comparable to Indiantown in the size of its population and tax revenues. None of those cities or towns offer both salary and benefits to their council members as compensation for their service to their community.

Indiantown council members receive \$10,000 in annual salary, plus retirement benefits.

Other municipalities have chosen to do the following:

- **High Springs** in Alachua County, population 6,221. Council members receive \$10,800 apiece annually, and the mayor receives \$11,400. No retirement and no health insurance. The city's office opens at 7:30 a.m. Monday through Friday and closes at 6 p.m. Indiantown's office is currently open two days a week, 9-5 on Thursdays and Fridays, half-day on Wednesdays.

- **Dade City** in Pasco County, popu-

lation 7,162, pays four of their commissioners \$3,600 and \$5,400 to the mayor annually. No retirement and no health insurance. At one time, they city was enrolled in the Florida Retirement System (FRS) as Indiantown is now, but found it too expensive and pulled out of the plan, according to the city clerk. Since some of the city's commissioners had been enrolled then in FRS, they will continue as long as they hold elected office, but none will be added in the future. The city is celebrating its 130-year anniversary.

- **City of West Miami** in Miami-Dade County, population 7,806. Each council member, including the mayor, gets a stipend of \$1,200 each annually (\$100 per meeting), plus an additional \$20 per meeting to cover additional costs to attend the meeting. No retirement; however, the city provides health insurance for council members and their dependents in lieu of salaries.

- **City of Okeechobee** in Okeechobee County, population 5,561. Council members receive \$8,800 annually, with the mayor receiving \$10,000 annually. The city has its own retirement insurance (not FRS), which requires employee contributions. Three different plan options are available. They do offer to elected officials

medical, eyeglass and dental insurance and cover 100 percent of the premiums for council members, but not for their dependents.

- **City of Arcadia** in DeSoto County, population 7,673. The mayor receives an annual salary of \$6,000 and council members receive \$3,600 annually. Neither retirement nor health insurance is provided.

- **City of Clewiston** in Hendry County, population 7,943. Commissioners receive a monthly stipend of \$400 (\$4,800 annually), and the mayor receives \$600 per meeting (\$7,200 annually). They offer no retirement to council members, but have set up a 401K plan for city employees to match employee contributions. The city does provide health insurance, paying 100 for the council members with an option for them to add spouse and dependents at their own expense.

- **Moore Haven** in Glades County, (only because it's nearby, though much smaller) population 1,809. Council members receive \$525 a month (\$6,300 annually) and the mayor receives \$575 monthly (\$6,900 annually). No retirement and no health benefits.

Statistics may be found on the Florida League of Cities website, floridaleagueofcities.com. ■

Remembering the one and only 'Betty' Smith

Maybe it's because Betty Smith adopted slightly different personas at times, depending on how comfortable she was with those sitting around her table, at times flashing such a quick one-fingered salute that you were not quite sure you saw what your eyes were telling you.

After all, she controlled what she said and how she behaved, most of the time. You might easily mistake her for a prim and proper school principal, her manicured nails making pointed exclamation marks in the air as she talked...but a salute like that? Surely not!

She exuded professionalism, her clothes perfectly coordinated and pressed. Her earrings matched her necklace and her bracelet and, if she wore a suit, her brooch as well. She hung her slacks with matching tops on the same hanger, and she loved hats.

Even to go just to the dining room for lunch at The Pointe, which served "meals as good as any restaurant in Stuart," she'd say of the kitchen at the assisted living facility on East Ocean Boulevard, where she'd lived since 2014.

"It's really nice, and I love my apartment, but the place is full of OLD people, and I hate old people." Betty was 91 when she died March 9.

Or maybe it's just because she was bigger than life, laughing uproariously at other's foibles, although no one was more self-deprecating than she. Even strangers knew her body was falling apart, and she'd grown tired of working each day on her legs in order to remain upright.

"What are you waiting for, God," she'd implore to the sky often, over the last 20 years. "I'm ready to go!" Then she'd turn and say quietly, "If that was really true, then why am I fighting so hard to stay alive?"

The answer, really, was simple. She loved life. She enjoyed people. She was curious, and she was engaged.

That's why it's so difficult now to find the words to describe her, and the impact she had on Martin County and its people. She was a force behind the scenes. She quietly helped shape its political essence. Now that she's gone, the breadth of her absence is even greater than her presence had been, because no one ever will replace her.

A military wife who traveled the country, she was married twice, to the same man, which she said proved she was insane, since doing the same thing over and expecting a different result was the definition of insanity. But the union gave her a second set of children, on whom she grew to depend as she aged. Her bout with cancer in 2014, brought all four of her children together, she said, which had been the greatest gift of



Carolyn "Betty" Smith

her life, making cancer worthwhile.

She relocated from Baltimore to Stuart in 1972, where she eventually became involved in politics. She worked hard for more than 15 years with Charlie Kane and other political leaders to grow the Martin County Republican Executive Committee, until

she unabashedly supported a Democratic candidate for the state legislature.

"They threw me out of the REC then, and I never went back," she said, but no one ever was more Republican – passionately Republican – than Betty Smith.

She became associate editor of the *Around Town* magazine for five years, then started reporting on the county and city commission meetings, eventually turning that job into a paid-subscription newsletter, *The Government Reporter*. Over 25 years, the only time she missed a meeting was to have surgery.

She became an expert on local politics as a result, but was crestfallen when the management at The Pointe forbade her to talk politics at their dinner table with other residents.

"But these people do not know anything about anybody," she said. "All they can talk about is Bingo! They NEED me to talk politics." She started eating more meals inside her apartment then, going to the kitchen with a stack of plastic containers nestled in her walker's basket. She said she made so many trips, she should have gotten a bicycle horn. Her son fitted the walker with "headlights,"



Betty Smith always dressed up for every patriotic holiday, especially the Fourth of July.



Coming early to the Stuart City Commission meetings allowed Betty Smith to set up her "desk" properly, with 10 sharpened No.2 pencils, two pads of paper, her water bottle, her zippered pouch that read, "Be Nice or Leave," her package of tissues, and her mints. Now the meeting could begin.

making her the envy of the walker crowd.

For decades, she volunteered her time to the YMCA, to Junior Achievement, to the Barn Theatre, and as a docent at the Tuckahoe Mansion, where her family hosted a memorial party for her May 3.

Her friends told stories that some had never heard, yet they all recognized the spirit of the woman they had loved. It was appropriate that the service was at Tuckahoe, where the volunteers purchased a memorial brick in her honor. She had grown to treasure the place, after she had railed against the county's decision to restore it.

Her "railing" was internal, however, snapping the rubber band she made a habit of wearing around her wrist to remind her to keep her mouth shut during commission meetings.

All of her children survive her:

daughters, Carol Bloom and her husband, Roger, of Boynton Beach, Susan Kunz and her husband, Bill, of Annapolis, Md., Lauren Dumas of Palm Beach Gardens, son Brad Smith and his wife, Darlene, of Doral, and her four grandchildren, Kimberleigh Coyne, Meredith Dasher, Shaw Smith and Ryan Smith.

Memorial contributions may be made to: YMCA of the Treasure Coast at www.ymcatreasurecoast.org, in memory of Betty Smith.

One of her favorite Mark Twain quotes was this: "I didn't attend the funeral, but I sent a nice letter saying I approved of it," which aligned perfectly with her sense of humor. Some may have thought that Betty was not at her own funeral at the Tuckahoe, but they'd be wrong. She was there. She would never have missed a good party! ■

Saying a quiet, neighborly good-bye

Gail N. Brown
Hobe Sound
March 28, 1941, to May 30, 2019

Gail Brown, 78, lived in Hobe Sound with her husband, James Brown, for 42 years, enjoying a small circle of friends as she spent her time raising their daughter, Carla, and pursuing a host of hobbies, including knitting, crossword puzzles, traveling and trivia.

When James retired from the post office, their circle widened, as James launched a second career as a photographer and publisher of the Martin County Community Alert online newsletter and Facebook page, serving as a volunteer community activist.

His interest in alerting his neighbors to threats and scams had been awakened by his volunteerism with the Neighborhood Watch program, and he discovered that many residents respected and appreciated the time he

spent searching for articles to share.

He began attending Hobe Sound and Stuart-Martin Chamber of Commerce meetings, volunteering on their Government Affairs Committees, and whenever he attended an official function, his wife, Gail, was by his side, often regaling others with her quiet, quick wit.

Her daughter said her mother will be remembered "for her wonderful sense of humor, ability to deliver a one-liner with a straight face, and her infectious laugh."

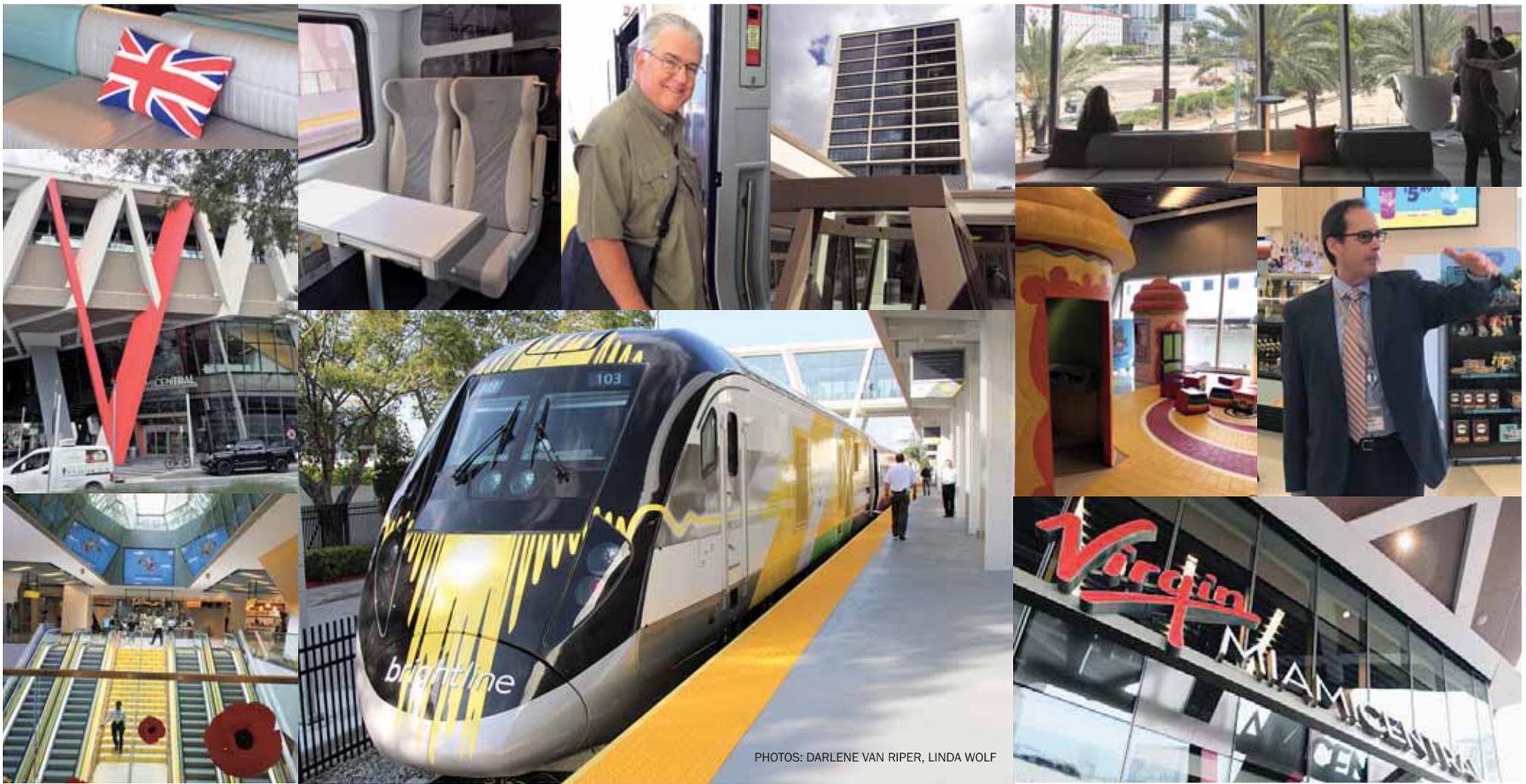
This loving wife, mother, grandmother and aunt, died May 31, in hospice care in Tallahassee, where she and James traveled to be near their daughter's family, Carla and Darren Lucas, and their son, Max.

Born March 28, 1941, in Springfield, Mass., to Ruth and Stanley Nobbs, who predeceased her, she was a graduate of the University of Massachusetts Amherst. She worked for the Connecticut Department of Welfare in Child Pro-

tective Services and for Aetna Life and Casualty as a corporate policies underwriter before becoming a homemaker, marrying James on April 21, 1973.

Also predeceased are sisters Jane (Nobbs) King and Judith (Nobbs) Webber, and brother-in-law Paul N. King. In addition to her husband and daughter's family, she is survived by brother-in-law Edgar Webber, many nieces, nephews and their children.

A graveside service was held Friday, June 7, 2019, at Culley's MeadowWood Memorial Park in Tallahassee, Fla. The family asks that gifts be made in Gail's memory to the University of Massachusetts Amherst's Department of Sociology within the College of Social and Behavioral Sciences. Donations can be sent to: SBS Dean's Office, University of Massachusetts Amherst, 231 Draper Hall, 40 Campus Center Way, Amherst, MA 01003, or online at <http://bit.ly/UMass-Sociology-GailNobbsBrown>, and indicate the gift is in memory of Gail N. Brown. ■



PHOTOS: DARLENE VAN RIPER, LINDA WOLF

A new, yet still uncomfortable, relationship begins

Brightline, branded now as Virgin Trains, still struggles with ridership, anticipated to finally exceed one million at the end of 2019. It will double after the passenger train reaches Orlando, officials say. Construction on tracks going north is to begin this month.

In an effort to increase ridership, Brightline's Vice President Rusty Roberts extended an olive branch to former foes by inviting Martin County Chambers of Commerce to experience the train ride from West Palm Beach to the Miami station, which offers dining, a gift shop, play areas for kids, special events, a VIP lounge, and even a "signature fragrance," kind of a cross between citrus and a light patchouli.

The members of the Government Affairs Committee of the Hobe Sound Chamber accepted Robert's invitation in April.

Many members, however, were admittedly uncomfortable at the idea of riding the train that they had worked so hard to stop, alongside the Martin County Commission and the Citizens Against the Train in Florida (CARE FL), over the previous five years.

A settlement last fall that gave Martin County the safety features it had long sought, providing the county an opportunity to apply for "quiet zone" designations that would end train horns at most crossings, upgrading the bridge and adjusting the schedule across the St. Lucie

River to allow greater flow of marine traffic, a 12-year deferment of the cost of maintaining most of the county's rail crossings, and the promise of a stop on the Treasure Coast brought the legal battle with Martin County to an end.

Chamber train riders generally gave Brightline a "thumbs up" for the day, finding the ride comfortable and quick. (Only 70 minutes from the West Palm station to downtown Miami, which usually takes two hours during peak traffic times.) The most significant criticism was the train's heavy reliance on single-use plastics, with no sign of recycling trash bins anywhere, including on the train itself.

The complimentary tickets provided to the group had a price tag of \$17.50 for a one-way trip, which most considered fair and reasonable, slightly more than double the cost of gas. The advantage is not having to deal with traffic and finding a place to park.

Business commuters were the other primary riders, all of whom were working on laptops, some while drinking a beer, as the train rode the tracks. The train station is a hub for other methods of trans-

port to sports and concerts, museums, shopping malls, and the Port of Miami for those who are catching a cruise.

As an additional incentive to increase ridership, Brightline invites parents to bring their children aged 13 and under to visit area attractions this summer. The kids get to ride the train without charge through Sept. 30.

Still, the key to getting Brightline out of the red ink, according to officials, will be the ability to extend its line to Orlando. The company is seeking to borrow an additional \$950 million from the municipal bond market, using what are known as private activity bonds, used to finance large infrastructure projects, on top of the more than \$1 billion it has already asked for permission to borrow. If/when approved, Brightline will be borrowing more than any other U.S. project, according to the U.S. Department of Transportation.

The debt is tax-free and traded in the municipal bond market, but buyers have been hesitant.

The lackluster performance may be due, in part, to continued opposition by Indian River County – although Bright-

line has won all its legal challenges – and the more than a dozen deaths since the line opened last year, dampening enthusiasm. None of the deaths were blamed on Brightline or its operation, and most have come from drivers trying to beat the train through the intersection, or from suicides.

A quick walk-through of a 10,000 square-foot restaurant and bar, that features four event spaces and a vast open kitchen in the Miami station, and will serve everything from sushi to pasta, brought oohs and aahs from the Hobe Sound group.

"I can see making this a destination date-night," said chamber member and former Stuart Commissioner Troy McDonald. "Just hop on the train, ride down, eat a great meal, enjoy the view, and ride back ... especially if we can get on the train in Stuart." Then he chuckles, since Roberts was within earshot.

Although Brightline has submitted a proposal to the City of Ft. Pierce to build a station near the port there, officials have not yet ruled out an additional station at Stuart. Only time will tell. ■

– Barbara Cloudus

Paul Vallier of Stuart photographed the sugar cane fires last year during a boat ride on Lake Okeechobee.



Lawsuit brings cane-burning into spotlight

Burning the leaves off sugar cane means a more economical harvest, since the rods of cane take up less space and weight in the manufacturing process; however, it also means clouds of ash floating overhead, dispersed by the wind to cover the homes and vehicles of those who live within miles of the cane fields. Residents complain that they also breathe the particulate into their lungs, but previously were resigned to bearing with the traditional process, since their livelihoods depended on sugarcane farming. That may change after a lawsuit was filed in Palm Beach County this month seeking class-action status for more than 40,000 Glades residents, including NFL star Fred Taylor, a Pahokee native who suffers from asthma. Twelve sugar growers were named as defendants, including Florida Crystals, who were accused of exposing residents to health risks and reduced property values. It is a lawsuit to watch.