

**MARTIN METROPOLITAN PLANNING ORGANIZATION  
POLICY BOARD MEETING**

Martin County Board of County Commissioner Chambers  
2401 S.E. Monterey Road  
Stuart, FL 34996  
(772) 221-1498  
[www.martinmpo.com](http://www.martinmpo.com)

**Monday, May 9, 2011 @ 9:00 a.m.**

**Minutes**

- 1. CALL TO ORDER – 9:00 a.m.**
- 2. PRAYER – Rev. James Brocious**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL**  
**Members in Attendance:**  
Michael Mortell, Chairman  
Doug Smith, Vice Chairman  
Edward Ciampi  
Sarah Heard  
Patrick Hayes  
Brian Powers, Ex-officio member

**Members Excused:**  
Tom Bausch

**Members Absent:**  
Eula R. Clarke

**Staff in Attendance:**  
Beth Beltran, MPO Administrator  
Margaret H. Brassard, Administrative Specialist II  
Claudette Mahan, Associate Transit Planner  
Michael Malham, Planner, II

**Others in Attendance:**  
Charles T. Lynke  
Ron L. Simmons, Sr.  
Michael Davis  
Kenneth J. Skaggs  
Marian Bergan  
William Bergan  
Woody Naylor

Lisa Sanders, MTM  
Sue Riddell, Palm City Nursing and Rehab Center  
Patrick Donigan, Palm City Nursing and Rehab Center  
Karol Poderski, Martin Downs, A. M.  
Jayne Pietrowski, FDOT  
Arlene Tanis, FDOT  
Susan O'Rourke  
Joe Capra, Captec  
Madeline R. Neegs, Fresenius Medical Care  
Scott Yerger, Fresenius Medical Care  
Barbara Kauffman, Council on Aging  
Terry Rauth, Deputy County Engineer  
Krysti Brotherton, Associate Project Manager

**There was a quorum for this meeting.**

Mr. Mortell stated that there is a request to add an amendment to the Agenda by adding an Agenda item between items A and B. This Agenda item will be regarding the Enhancement Funds for Fiscal Year (FY) 2011.

**5. APPROVE AGENDA**

**A motion was made by Ms. Sarah Heard to approve the Agenda with the changes. This motion was seconded by Mr. Doug Smith. There was no objection. The motion passed unanimously.**

**6. APPROVE MINUTES**

**A motion was made by Ms. Sarah Heard to approve the minutes of the regular meeting dated April 18, 2011. This motion was seconded by Mr. Doug Smith. There was no objection. The motion passed unanimously**

**7. PUBLIC COMMENTS**

**(PLEASE LIMIT YOUR COMMENTS TO THREE MINUTES; COMPLETE CARD TO COMMENT)**

Marian Bergan, resident of Stuart. Ms. Bergan stated that she is a taxpayer, and while in rehabilitation, she was able to acquire transportation for dialysis. Now that she is in an assisted living facility, she cannot receive transportation. She still owns her home and pays taxes, and doesn't understand why she cannot receive public transportation.

Mr. Ciampi addressed Ms. Beltran as to who would be responsible to address Ms. Bergan's issues. Mr. Mortell advised that the issue will be brought before the Board in Agenda item A.

Michael Davis advised that dialysis patients need to have transportation to the dialysis center or it could be fatal for them. He is a dialysis patient and he needs transportation. His wife has threatened to sue the County in the event he is unable to be provided a ride by the County, and were to pass away.

Kenneth Skaggs stated that while he was a dialysis patient, recently, he was advised of this meeting regarding a change in the transportation currently being offered. Mr. Skaggs advised that he is capable of riding a bicycle, but he recently has become deaf in his right ear which has affected his equilibrium and his balance, so he is not able to do as much as he did in the past. Mr. Skaggs stated that he needs this transportation service, to and from dialysis as he and many others are without automobiles.

Mr. Mortell gave a brief history of the transportation issues which are being addressed by the Local Coordinating Board for the Transportation Disadvantaged. He advised that the budget is such that the dialysis trips were consuming all of the transportation available for the month, within the first week. All of the funds were being spent in the first week by those making reservations for the recurring trips throughout the month. There were others who also had life threatening issues, cardiology or chemotherapy appointments, but these people were unable to receive rides because all of the rides had been previously scheduled. The cardiology and chemotherapy appointments are not as easily scheduled in advance as are the dialysis appointments. The County has been trying to get the Treasure Coast Dialysis Center to participate in this transportation issue as it is beneficial to them. In light of the fact that they are a “for-profit organization” and have much more motivation to provide transportation, the Local Coordinating Board thought that if the dialysis center saw that the Board was making a policy decision, and moving forward in the direction to share the rides with others in the community, and not allowing all the rides to be consumed by the dialysis patients, that they would step up to the plate and participate in providing funds and/or transportation to their patients. As the dialysis center has multiple dialysis machines and chairs, they would be able to schedule patients from the same neighborhoods to make more efficient use of the current transportation and so forth. This matter will be addressed under Agenda Item A. For members of the public who came to this meeting to express your concerns, this Board wants you to know that the Transportation Disadvantaged (TD) Board, are working diligently to find a solution for this matter, as no one wants to see anyone be deprived of a ride. The problem is that there is limited funding, and who is to determine that transportation for one person is more important than for another.

Ron Simmons stated that the Pledge of Allegiance ends with “with liberty and justice for all.” He inquired if this Board is trying to force the hand of the dialysis center, to see if they could provide transportation for the patients. Ms. Simmons stated that he has no other means of transportation and this issue needs to be addressed and a resolution needs to be made sooner rather than later. He stated that since he has suffered numerous strokes and health issues, he needs to be picked up at his door as he cannot walk to a fixed route bus stop. He is dependent upon this transportation as his wife must use their car to go to work, and he can’t ride a bicycle.

[Another member of the public requested to speak, so while the paperwork was being completed, the chair opted to move forward to the next agenda item and return to public comments.]

## **8. ADVISORY COMMITTEE COMMENTS**

Ms. Beltran stated that she included a memo with the agenda package. She stated that she advised the Advisory Committees so that they understood that the job of the Advisory

committees (CAC, TAC, and BPAC) is set forth in Federal Legislation where they are to review information and make recommendations to the MPO Board. The LCB which was just referenced by Commissioner Mortell, is set up by State Statute and they have more authority. The Advisory Committees are only in place to review information and make recommendations to the Board. The BPAC did hear a presentation regarding the Seabranh multi-modal path, which is a part of the East Coast Greenway project. The Committee liked the alignment which was presented, that ran through the park. The Committee did want to recommend this alignment to the Board, however, they do understand that there are issues that may need to be resolved. [The alignment was viewed on the overhead]. Ms Terry Rauth, the Deputy County Engineer, explained that the idea of the East Coast Greenway Project is to tie parks together. She named the parks that are being connected as she outlined the pathway. Ms. Rauth stated that the County is working on providing non-vehicular access to the Gomez parcel at the request of the Loblolly residents. The BPAC Committee recommended to the MPO Board, that a letter be submitted to the County in support of the proposed alignment, but also to address the concerns of the community. Ms. Rauth stated that the Department of Environmental Protection (DEP) will be holding a public meeting for any residents to express their concerns in June, but an exact date has not been determined. Notices will be sent once a date is determined. The public meeting will be for both the Seabranh State Park and the Savannahs Preserve to amend their management plans to reflect the paths inside their perimeters. Jonathan Dickenson State Park has already addressed this and their management plan already includes the path.

Mr. Smith will not support any motion if presented today. He has not been advised by the residents and chooses to wait until the DEP has made their recommendations. After some discussion, it was determined that the County will proceed with this project and the residents of the Loblolly community will be appropriately notified, as the County has been working with their property manager. The County is on a time limitation, but they are working with the DOT trying to resolve the issues. They are moving forward on design to keep with meeting their schedule for the project. Ms. Krysti Brotherton advised that the County is a little behind but she will be receiving the 30% design submittal from the consultant today which she hopes will be forwarded to the DOT sometime this week. The DOT is aware of the delay issues and anticipate working with the Loblolly residents to make the necessary adjustments requested.

Ms. Beltran will advise BPAC of this information, as no recommendation letter will be sent to the County at this time.

Mr. Mortell advised the Board of the return to public commits, and introduced Scott Yerger.

Mr. Yerger, stated that he is the Director of Operations for Fresenius Medical Care. He oversees a group of clinics, one of which is the Treasure Coast Kidney Center. He advised that he has been working with the social worker to discover alternate means of transportation for the patients, though the efforts have been futile. Mr. Yerger advised that there are Federal [Anti-]Inducement Laws which bar their facilities from providing or paying for transportation of patients. They have worked with Medical Transportation Management, Inc. (MTM) and they are at a loss as to how they can be a part of the solution. The patients

cannot take a public bus as they are not in condition to be waiting for a bus or walking to a bus stop. Mr. Yerger stated that Fresenius Medical Care will do what they can to work with the County and the patients. It was clarified that the reason the TD trips are used up within the first week of the month is because the dialysis patients receive their monthly schedule and the dates and times are plugged into the transportation schedule, leaving approximately 15% of funding available for patients with other needs, or others with transportation needs. Mr. Yerger stated that should transportation be cut from the lives of these patients that they will resort to calling 911, using emergency transportation, and going to hospitals, all of which will burden other resources. Mr. Ciampi inquired to the comment made by Mr. Yerger, that if the County's legal department were to find a resolution to some of these issues, are you saying that your company would be willing to participate. Mr. Yerger advised, "if we could, but the Office of Inspector General (OIG) has very specific laws for all for-profit health care providers that participate in the Medicare Program." Mr. Ciampi clarified that he understands the parameters set by the OIG not to induce individuals to use the facility. However, if Fresenius Medical Care could make a donation to the County, or to the Council on Aging, whose funds did not go specifically to individual patients, would your company write a check for a sum of money to one of these facilities. That would provide some relief in the transportation budget. Mr. Ciampi also advised if Fresenius Medical Care was totally wrapped in red tape with the OIG, that the County could contact Congressman Rooney who would be more than happy to assist in untangling the red tape. Mr. Ciampi stated that this project should be a number one project and he requested of the Chair to place this project as a high priority for this Board.

Ms. Beltran suggested if the dialysis center would be willing to schedule their patients in a way that the trips could be multi-loaded, having more people arrive together, for their treatments that would be a major help. The dialysis center has not been cooperating with this suggestion. Currently, the employees schedule patients then call for transportation. It would be extremely helpful if the transit agencies could advise when the times are available, then the dialysis center could schedule the patients accordingly.

Mr. Yerger stated that the facility has expanded, however they cannot use the additional equipment until they have been surveyed by the Agency for Health Care Administration (AHCA). Mr. Yerger indicated that he has no way of knowing when the AHCA will come to perform the survey, nor can he make them come sooner. Mr. Yerger affirmed that his company would be willing to change the schedule once the expansion is complete in order to accommodate in any way they can.

Ms. Beltran asked if they could look at the current schedules, and Mr. Yerger confirmed, that he would have his staff look at the current schedules to see what can be done.

Mr. Smith asked for clarification of the funds, where do they come from, how are they disbursed and who controls them. Ms. Beltran stated that the funds come from the Transportation Disadvantaged (TD) Commission from the State and it does have a 10% County match. Mr. Smith stated that his point, is to inform those in attendance is that the funds allocated to a program, are not at the discretion of the MPO Board. The State allocates funds to Martin County and when the funds are gone, it places the County in this situation.

Mr. Mortell refreshed the Board with the details concerning this issue for the past couple of years. As the Local Coordinating Board-Transportation Disadvantaged (LCB-TD) were facing a no win situation in this matter, they brought it to the MPO Board to see if a solution would be able to be found.

Mr. Powers made the suggestion that years ago, there had been a critical care fund that had been used mainly for emergency room/critical needs. It should be investigated to learn if the fund is still available, and if it can be modified to be used for this type of transportation. It was a largely unused fund which the local hospital monitored at the time.

Mr. Hayes asked how much is the cost for a normal patient who attends the Treasure Coast Kidney Center three times a week, and who pays for it. Mr. Yerger stated that the majority of their patients are Medicare patients, and under the new reimbursement bundle it is roughly \$243 per treatment which includes everything, medications and supplies. Mr. Hayes asked for a guesstimation of the cost of the medical supplies, staff and so forth. Mr. Yerger stated \$288 per treatment. About 88% of this facility are Medicare patients. Mr. Yerger said that they don't lose money on every patient. They make money on the commercial patients, i. e. private insurance. Mr. Hayes suggested that the facility should make a contribution to the Transportation Disadvantaged for the other people who do not use your facility, who are being blocked from using their services because all of the funds are going to your facility. Mr. Yerger stated that not all of the Fresenius Medical Care facilities make money, some do while others don't. The clinics are there due to community need. As a whole, the company is very profitable. Mr. Yerger did state that their firm can make some contributions, to third parties like the American Kidney Fund and the National Kidney Foundation. These two groups were established because of the laws that bar "for-profit" kidney providers from making charitable contributions that would directly benefit dialysis patients. The regulations for dialysis providers are extremely stringent.

Mr. Yerger stated that the TC Kidney Center has 96 patients and 20 chairs. Each patient runs a different amount of time. It's difficult to schedule. With the expansion of the chairs, once AHCA grants their approval, the TC Kidney Center will eliminate their late shifts which will benefit the transportation issue by allowing all trips to be made during the day. Mr. Yerger stated that the TC Kidney Center will start trying to schedule more efficiently now.

Ms. Beltran offered a couple of methods that are used in other countries. Broward County, doesn't provide transportation to a couple of their centers, only the return trip home, when it is needed the most. St. Lucie County advises their kidney centers of the time that the transportation is available, and the centers schedule their patients accordingly. Mr. Yerger stated that they will allow the transportation company to state what times they can bring the patients and the patients will get their schedules made at that time.

Staff wanted the Board to be made aware that there is a TD-Working Group which consists of representatives from Florida Department of Transportation (FDOT), Community Transportation Coordinator (CTC), and the Council on Aging. This group has been seeking solutions to this transportation dilemma through ridesharing among the patients, and volunteer opportunities.

Mr. Ciampi wanted to differentiate between quality of life and continuation of life. Quality of life is to make yourself happier, but this issue deals with the continuation of life. Mr. Ciampi offered to assist Mr. Yerger and his firm, in attempting to get the Health Department on board as soon as possible. Mr. Ciampi has had some interaction with them recently, and he feels he may be able to make a difference.

Mr. Yerger has advised that the TC Kidney Center is ready to be inspected so they can increase their capacity from 20 to 27 chairs. Mr. Ciampi stated that he would make some telephone calls to see if this matter could be addressed any sooner.

Mr. Mortell advised that there is another public speaker.

Barbara Kauffman, from the Council on Aging, offered to coordinate about nine or ten seniors who are in jeopardy of being knocked off the list for TD transportation. She advised that the Work Group is trying to coordinate services at the Kane Center with the Kidney Center and the problem has been due to scheduling. They would provide transportation for those people if they could all be scheduled on the same day. Even though they may finish at different times, they would be brought back to the Kane Center where there is a Geriatrician, a nurse practitioner and a medical wing as well as adult day programming. The Kane service will do anything they can to be of assistance in this matter.

## **9. FDOT COMMENT**

None.

## **10. BUSINESS ITEMS**

### **A. TRANSPORTATION DISADVANTAGED (TD)**

#### **TRIP PRIORITIZATION**

##### **DISCUSSION**

MEMO: temp11MPOa06.01

Ms. Beltran advised that the LCB-TD Board does have specific types of authority as they were placed into existence under a Florida Statute. A portion of their responsibility is to approve the TD Service Program and in that program is a priority list of the TD trips. Medical is the number one priority, however 85% of the trips were going to the dialysis center. The Board wanted the funds to be used more efficiently, so funds could be freed up for others to use the services also. The priority sequence is the same, however they changed the percentages. They have stated that the medical trips, including the dialysis, would be decreased to 50%, the remaining 50% would be divided up into the other necessary trips. The LCB wanted this to be brought to the MPO Board, even though they have the authority to make these changes, for concurrence as well as input. They understand that funding is the issue, but they also feel that all the funding should not be dominated by one particular population, as there are others dealing with life threatening issues too.

Mr. Mortell advised that the presentation before the MPO Board at this point is to adopt a percentage for the TD trips.

Ms. Heard is willing to adopt a percentage, however, she noted that Mr. Yerger has advised that the TC Kidney Center will work to schedule their patients more efficiently which will free up rides. Ms. Heard also inquired if the Board could write a letter to the Health Department issuing a complaint, to impress upon them to timely inspect the TC Kidney Center, so they will be able to schedule more efficiently by having access to the additional chairs.

Mr. Ciampi agrees that a letter should be sent, however, if he is given the information he will make some telephone calls.

Mr. Mortell thanked the LCB-TD Board, and the TD Working Group, for their efforts and the fact that they brought this matter to the MPO Board. Though the 50% number is not being adopted, it appears that significant change is imminent.

Mr. Mortell stated that the Board was requested by the LCB-TD Committee to prioritize the trips. They have recommended to include a 50% cap on the recurring medical trips that was previously not capped.

**Mr. Hayes made a motion that the staff prioritize the trips in a fashion that will ultimately result in 50% of the funds be used for recurring medical trips and to begin initiating programs which will allow this to happen. This includes better coordination, having the patients find their own way to the facility, and the County providing only the return trip, or enrolling the users to organize themselves and be responsible for one trip a week. Something needs to be done to eliminate the continual disadvantaging of others for one particular populous.**

Mr. Smith clarified that these recurring trips are scheduled at the beginning of the month, and consume 85% of the trips available.

Mr. Mortell advised that MTM has been providing additional trips for which they are not being paid.

Ms. Lisa Sanders from MTM, advised the Board that they have 28 dialysis patients, and each patient utilized about 24 trips per month. They know that it is 682 trips. MTM also provides additional services to allow others to utilize the system. On average, MTM provides between 750 to 780 trips per month. However, the funding is being consumed the first part of the month.

Mr. Mortell advised that once the dialysis scheduling is being ran more efficiently the other medical trips will then consume the openings, so the other priorities, education, food, and social services will still not be reached. There are more needs then there are funds.



Mr. Ciampi suggested that maybe some of the people who are in need of an occasion ride for a doctor's appointment, to pick up a prescription or something of that nature, that is not chronic as is dialysis, maybe a member of the community would volunteer to drive that person to their appointment. We need to look for a larger solution. The churches would probably do more, if they were called upon. This needs to be addressed locally.

Ms. Sanders stated that she is working with FDOT and they have provided MTM with a contract to assist them in reviewing some of the strategies that Mr. Ciampi has mentioned. The TD Working Group has also come up with strategies to review, such as the voucher and the volunteer programs. This contract will assist the CTC in implementing some of these strategies. MTM is currently working on a draft and hopefully they will have the contract in place by June.

**The motion on the floor which was made by Mr. Hayes has failed for lack of a second.**

**Mr. Ciampi made a motion that not just the MPO staff but also the County staff should look into some system to determine who needs a ride, and work on some form of County-wide dispatching. A network of volunteers, MTM, church groups, any social services which have the ability to help give rides to those in need. A broad base dispatching of how people in our County can receive rides**

Ms. Beltran stated that there is a system in place with the CTC with the coordinated transportation system, that County-wide dispatching would need to work with them very closely.

Mr. Ciampi stated if this is already in process, he would like to have a list of the transportation providers expanded to have volunteers, churches, any other services, whoever else can fill in. If they are not asked to help, they don't know that their help is needed.

**Mr. Hayes seconded this motion with the provision that services are not provided 100% to one particular group while disadvantaging other equally critical groups.**

Mr. Ciampi stated that those in need of a ride, starting with medical issues first and working down the priority list, should receive one. Mr. Ciampi requested that staff present an update on this matter at the next month's Board meeting.

**The Motion that the MPO and County staff should look into some system to determine who needs a ride, and to work on implementing some form of County-wide dispatching for volunteers, groups or MTM, in an effort to provide rides to those in need was called. There were no additional comments. The motion passed unanimously.**

#### **Transportation Improvement Program Amendment FY 2010/2011-2014/2015**

Ms. Beltran advised that the Board voted to redistribute the Enhancement Funds to fund all three applications that were submitted this year. This has been submitted to FDOT and they

requested a TIP amendment be made by the MPO Board in order to redistribute those funds. Staff is recommending this amendment.

**Ms. Heard made a motion to approve the TIP as amended redistributing the funds to the three applications which were submitted this year. Mr. Ciampi gave a second to the motion. There were no comments. The motion passed unanimously.**

**B. EXPENDITURE OF FIRST YEAR UPWP  
PLANNING (PL) FUNDS IN FY2011-12**

MEMO: temp11MPOa06.02

Ms. Beltran gave the history of the Martin County MPO's two year billing system of the Unified Planning Work Program (UPWP). She stated that since the Martin County MPO has a host agency, which is Martin County, and they have an annual budget. This item is to ask for approval to bill against funds that were in the first year of the UPWP in the new fiscal year beginning in July, 2011.

**Ms. Heard made a motion to accept staff's recommendation. Mr. Smith seconded the motion. There were no objections. The motion carried unanimously.**

**C. CR 714 PROJECT UPDATE**

MEMO: temp11MPOa06.03

Ms. Beltran stated that after this agenda was distributed to the Board, she had a conversation with staff from FDOT. FDOT originally programmed Discretionary Funds for the SR 710 design. FDOT requested to pull the TIP amendment requesting that the Discretionary Funds be used for the SR 710 design. They understand that the Board did not want to use their Discretionary Funds on SR 710, and that the Board wanted those funds to be programmed to their number one priority project which is CR 714. FDOT did request that a TIP amendment be presented at the May 23, 2011 MPO Board meeting for SR 710 to allocate funds toward that project, not Discretionary Funds. It is staff's recommendation to ask FDOT if they want an amendment for SR 710 that the Board also approve an amendment for CR 714 to allocate the 2.5 million in Discretionary Funds toward CR 714. Originally FDOT had requested the MPO to wait until July for the TIP amendment to program those funds, however, it is the opinion of staff, that if FDOT is requesting a TIP amendment for SR 710, that it is not unreasonable for the Board to request a TIP amendment for the MPO's number one priority.

**Mr. Ciampi made a motion to accept the TIP amendments at the May 23, 2011 meeting, which would change the funding from the SR 710 project and place it on the CR 714 project in Palm City. This motion was seconded by Mr. Smith. There were no additional comments. The motion passed unanimously.**

**11. COMMENTS FROM BOARD MEMBERS**

Mr. Smith advised Ms. Beltran that the new TIGR 3 Program is coming out and she may choose to familiarize herself to the new program.

**12. COMMENTS FROM THE PUBLIC**

None.

**13. NOTES**

Ms. Beltran advised that a copy of the letter which was sent to FDOT approving the multi-modal path in only the PD&E Study on SR 710.

There is a new Citizen's Advisory Committee (CAC) member representing District One, for Commissioner Smith.

**14. NEXT MEETING**

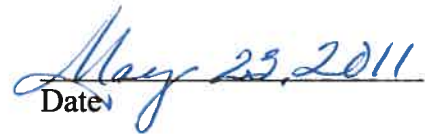
The next meeting is scheduled for May 23, 2011.

**15. ADJOURN**

**A motion was made by Mr. Smith to adjourn the meeting. The motion was seconded by Mr. Ciampi. There were no objections. The motion passed unanimously. The meeting was adjourned at 10:39 AM.**

Recorded and Prepared by:

  
Margaret H. Brassard, Administrative Assistant II

  
Date

Approved by:

  
Michael Mortell, Chairman

  
Date