



Flagler County Board of County Commissioners Meeting Agenda

October 16, 2023 • 5:00 p.m.

Government Services Building 2, Board Chambers, 1769 E. Moody Blvd., Bunnell, FL 32110

1. **Pledge to the Flag and Moment of Silence**
2. **Additions, Deletions and Modifications to the Agenda**
3. **Announcements by the Chair**
4. **Recognitions, Proclamations and Presentations:**
 - 4a) **Recognitions:** None
 - 4b) **Proclamations:**
 - 1) **World Polio Day – October 24, 2023** (*Flagler Beach Rotary*)
 - 2) **Celebrate Babies Week – October 15-21, 2023** (*Requested by Richard Fay*)
 - 4c) **Presentations: Flagler County Audit Report for the Fiscal Year ended September 30, 2022:** Request the Board acknowledges the audit report for Fiscal Year that ended September 30, 2022. (*Requested by Tom Bexley, Flagler County Clerk of Circuit Court and Comptroller*)
5. **Community and Board Comments:**
 - 5a) **Community Outreach:** *This thirty-minute time period has been allocated for public comment on any consent agenda item or topic not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.*
 - 5b) **Board Comments on Consent Items**
6. **Consent: Constitutional Officers:**
 - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of Section 136.06, Florida Statute as listed below:
 - 1) Disbursement Report for Week Ending September 22, 2023
 - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
 - 1) September 18, 2023 Regular Meeting
7. **Consent: BOCC Departments:**
 - 7-a) **Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency Due to Severe Coastal Erosion and Vulnerability:** Request the Board ratify the Proclamations Extending the State of Local Emergency for Hurricanes Matthew, Ian and Nicole. (*Requested by Jonathan Lord, Emergency Management Director*)

- 7-b) Reporting of Outstanding Inter-Fund Loans from Fiscal Year 2023:** Request the Board recognize outstanding inter-fund loans per Resolution 2023-70. *(Requested by E. John Brower, Financial Services Director)*
- 7-c) Grant Application Approval for River to Sea Cottage Construction:** Approve staff request to apply for the Rural Infrastructure Fund grant for the construction of cottages at River to Sea Preserve and authorize the County Administrator to execute any documents necessary to apply for the grant. *(Requested by Mike Lagasse, Public Lands and Natural Resources Manager and Mike Dickson, General Services Director)*
- 7-d) Consideration to Transfer Funds from the Rima Ridge Special Assessment Fund (Fund 1178) Reserve to Operating to Cover Year End Expenditures:** Request the Board approve the Budget Transfer. *(Requested by E. John Brower, Financial Services Director)*
- 7-e) Consideration to Amend the FY 2023-2024 Budget to Recognize Grant Revenue from ElderSource for the Department of Health and Human Services' Senior Services Division:** Request the Board approve the Unanticipated Revenue Resolution and CCE contract amendment (C023-FCBCC.A1). *(Requested by Joe Hegedus, Health & Human Services Director)*
- 7-f) Consideration to Amend the FY 2023-2024 Budget to Recognize Grant Revenue from ElderSource for the Department of Health and Human Services' Senior Services Division:** Request the Board approve the Unanticipated Revenue Resolution and ADI contract amendment (Z023-FCBCC.A1). *(Requested by Joe Hegedus, Health & Human Services Director)*
- 7-g) Agreement for Beach Restoration Staging Area with Pebble Beach Village Homeowners Association, Inc.:** Request the Board approve the Agreement for Beach Restoration Staging Area with Pebble Beach Village Homeowners Association, Inc. *(Requested by County Attorney)*
- 7-h) Adoption of the Flagler County Beach Management Plan:** Request the Board to approve the Flagler County Beach Management Plan. *(Requested by Hamid Tabassian, P.E., Assistant County Engineer and Ansley Wren-Key, Ph.D., Coastal Engineering Administrator)*
- 8. General Business:** *Presentations limited to 15 minutes with public comments limited to 3 minutes per speaker.*
- 8-a) Parks Master Plan Presentation** *(Requested by Mike Lagasse, Public Lands and Natural Resources Manager and Presented by BerryDunn and Miller Legg)*
- 8-b) Review of Advisory Board Requirements:** The Board of County Commissioners review the advisory board requirements and the tally of appointees' responses to the County residency and registered voter inquiries and take such action as deemed necessary. *(Requested by County Administration and County Attorney)*
- 8-c) Correct Minutes of the Board of County Commissioners of 12-3-2018 to Conform to Motion and Action Taken at Said Meeting:** Request the Clerk correct the error in the Board's December 3, 2018, regular meeting minutes to accurately reflect the motion made and action taken by the Board at said meeting. *(Requested by County Attorney)*
- 9. Public Hearings:** *Public Hearings will be heard after 5:30 p.m.*

Quasi-Judicial Process: The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.

Time limits will be observed:

- Staff – 10 minute presentation.
- Applicant – 15 minute presentation (unless time extended by consensus of Board).
- Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.
- Applicant Rebuttal and Closing Staff Comments – 10 minutes each.

- 9-a) **LEGISLATIVE – Application #3348 – Future Land Use Map Amendment from Mixed Use: Low Intensity-Low/Medium Density to Commercial: High Intensity at 5276 and 5288 N. Oceanshore Boulevard; Parcel Numbers: 40-10-31-0010-00030-0010 and 40-10-31-0010-00030-0030; 1.15+/- acres. Owner: Star Car Wash, LLC/Applicant: Michael D. Chiumento, III, Esquire. (Project # 2023020061):** Options for the Board: The Board of County Commissioners may: Approve; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*
- 9-b) **QUASI-JUDICIAL – Application #3349 – Request to Rezone from R/C (Residential/limited commercial) to C-2 (General Commercial and Shopping Center) District for 5276 and 5288 N. Oceanshore Boulevard; Parcel Numbers: 40-10-31-0010-00030-0010 and 40-10-31-0010-00030-0030. Parcel size 1.15+/- acres. Owner: Star Car Wash, LLC/Applicant: Michael D. Chiumento, III, Esquire (Project # 2023020062):** Options for the Board: The Board of County Commissioners may: Approve subject to conditions; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*
- 9-c) **LEGISLATIVE – Application #3350 – Future Land Use Map Amendment from Mixed Use: Low Intensity-Low/Medium Density to Commercial: High Intensity at 5358 and 5364 N. Oceanshore Boulevard, and 93 and 95 Sanchez Avenue; Parcel Numbers: 40-10-31-0010-00020-0030, 40-10-31-0010-00020-0040, 40-10-31-0010-00020-0200, and 40-10-31-0010-00020-0210); 0.46+/- acres. Owner: Star Car Wash, LLC/Applicant: Michael D. Chiumento, III, Esquire. (Project # 2023020066):** Options for the Board: The Board of County Commissioners may: Approve; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*
- 9-d) **QUASI-JUDICIAL – Application #3351 – Request to Rezone from R/C (Residential/limited commercial) to C-2 (General Commercial and Shopping Center) District for 5358 and 5364 N. Oceanshore Boulevard, and 93 and 95 Sanchez Avenue; Parcel Numbers: 40-10-31-0010-00020-0030, 40-10-31-0010-00020-0040, 40-10-31-0010-00020-0200, and 40-10-31-0010-00020-0210. Parcel size 0.46+/- acres. Owner: Star Car Wash, LLC/Applicant: Michael D. Chiumento, III, Esquire (Project #2023020068):** Options for the Board: The Board of County Commissioners may: Approve subject to conditions; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*
- 9-e) **QUASI-JUDICIAL – Application #3387 – Request for Approval of a Preliminary Plat for Woodside at Ormond Station; Parcel Number: 21-14-31-0000-01010-0000; 21.236+/- acres. Owner: US Capital Alliance, LLC; Agent: Alann Engineering Group, Inc. (Project #2023070048):** Options for the Board: The Board of County Commissioners may: Approve subject to conditions; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*

10. Additional Reports and Comments:

10-a) County Administrator Report/Comments

10-b) County Attorney Report/Comments

10-c) Community Outreach: *This thirty-minute time period has been allocated for public comment for items not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.*

10-d) Commission Reports/Comments/Action

11. Adjournment

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 313-4001 at least 48 hours prior to the meeting.