FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

JUNE 16, 2025

REGULAR MEETING

Present: Chair Andrew Dance, Vice Chair Leann Pennington, Commissioners Gregory Hansen, Kim Carney, Pam Richardson, County Administrator Heidi Petito, County Attorney Al Hadeed, Deputy County Attorney Sean Moylan, and Deputy Clerk Tiffani Smith

Chair Dance called the meeting to order at 5:01 p.m. in the Board Chambers of the Government Services Building in Bunnell, Florida.

ITEM 1 - PLEDGE TO THE FLAG AND MOMENT OF SILENCE

Chair Dance led the Pledge to the Flag and requested a moment of silence.

ITEM 2 - ADDITIONS, DELETIONS AND MODIFICATIONS TO THE AGENDA

Chair Dance reported consent agenda item 7i, attachment number four (Project Agreement between Flagler County and the Hammock Beach and Golf Resort) is being pulled from the agenda.

Al Hadeed, County Attorney, explained Hammock Beach and Golf Resort owes the County one acre of land on the beach. This was to compensate for an approval that was conducted on their behalf in 2015. The County granted additional land development rights, which would essentially enlarge the hotel and the facilities that would be on the beach, thus potentially changing the character of public access. In that process, the BOCC secured an agreement for them to pay the county $500,000, of which they paid $375,000, and to give the County an acre of land that would provide for dedicated public access. Staff is still in the process of working on the parcel to configure it in a way that maximally enhances public access. Suggested the BOCC approve documents one, two, and three under item 7i. Stated staff will bring the agreement back at the July 2nd workshop and ask the BOCC to set a special meeting to consider the final agreement with Hammock Beach.

Chair Dance asked for confirmation that a motion will be needed to pull the item and when it is discussed separately, the BOCC can approve everything except the agreement involving Hammock Beach and Golf Resort.

Mr. Hadeed confirmed that is correct.

Commissioner Carney asked if the agreement is attachment 4 in the handout, titled Hammock Beach Dune Recovery Project Agreement.

Mr. Hadeed confirmed that is correct.

ITEM 3 – ANNOUNCEMENTS BY THE CHAIR

Chair Dance announced the following:

- County Offices will be closed on Thursday, June 19th for Juneteenth National Independence Day.
- County Offices will be closed on Friday, July 4th for Independence Day.
- The County is soliciting applications for the Value Adjustment Board as a Citizen Appointee. This person must own a homestead property within the county. For further requirements, see Florida Statues 194.015 or contact the Value Adjustment Board Clerk (386) 313-4400 or VAB@FlaglerClerk.com.
- Upcoming meetings:
    - Workshop – June 23, 2025, at 1:00 p.m. in the Board Chambers.
    - Workshop – July 2, 2025, at 9:00 a.m. in the Board Chambers.
    - Regular Meeting – July 14, 2025, at 5:00 p.m. in the Board Chambers.

ITEM 4A1 – RECOGNITIONS: JAIL STRIDE

Commander Miceli, Operations Commander at the Flagler County Jail, explained how the STRIDE program provides inmates with opportunities for successful re-entry back into the community.

Commissioner Pennington recognized the positive impacts of STRIDE.

There were brief comments about the Flagler County Jail's inmate programs.

Chief Bender, FCSO, introduced himself.

ITEM 4A2 – RECOGNITIONS: ST. PAUL MISSIONARY BAPTIST CHURCH'S 117TH ANNIVERSARY IN THE ESPANOLA COMMUNITY

Commissioner Pennington recognized the 117th church anniversary of St. Paul Baptist Church, a historic and steadfast institution serving the community of Espanola, Florida.

Pastor Abram Jones, Senior Pastor at St. Paul Baptist Church, spoke about his service to the church and the community. Thanked the BOCC for the recognition.

Chair Dance congratulated St. Paul Baptist Church.

ITEM 4B – PROCLAMATIONS – MOSQUITO CONTROL AWARENESS WEEK – JUNE 15-21, 2025

Commissioner Pennington read the proclamation.

A motion was made by Commissioner Pennington to adopt the proclamation. Seconded by Commissioner Richardson.
(Item 4b – Continued)

Chair Dance called the question. Motion carried unanimously.

Mike Martin, East Flagler Mosquito Control District, emphasized on the deadly diseases mosquitos can carry. Provided tips on how the community can help with mosquito control.

<u>ITEM 4C – PRESENTATIONS – SONS OF THE AMERICAN REVOLUTION EMERGENCY MEDICAL SERVICES COMMENDATION MEDAL</u>

Charlie Hayes, member of Sons of the American Revolution, introduced David Hammond and John Fine as members of Sons of the American Revolution.

Percy Sayles, Deputy Fire Chief, recognized Beau Kruithoff, Fire Rescue Paramedic, for saving a resident's life when they were in cardiac arrest.

Mr. Hayes presented the Emergency Medical Services Award, a medal and a certificate, to Mr. Kruithoff.

Mr. Sayles noted Mr. Kruithoff was a member of the first graduating class from the FPC High School Fire Academy Program. Added he became a paramedic and is now a rescue supervisor.

Chair Dance thanked the Sons of the American Revolution and Mr. Kruithoff.

Commissioner Richardson praised Mr. Kruithoff.

<u>ITEM 5A – COMMUNITY OUTREACH</u>

Rob Jarowkski, co-lead of Protect Flagler's Beaches, a citizen-led initiative. Emphasized the County's coastline deserves attention above anything else. Spoke about the high burden of taxation on the residents.

Savannah Brinkworth, resident of unincorporated Bunnell, stated concerns with the industrial re-zoning within the City of Bunnell. Noted the proposed re-zoning is across from Black Branch Swamp and east of Black Point Swamp, two major wetlands. Explained the L2 site is within priority 4 and 5 aquafer recharge zones, less than a mile from priority 2 and 3 zones. Zones 2 and 3 are among the most sensitive ground water recharge areas in the State and feed directly into the Floridian aquifer. Added contamination from heavy industry could include storm water runoff, airborne pollutants, or fuel leaks. Stated concerns with the absence of environmental studies, traffic analysis, site plans, and no public review of the impacts.

Darlene Shelley, resident of Palm Coast, echoed Ms. Brinkworth's concerns on environmental protections. Expressed the same reservations regarding the training flights conducted at the Flagler County Executive Airport.

(Item 5a – Continued)

Mike Martin, Palm Coast resident, clarified the County's budget is public record.

Chair Dance added the Transparency Dashboard at www.FlaglerCounty.gov allows the public to enter an address to see the breakdown of where tax dollars go. Invited the public to request an appointment to review the budget and ask questions.

Commissioner Carney asked for an update on lead testing alternatives.

Sean Moylan, Deputy County Attorney, explained there was a public comment made at a previous meeting from an EPA agent who mentioned there was more thorough methods of lead testing.

Commissioner Carney stated it is incumbent on the BOCC to prove there is not toxic lead. Asked if the EPA has more information on lead testing.

Mr. Moylan answered staff could get an estimate on lead testing.

Commissioner Carney asked if the BOCC could discuss additional lead testing.

Chair Dance stated the lead testing would have to go through the RFP process.

Commissioner Carney emphasized on the importance of looking into the issue of protentional lead.

Commissioner Pennington noted Ms. Shelley provided data on lead testing. Asked what the inch depth was during the initial lead testing at the Flagler Executive Airport. Asked staff to re-send information on the initial lead testing so the BOCC can have further discussion on another date.

Chair Dance asked if there are additional ways to test for lead other than the initial test done by the scientist. Stated the BOCC will need additional information on the types of analysis that is required and the cost.

Commissioner Carney reiterated her concerns.

Chair Dance asked staff to email the initial lead test results. Noted the initial test showed an increase of lead in the soil closer to Highway 100 where automobiles are.

There was continued BOCC discussion regarding the lead concerns.

(Item 5a – Continued)

Commissioner Carney asked if the BOCC has any legal say regarding the property re-zoning in the City of Bunnell.

Mr. Moylan stated there will be an opportunity to comment after the transmittal hearing. Explained the landowner has reconfigured their plan to make the heavy industrial along the railroad tracks to the east, in the middle will be light industrial, and the south/southeastern portion will be agriculture industrial as opposed to everything being heavy industrial. Stated there will be many restrictions. Spoke about the landowner acting in good faith by addressing the public's concerns and engaging with the County. Added staff will comment in wring after the transmittal hearing.

Commissioner Pennington reported the landowner reached out to her to ask for Mr. Moylan to be present at the transmittal hearing, so that they can address any concerns the BOCC might have.

Chair Dance asked staff to keep an eye out for public documents posted by the City of Bunnell.

Mr. Moylan inquired whether the BOCC would prefer that staff attend the transmittal hearing or submit their comments in writing and appear at the adoption hearing to speak.

Commissioner Pennington stated the impacts the County Road 304 should be heard and addressed at the transmittal hearing prior to decision.

Chair Dance agreed with Commissioner Pennington's statement.

Commissioner Canrey asked if staff can do both.

Mr. Molan stated he can do both.

<u>ITEM 5B – BOARD COMMENTS ON CONSENT ITEMS</u>

None

<u>CONSENT AGENDA – ITEMS 6A THROUGH 7I</u>

Chair Dance noted stated consent agenda item 7i will need to be pulled for discussion.

Commissioner Carney stated she would like to pull consent agenda item 7e.

A motion was made by Commissioner Hansen to approve the Consent Agenda, with the exception of consent agenda items 7e and 7i. Seconded by Commissioner Carney.

(Item 5b – Continued)

Chair Dance called the question. Motion carried unanimously.

The following items were approved as part of the Consent Agenda:

ITEM 6A – BILLS AND RELATED REPORTS

The report(s) of funds withdrawn from the County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in the compliance with the provisions of Section 136.03, Florida Statute as listed below:

- Disbursement Report for Week Ending May 16, 2025
- Disbursement Report for Week Ending May 23, 2025
- Disbursement Report for Week Ending May 30, 2025

ITEM 6B – APPROVAL OF BOARD MEETING MINUTES

The following minutes were approved as part of the Consent Agenda:

- May 5, 2025, Regular Meeting
- May 5, 2025, Joint Workshop

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ITEM 6C1 – SHERIFF: APPROVAL TO CONTINUE ANNUAL PARTICIPATION IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAGC)

The following request was approved as part of the Consent Agenda:

Item 06c(1)

Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

MEMORANDUM

DATE: May 20, 2025

TO: Luci Dance

FROM: Nikki Smith-Grant Manager/Accountant

RE: Agenda Item

DATE OF MEETING: June 16, 2025

SUBJECT: Approval to continue annual participation in the Edward Byrne Memorial Justice Assistance Grant Program (JAGC).

OVERVIEW/SUMMARY: Request to Apply

Funding Opportunity: Justice Assistance Grant (JAG) Program

The Flagler County Sheriff's Office is seeking continued approval to apply for the Byrne Justice Grant (JAG). If awarded, this grant will provide funding for overtime and related costs worked by FCSO detectives and deputies for narcotics-related investigations.

This is a pass-through grant that recurs annually. The county signs the application as the grantee with FCSO serving as a sub-recipient. FCSO will manage the grant requirements and reporting. Traditionally, the BOCC, City of Palm Coast, Bunnell, Flagler Beach and Marineland each provide required letters of support. There is no local match requirement.

Recommendation: Request the Board approve and sign Certificate of Participation and authorize the Chair or County Administrator as their designee to execute the grant application, award agreement, and any other documentation associated with implementation of the grant approved to form by the County Attorney.

BOCC Contact: Financial Services Director, John Brower
OMB Analyst, Michael Catalano

FCSO Contact: Nikki Smith Grant Manager/Accountant

Click this link to view the attachments listed below:

Attachments: 1) Certificate of Participation 2) Supporting Documents

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ITEM 6C2 – SHERIFF: APPROVAL TO CONTINUE ANNUAL PARTICIPATION IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG)-LOCAL SOLICITATION

The following request was approved as part of the Consent Agenda:

Item 06c(2)

Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

MEMORANDUM

DATE: May 20, 2025

TO: Luci Dance

FROM: Nikki Smith-Grant Manager/Accountant

RE: Agenda Item

DATE OF MEETING: June 16, 2025

SUBJECT: Approval to continue annual participation in the Edward Byrne Memorial Justice Assistance Grant Program (JAG)-Local Solicitation.

OVERVIEW/SUMMARY: Request to Apply

Funding Opportunity: BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation

The Flagler County Sheriff's Office is seeking continued approval to apply for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Soliciation. Eligible allocations under the JAG Program are posted annually and based on a statutory formula.

This is a pass-through grant that recurs annually. The County signs the application as the grantee with FCSO serving as the sub-grantee. FCSO will manage the grant requirements.
No local match requirement is anticipated.

If awarded, FCSO will utilize funding to support its community safety initiatives through evidence-based programs and technology.

Recommendation: Request the Board approve and authorize the Chair or County Administrator as their designee to execute the grant application, award agreement, and any other documentation associated with implementation of the grant approved to form by the County Attorney.

BOCC Contact: Financial Services Director, John Brower
OMB Analyst, Michael Catalano

FCSO Contact: Nikki Smith Grant Manager/Accountant

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ITEM 7A – RATIFICATION OF FLAGLER COUNTY EMERGENCY PROCLAMATIONS EXTENDING THE STATE OF LOCAL EMERGENCY DUE TO SEVERE COASTAL EROSION AND VULNERABILITY

The following request was ratified as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7a

SUBJECT: Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency Due to Severe Coastal Erosion and Vulnerability.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: Flagler County has been under a declared state of local emergency due to Hurricane Matthew since October 4, 2016. During that time, other storms have struck the County exacerbating the damage to the dune system and compounding the exposure of public and private property on the barrier island to future storms and flooding. The County also declared local states of emergency for Hurricane Irma (2017), Hurricane Dorian (2019), Hurricane Isaias (2020), and Hurricanes Ian and Nicole (2022).

Due to the cumulative effect of the storms as well as tidal events, nor'easters, and erosion, Flagler County continues to be in the most precarious position relative to ocean flooding and storms in its history. Although the County has completed a series of emergency protective berm projects since Hurricane Matthew, public and private property on the barrier island remain vulnerable to catastrophic storm damage without further and sustained protective efforts.

As part of addressing the emergency, the Board adopted a long-term beach management plan assisted by an independent coastal engineer, the County's engineering staff and with input from residents and local HOAs. Continuing the state of local emergency will help the County with its ongoing and future efforts and allow the County to take any necessary emergency measures, including expedited emergency procurement and the issuance of emergency administrative orders, as necessary.

FUNDING INFORMATION: Funding in accordance with grant agreements with the Army Corps of Engineers, FEMA, FDOT and DEP

DEPARTMENT CONTACT: Jonathan Lord, Emergency Management Director (386) 313-4240

RECOMMENDATION: Request the Board ratify the Proclamations Extending the State of Local Emergency for Hurricanes Matthew, Ian and Nicole.

ATTACHMENTS: *Click this link to view attachment(s).*
1. Proclamation Declaring a Local State of Emergency – June 9, 2025
2. Proclamation Declaring a Local State of Emergency – June 16, 2025

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<u>ITEM 7B – REQUEST THE BOARD DECLARE ITEMS AS SURPLUS, REMOVAL FROM THE COUNTY FIXED ASSETS AND AUTHORIZE PURCHASING TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO THE FIXED ASSET POLICY AND APPROVE THE TRADE IN OF SELECT ITEMS</u>

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7b

SUBJECT: Request the Board Declare Items as Surplus, Removal from the County Fixed Assets and Authorize Purchasing to Dispose of Surplus Property Pursuant to the Fixed Asset Policy and Approve the Trade in of Select Items.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: Pursuant to the provisions of Chapter 274, Florida Statutes, the Board of County Commissioners must declare items as surplus and authorize the disposal of all tangible personal property, owned by the governmental unit, of a non-consumable nature. The list was sent to the Purchasing Manager to create a master list to present to the Board. Items on this list have exceeded their useful life and will be either sold, used as a trade-in, or exchanged under warranty as outlined on the attached list.

STRATEGIC PLAN:
Focus Area: Effective Government
- Goal 1 – Maintain Financial Stability

FUNDING INFO: Proceeds generated by the sale of surplus property will be deposited into the fund from which the original purchase was funded.

DEPARTMENT CONTACT: Robert Rounds, Purchasing Manager (386) 313-4097

RECOMMENDATIONS: Request the Board declare items as surplus, removal from the County's fixed asset inventory and authorize Purchasing to dispose of surplus property pursuant to the Fixed Asset policy.

ATTACHMENTS: *Click this link to view attachment(s).*
1. Surplus List

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ITEM 7C – CONSIDERATION OF AWARD FOR REQUEST FOR PROPOSALS 25-RFP-033 WITH JAMES MOORE & CO., P.L. FOR AUDIT SERVICES

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT/ AGENDA ITEM # 7c

SUBJECT: Consideration of Award for Request for Proposals 25-RFP-033 with James Moore & Co., P.L. for Audit Services

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: On June 17, 2024, the Board of County Commissioners approved Resolution 2024-43 establishing the Auditor Selection Committee per the provisions of Section 218.391, Florida Statutes, with all the duties and responsibilities provided therein.

Section Two of the Resolution provides that the Auditor Selection Committee shall consist of each of the county officers elected pursuant to Section 1(d), Article VIII of the State Constitution, or a designee, and one member of the Board of County Commissioners or its designee. Members of the Auditor Selection Committee consisted of the following individuals:

1. Board of County Commissioners – Andrew Dance
2. Clerk of the Circuit Court – Jennifer Barker
3. Property Appraiser – Michelle Morgan
4. Sheriff – Shanea Stankiewicz
5. Supervisor of Elections – Chris Nakabaale
6. Tax Collector – Jean Ferrer

A Request for Proposals (RFP) was publicly broadcast on www.opengov.com. On March 25, 2025, the County received five (5) proposals as detailed on the attached tabulation sheet.

On April 28, 2025, the Auditor Selection Committee met to score and rank the proposals. The top three (3) ranked firms are as follows:

1. James Moore & Co., P.L.
2. Forvis Mazars, LLP
3. Carr, Riggs & Ingram, L.L.C.

The County and James Moore & Co Carr, will enter into an initial contract term of three (3) years for the audit of the fiscal years ending 2025, 2026, and 2027. Additionally, by mutual agreement, the contract may be renewed for the audit of the fiscal years ending 2028, and 2029. The all-inclusive cost for these services during the initial three (3) years term is expected to be $735,000.00 broken down on an annual basis as follows:

Audit Services for Fiscal Year Ending September 30, 2025	$230,000.00
Audit Services for Fiscal Year Ending September 30, 2026	$245,000.00
Audit Services for Fiscal Year Ending September 30, 2027	$260,000.00

James Moore & Co will be responsible for the financial audits as defined by Section 11.45 Florida Statutes, Rules of the Auditor General Chapter 10.550, regulations of the Florida Department of Banking and Finance and other applicable laws or standards.

STRATEGIC PLAN:
- Focus Area: Effective Government
    - Goal 1 – Maintain Financial Stability

(Item 7c – Continued)

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT/ AGENDA ITEM # 7c

DEPARTMENT CONTACT: Robert Rounds, Purchasing Manager (386) 313-4097

FUNDING INFORMATION: Funding for the annual audit is budgeted in the Pooled Expenditures division of the General Fund.

RECOMMENDATIONS: Request the Board approve the award for Request for Proposals 25-RFP-033 with James Moore & Co., PL for Audit Services and authorize the Chairman to execute a contract as approved as to form by the County Attorney and approved by the County Administrator for a limited term of three (3) years, with a subsequent 2 year and 1 year renewal for FY 2028 and 2029.

ATTACHMENTS: *Click this link to view attachment(s)*.
1. Contract

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ITEM 7D – CONSIDERATION OF APPROVAL OF THE ENVIRONMENTALLY

SENSITIVE LANDS (ESL) PROJECT RANKING LIST AS RECOMMENDED BY THE LAND ACQUISITION COMMITTEE (LAC)

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7d

SUBJECT: Consideration of Approval of the Environmentally Sensitive Lands (ESL) Project Ranking List as Recommended by the Land Acquisition Committee (LAC).

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: On May 12, 2025, the Environmentally Sensitive Land Acquisition Committee (LAC) held a meeting to rank project applications and consider recommending projects to the Board of County Commissioners for acquisition.

In accordance with the policies and procedures contained in the Land Acquisition Manual, the LAC places parcels determined to meet the program goals and objectives in either the A or B lists. The A list contains acquisition projects that are recommended by the LAC as the priority for acquisition by the Board. Projects that meet the ESL program objectives but are not considered to be of high priority are placed in the B list.

The A list has been revised to add three new projects (Strickland 80, Disston 132, FAM 300). The LAC recommended moving the Townsend project to the B list. Additionally, during the May 12, 2025, meeting, the LAC considered the Favoretta 1301 project and voted to place it in the B list.

Board approval of the updated list will allow staff to initiate discussions with applicants regarding a potential purchase of their property and expend ESL Program funds as part of the County's due diligence in advance of any purchase. Any agreement negotiated by the Negotiation Team will return to the LAC for recommendation to the Board and ultimately to the Board for approval or denial of any purchase.

A List

Marlow (fee) – approved on 6/2/25
Cowart – Double C Ranch (less-than-fee)
Cowart – Crescent Lake (less-than-fee)
Peterson (fee)
Strickland 80 (fee)
Lastinger (less-than-fee)
Johnston (fee or less-than-fee)
Disston 132 (less-than-fee)
FAM 300 (fee)

B List

Melvin (fee or less-than-fee)
Townsend – Mud Lake (fee or less-than-fee)
Favoretta 1301 (fee or less-than-fee)

FUNDING INFORMATION: A total of approximately $9,500,000 is currently available in the ESL Program account for purchase of environmentally sensitive lands. Any potential property purchase and/or financing will be brought back to the Board for approval.

DEPARTMENT CONTACT: Erick Revuelta, Land Management (386) 313-4446

RECOMMENDATION: Request the Board approve the Environmentally Sensitive Lands project ranking list and authorize the staff Negotiation Team to open negotiations with listed applicants.

ITEM 7F – CONSIDERATION OF THE RESOLUTION AND THE PUBLIC

TRANSPORTATION GRANT AGREEMENT (PTGA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN THE AMOUNT OF $320,000 TO ASSIST WITH FUNDING FOR THE DESIGN OF AN AVIATION FUEL FACILITY AT THE FLAGLER EXECUTIVE AIRPORT

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7f

SUBJECT: Consideration of the Resolution and the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the Amount of $320,000 to Assist with Funding for the Design of an Aviation Fuel Facility at the Flagler Executive Airport.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: Staff is presenting for consideration a Resolution and a FDOT PTGA in the amount of $320,000, which will fund 80% of the design for a new Aviation Fuel Facility. The total project cost is $400,000, with the remaining $80,000 funded by the Airport Enterprise Fund.

The proposed Aviation Fuel Facility will be constructed on the south side of Taxiway A, directly across from the existing facility. The new location allows for future expansion—increasing storage capacity to 24,000 gallons each for 100LL and Jet A fuels—and includes parking for fuel trucks and a restroom facility. A self-service pump island for 100LL will also be included in the design.

While the existing Aviation Fuel Facility remains in average but well-maintained condition, it is over 30 years old and lacks adequate space for truck parking or restroom facilities. Relocating the facility also creates an opportunity to repurpose the current site for future hangar development, supporting long-term airport growth.

STATEGIC PLAN:
Focus Area: Economic Vitality,
- Goal 2- Diversify the Tax Base to Improve the Local Economy
    - Objective EV 2.4: Expand facilities and attract aviation related businesses to the Flagler Executive Airport.

FUNDING INFORMATION: FDOT is offering a PTGA in the amount of $320,000 which will fund 80% of the cost of the project. The Airport Enterprise Fund will fund the remaining $80,000.

Funding for this agreement in the amount of $320,000 will be appropriated upon approval of the Unanticipated Revenue Resolution and the local $80,000 will be appropriated upon approval of the budget transfer from Airport Reserves.

DEPARTMENT CONTACT: Roy Sieger, Airport Director 313-4220

RECOMMENDATIONS: Request the Board approve the FDOT PTGA authorizing the Chair to execute the agreement, approving the unanticipated revenue resolution, and approving the budget transfer, as approved to form by the County Attorney.

ITEM 7G – REQUEST THE BOARD APPROVE THE PURCHASE OF A FREIGHTLINER DUMP TRUCK, AS LISTED AND APPROVED AS PART OF THE FY 2025 ROLLING STOCK REPLACEMENT PLAN. THIS PURCHASE IS BEING MADE THROUGH THE STATE OF FLORIDA TERM CONTRACT #25101600-21-STC

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7g

SUBJECT: Request the Board Approve the Purchase of a Freightliner Dump Truck, as Listed and Approved as Part of the FY 2025 Rolling Stock Replacement Plan. This Purchase is being made through the State of Florida Term Contract #25101600-21-STC.

DATE OF MEETING: May 19, 2025

OVERVIEW/SUMMARY: As previously approved in the Flagler County FY25 Budget Rolling Stock Program, staff is requesting Board approval of the purchase through the State of Florida Term Contract #25101600-21-STC at a total cost of $125,826.00, to replace a 12-yard Freightliner dump truck that has been disposed of due to excessive cost to repair.

STRATEGIC PLAN:
Focus Area: Growth & Infrastructure
- Goal 1 – Provide Quality Infrastructure and Assets

FUNDING INFORMATION: Funding in the amount of $170,000 was included in the FY 2024-25 Adopted Budget within the Parks and Recreation division for the purchase of a Dump Truck.

DEPARTMENT CONTACT: Mike Dickson, General Services Director (386) 313-4191

RECOMMENDATIONS: Request the Board approve the Purchase of one Freightliner Dump truck, as listed and approved in the FY25 Budget.

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ITEM 7H – AUTHORIZE STAFF TO SUBMIT AN APPLICATION FOR STAFFING

FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY

The following request was approved as part of the Consent Agenda:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT/ AGENDA ITEM # 7h

SUBJECT: Authorize Staff to Submit an Application for Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Federal Emergency Management Agency.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: The Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help increase or maintain the number of trained, "front line" firefighters available in their communities. The goal of SAFER is to enhance the local fire departments' abilities to comply with staffing, response, and operational standards established by the consensus standards (i.e., NFPA 1710: *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*).

The Notice of Funding Opportunity (NOFO) for this fiscal year indicates that FEMA is making available $324 million to assist fire departments in increasing the number of firefighters to meet industry standards and attain 24-hour staffing and provide adequate emergency fire protection from fire and fire-related hazards.

The SAFER grant is a three-year grant and award notifications will not begin until August 18, 2025. The grant will cover salary and associated expenses for the three-year period. The grant will cover 75 percent of these costs (salaries and associated expenses) for years one and two of the grant period. In year three, the grant will cover 35 percent of these costs.

The intent in applying for this SAFER grant is driven by the fact that Flagler County Fire Rescue was required to reduce staffing on fire engines to place in service an additional transport (rescue/ambulance). The impact of this change resulted in the loss of three firefighters per shift (9 total) to keep this rescue in-service. The grant request will be to replace the positions on fire engines and improve FCFR's ability to achieve staffing and performance standards identified within NFPA 1710.

A total of fifteen (15) positions were submitted as a Decision Unit within the FY26 Budget. If awarded, this grant will reduce the amount of money needed to fund the Decision Unit in the first year, as well as in years two and three of their employment.

STRATEGIC PLAN:

- Goal 3 – Improve Public Safety Response and Service Delivery Capabilities
    - Objective PHS 3.1: Prepare for, pursue, achieve and maintain local, regional and national standards, while ensuring each division supports standard-based risk assessments.

DEPARTMENT CONTACT: Michael Tucker, Fire Chief (386) 313-4255

FUNDING INFORMATION: If awarded, funding for the County's match (25 percent years one and two, 65 percent year 3) will come from general fund revenues.

Year 1: FEMA share = $742,500, County share = $247,500
Year 2: FEMA share = $816,750, County share = $272,250
Year 3: FEMA share = $419,265, County share = $778,635

(Item 7h – Continued)

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT/ AGENDA ITEM # 7h

Total: FEMA share = $1,978,515, County share = $1,298,135

RECOMMENDATIONS: Authorize staff to submit an application to FEMA for a Staffing for Adequate Fire and Emergency Response (SAFER) grant.

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ITEM 7E – CONSIDERATION OF THE RESOLUTION AND THIRD AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT (PTGA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN THE AMOUNT OF $1,200,000 TO ASSIST WITH FUNDING FOR THE CONSTRUCTION OF A GENERAL AVIATION TERMINAL FACILITY AT THE FLAGLER EXECUTIVE AIRPORT

The following request was pulled from the Consent Agenda for discussion:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7e

SUBJECT: Consideration of the Resolution and Third Amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the Amount of $1,200,000 to Assist with Funding for the Construction of a General Aviation Terminal Facility at the Flagler Executive Airport.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: On April 29, 2025, the Groundbreaking Ceremony was held for the new General Aviation Terminal Facility. Former Speaker of the House Paul Renner, Chair Andy Dance and the Airport Director spoke at the ceremony. The ceremony was well attended by local elected officials, FDOT representatives, airport tenants and the general public. There were approximately 125 people in attendance. On May 5, 2025, Sauer Construction was issued their Notice to Proceed to start construction of the facility. The project is underway.

The Board has previously approved two FDOT Public Transportation Grant Agreements (PTGA) and two Amendments totaling $10,003,947 for the Construction of a General Aviation Terminal Facility. With this action, staff is bringing forward for consideration, a Resolution and a FDOT PTGA in the amount of $1,200,000. This funding was programmed in FDOT's FY2026, which begins July 1, 2025, however funds became available and FDOT wanted to complete the funding for this project. The Airport Enterprise Fund is responsible for 10% of the total project costs, which are approximately $676,000. The total construction costs and funding sources are outlined in the tables below.

Project	Cost
Construction-General Aviation Terminal	$9,640,130
Construction-Terminal Landside Improvements	$585,487
Construction Administration and Observation	$950,000
Total	**$11,175,617**

SFYear	Funding Source	Amount
FY24	FDOT PTGA (BoCC exe 06-10-2024)	$3,303,947
FY24	FDOT First Amendment to PTGA (BoCC exe 06-24-2024)	$500,000
FY24	Legislative Funding (General Revenue) (BoCC exe 01-13-2025)	$5,000,000
FY24	Airport Enterprise Fund (Bank Loan) 10% of PTGA Funds	$675,662
FY25	FDOT Second Amendment to PTGA (BoCC exe 09-16-2024)	$1,200,000
FY26	FDOT Third Amendment to PTGA	$1,200,000
	Total	**$11,879,609**

The existing 6,400 SF metal terminal building is approximately forty (40) years old and currently houses the airport staff, Fixed Base Operator (FBO), a pilot's lounge area, public restrooms and a small tenant space. The new 15,500 SF terminal will accommodate airport administrative offices, an FBO and its appurtenant facilities, public space, meeting space, and more room for additional small tenants. This project is consistent with the approved Master Plan updated in 2015.

(Item 7e – Continued)

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7e**

Not only is the Flagler Executive Airport an economic engine for the County, but it also serves as the gateway to Flagler County and the communities it serves. This GA Terminal facility is the next step in the evolution of transforming the airport into a premier location for businesses looking to locate at the airport and in its surrounding communities.

STATEGIC PLAN:
Focus Area: Economic Vitality,
- Goal 2- Diversify the Tax Base to Improve the Local Economy
  - Objective EV 2.4: Expand facilities and attract aviation related businesses to the Flagler Executive Airport.

FUNDING INFORMATION: The BoCC has previously accepted two Public Transportation Grant Agreements (PTGA) and two Amendments totaling $10,003,947 that will fund 90% of the costs for the construction of a General Aviation Terminal Facility. This Third Amendment to the PTGA is for $1,200,000, which will fund 90% of this project. The Airport Enterprise Fund will be responsible for 10% of the total project costs, which are approximately $676,000.

Funding for this agreement in the amount of $1,200,000 will be appropriated upon approval of the Unanticipated Revenue Resolution.

DEPARTMENT CONTACT: Roy Sieger, Airport Director (386) 313-4220

RECOMMENDATIONS: Request the Board approve the Third Amendment to the FDOT PTGA authorizing the Chair to execute the agreement, authorizing resolution, and unanticipated revenue resolution as approved to form by the County Attorney.

Commissioner Carney reiterated her opposition to the grant due to the Airport Zoning Ordinance not being adopted yet.

Chair Dance asked Mr. Sieger to explain how staff received this request from FDOT.

Roy Sieger, Airport Director, stated in front of the BOCC is an amendment to the general aviation facility project. Explained this grant was funding that Flagler County was supposed to receive next year. FDOT had extra funds, so they asked the County to take the grant funding this year. FDOT granted an extra $1.2 million and $400,000 for the terminal facility. The $1.2 million will be used for constructing the terminal fuel facility next year. Added if FDOT does not spend the money, then it will be lost.

Commissioner Pennington asked for an update on the Airport Zoning Ordinance.

Mr. Moylan stated the Airport Zoning Ordinance was adopted last April. Explained Florida Statute also requires the BOCC to enter into an interlocal agreement with the municipalities whose jurisdictions are impacted by the ordinance. Those impacted municipalities are the City of Palm Coast and the City of Bunnell. Noted an example is if an individual intends to construct a cell tower within the impacted areas, the ordinance restrictions would be enforced. Reported that staff provided a draft interlocal agreement to both municipalities. The City of Bunnell has indicated they are working on their edits and comments. The City of Palm Coast provided edits,

(Item 7e – Continued)

and in return the County's legal staff transmitted additional edits. Spoke about what the City of Palm Coast's edits were. Noted the City of Palm Coast requested a City Planner be a member of the committee that will guide the update to the Airport Master Plan. Explained the grant agreement had a deadline for the ordinance but there is no deadline for the execution of an interlocal agreement. The grant states the County will comply with all applicable laws, including F.S. 333. Added in his legal opinion, the County is not in violation of the grant agreement.

Chair Dance asked Mr. Sieger if FDOT reached out to him regarding the grant funding.

Mr. Sieger confirmed that is correct. Added FDOT needs the funds allocated by June 30th because that is the end of their fiscal year.

There was additional brief BOCC comments.

Chair Dance opened public comment.

Darlene Shelley, City of Palm Coast resident, spoke about using the grant funding for infrastructure such as roads. Spoke in disapproval of growing the airport and the flight schools at the airport. Asked the BOCC to not spend money on lead testing because the lead is present. Spoke about grant requirements.

Chair Dance closed public comment.

A motion was made by Commissioner Hansen to approve item 7e - Resolution and Third Amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the Amount of $1,200,000 to Assist with Funding for the Construction of a General Aviation Terminal Facility at the Flagler Executive Airport. Seconded by Commissioner Pennington.

Chair Dance called the question. Motion carried 4 to 1 with Commissioner Carney dissenting.

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ITEM 7I – CONSIDERATION AND APPROVAL OF THE FOLLOWING AGREEMENTS: (1) ELEVENTH AMENDMENT TO THE CONSTRUCTION AGREEMENT 23-010B BETWEEN FLAGLER COUNTY AND EASTMAN AGGREGATE ENTERPRISES, LLC FOR RECONSTRUCTION OF THE NORTHERN COUNTY DUNE RESTORATION PROJECT IN THE AMOUNT OF $5,062,670.00, (2) THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT 24-0050Q BETWEEN FLAGLER COUNTY AND MOFFATT & NICHOL FOR CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES IN THE AMOUNT OF $369,975.00, (3) PROJECT AGREEMENT BETWEEN FLAGLER COUNTY AND OCEAN HAMMOCK PROPERTY OWNERS ASSOCIATION, AND (4) PROJECT AGREEMENT BETWEEN FLAGLER COUNTY AND THE HAMMOCK BEACH AND GOLF RESORT

The following request was pulled from the Consent Agenda for discussion:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7i

SUBJECT: Consideration and Approval of the following Agreements: (1) Eleventh Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for Reconstruction of the Northern County Dune Restoration Project in the Amount of $5,062,670.00, (2) the First Amendment to the Professional Services Agreement 24-0050Q between Flagler County and Moffatt & Nichol for Construction Engineering and Inspection (CEI) Services in the Amount of $369,975.00, (3) Project Agreement between Flagler County and Ocean Hammock Property Owners Association, and (4) Project Agreement between Flagler County and the Hammock Beach and Golf Resort.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: Due to the severe erosion of the dunes along the northern County coastline, an emergency dune restoration project is being constructed to restore approximately two miles of dune along the coastline between FDEP Range Monuments R-24.3 to R-35.1, or from the southern border of MalaCompra Park to Jungle Hut Park. The project is being funded by the Florida Department of Environmental Protection (FDEP) Standard Agreements 23FL2 and 23FL4 in the amount of $4,500,000, and the MOU Agreement between Flagler County and Ocean Hammock Property Owners Association in the amount of $500,000, and the Hammock Beach and Golf Resort in the amount of $500,000.

Due to the emergent timeline to restore the dunes before the upcoming hurricane season, and considering that Eastman is currently under contract with the County, it is recommended that the Eleventh Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC be approved that amends the scope of work and cost for construction services associated with this project and adds $5,062,670.00 and twelve weeks, or 84 additional calendar days, to the contract. The project will be constructed by truck-haul using compatible beach material from FDEP approved upland sand mines with an average fill density of approximately 6 cy/ft. Dune vegetation will also be included in the project. This emergency dune restoration project will be authorized under the active Emergency Final Order (EFO) from Hurricane Milton.

(Item 7i – Continued)

Additionally, considering the emergency nature of the project and that time is of the essence, and that Moffatt & Nichol is already working on the permitting and design for the Beach Management Plan Reach 3 beach nourishment project, it is recommended that an Amendment to the Moffatt & Nichol contract for $369,975.00 be approved to amend the scope of work and fee for CEI services. The scope of work will include pre-construction services and project design, project monitoring, environmental services, and project documentation and closeout. All services will be on a Time & Materials basis. Details of the Scope of Work are described in the attachment "Exhibit A".

The project agreement for the Hammock Beach resort owners also includes the conveyance to the County of one acre adjoining the beach south of the 16th Road right of way. The one acre is due to the County fulfilling the resort's requirement to donate one acre as a condition of its 2015 development order allowing it to build new facilities. This conveyance would satisfy the action of the Board taken in 2015 and it is graphically shown on the exhibit to its agreement. The new public beach property also is intended to increase public access and will aid in our quest to qualify this area for Army Corps funding.

The procurements of Eastman and Moffatt & Nichol have been deemed to be emergency procurements under our current emergency proclamation, our procurement code exception for emergencies and state emergency law. The same emergency procurement exception also applied to the Hammock Dunes HOA project approved by the Board per the County Attorney's memorandum for the May 5, 2025, meeting.

STRATEGIC PLAN:
Focus Area: Growth and Infrastructure
- Goal 2- Protect and Manage Natural Resources
    - Objective EV 2.1.1: Protect and renourish the dunes/beaches

FUNDING INFORMATION: The remaining balance in the FDEP Agreement 23FL4 will be used to fund $1,333,098 and the remaining costs will be funded by FDEP Agreement 23FL2 and the $1,000,000 split between the Ocean Hammock Property Owners Association and the Hammock Beach and Golf Resort in accordance with the Project Agreements between Flagler County and both private communities.

DEPARTMENT CONTACT: Hamid Tabassian, PE, DBIA, County Engineer (386) 313-4046
Ansley Wren-Key, Ph.D., Coastal Engineering Administrator

RECOMMENDATIONS: Request the Board approve (1) Eleventh Amendment to the Construction Agreement 23-010B with Eastman Aggregate Enterprises, LLC in the amount of $5,062,670.00, and (2) the First Amendment to the Professional Services Agreement 24-0050Q between Flagler County and Moffatt & Nichol for $369,975.00, and (3) the Project Agreement between Flagler County and Ocean Hammock Property Owners Association, and (4) the Project Agreement between Flagler County and the Hammock Beach and Golf Resort, and (5) approve the Unanticipated Revenue Resolution, and (6) Amend the CIP

Chair Dance reiterated the project agreement between Flagler County and the Hammock Beach and Golf Resort *(document no. 4)* is being tabled to the July 2nd workshop and special meeting.

Hamid Tabassian, County Engineer, provided a summary of the staff report above.

(Item 7i – Continued)

Chair Dance asked the BOCC to focus on documents 1, 2, and 3 on agenda item 7i.

A motion was made by Commissioner Hansen to approve item 7i - Approval of the following Agreements: (1) Eleventh Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for Reconstruction of the Northern County Dune Restoration Project in the Amount of $5,062,670.00, (2) the First Amendment to the Professional Services Agreement 24- 0050Q between Flagler County and Moffatt & Nichol for Construction Engineering and Inspection (CEI) Services in the Amount of $369,975.00, (3) Project Agreement between Flagler County and Ocean Hammock Property Owners Association. Seconded by Commissioner Pennington.

Chair Dance opened public comment and there was none.

Commissioner Carney asked why document 5 (unanticipated revenue resolution) and document 6 (amend the CIP) is not being approved.

Mr. Hadeed clarified documents 5 and 6 can be deferred to the special meeting on July 2nd because they will complete the constellation of the agreements.

Commissioner Carney asked if documents 4, 5, and 6 are being moved to the special meeting.

Mr. Hadeed answered yes.

Chair Dance called the question. Motion carried unanimously.

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GENERAL BUSINESS

ITEM 8A – CONTRACT CONSIDERATION FOR 90-DAY INTERIM COUNTY ATTORNEY

The following was requested by Charlie Picano, Human Resources Director:

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
GENERAL BUSINESS / AGENDA ITEM # 8a

SUBJECT: Contract Consideration for 90-Day Interim County Attorney.

DATE OF MEETING: June 16, 2025

OVERVIEW/SUMMARY: At the May 28, 2025 Workshop, the Board directed Administration to continue pursuing applications for the position of County Attorney. With Mr. Hadeed's retirement scheduled for August 1, the Board by consensus determined Deputy County Attorney Sean Moylan should serve as an Interim County Attorney for a ninety-day period to provide additional time to solicit and receive applications before a final decision is made on the permanent position. The Board restated this direction at its regular meeting on June 2, 2025. Accordingly, staff has prepared a contract for the interim county attorney for the Board's consideration.

Highlights of the contract include:

-Appoints Sean Moylan as Interim County Attorney from August 1 – October 31, 2025. Provides for the automatic extension of the interim term until a permanent attorney is hired, at which time Mr. Moylan would return to his current position as Deputy County Attorney.

-Either party may terminate the interim contract with 30-days notice at which time Mr. Moylan would return to the position as Deputy County Attorney.

-Provides for a salary of $175,000, plus membership in the Florida Bar and Florida Association of County Attorneys.

-Provides leave, retirement, and insurance benefits as with other senior level staff.

STRATEGIC PLAN:
Effective Government
EG 4.5: Develop succession plans within all county departments/divisions.

DEPARTMENT CONTACT: Charlie Picano, Human Resources Director (386) 313-4033

FUNDING INFORMATION: Funding for the County Attorney and Deputy Attorney positions have been included in the FY25 Adopted Budget. The current salary of the County Attorney position is $324,522.

RECOMMENDATIONS: Request the Board Discuss and Take Action as Desired.

Jorge Salinas, Deputy County Administrator, provided a summary of the staff report above.

Commissioner Richardson noted concern with losing applicants by appointing an Interim County Attorney.

Mr. Salinas explained it is a normal process to hire interims, and staff has applications to provide to the BOCC.

(Item 8a – Continued)

Commissioner Richardson stated an interim is not required and Mr. Moylan can continue to serve as Deputy County Attorney. Added Mr. Moylan applied for the position, so if he is interim, then that could deter other applicants from pursuing the position.

Commissioner Pennington agreed with Commissioner Richardson's statement.

Mr. Salinas noted the BOCC directed staff to create an interim contract and staff has more information on applicants.

Commissioner Pennington spoke in disapproval of paying the Palm Coast Observer to advertise the County Attorney position. Clarified she does not think the BOCC will find a County Attorney locally.

Charlie Picano, Human Resources Director, briefly commented on the various advertisement platforms.

Commissioner Pennington reiterated her concern with advertising through the Palm Coast Observer. Noted the public wants the BOCC to go through the interview process to select a County Attorney.

Commissioner Hansen recommended the BOCC give Mr. Moylan the position title.

Commissioner Pennington asked when Mr. Hadeed retires.

Picano answered August 1st, 2025. Suggested setting a deadline for the application to close.

Commissioner Hansen asked Mr. Picano if the advertisement is on every possible platform.

Mr. Picano answered yes.

Commissioner Carney stated she wants a hiring recruiter. Suggested the BOCC table the interim contract discussion to July.

Mr. Picano reported reaching out to hiring recruiters. One of the headhunter firms stated their final recommendation is typically 5 to 7 qualified candidates.

There was extensive BOCC discussion regarding the County Attorney position and the County Attorney interim contract.

(Item 8a – Continued)

Mr. Salinas asked the BOCC if they want staff to use a recruiting firm.

Chair Dance spoke in disapproval of paying for a recruiting firm.

Commissioner Carney spoke in support of a recruiting firm.

Commissioner Hansen suggested closing the open requisition and start the interview process.

Mr. Salinas reiterated his question.

Chair Dance asked what the consensus is on hiring a recruiting firm.

Commissioner Hansen spoke in disapproval.

Commissioner Pennington asked for the recruiting firm rates.

Mr. Salinas answered the rate is between 22% and 30% of the top of the salary band, which equivalates to $50,000 to $65,000.

Commissioner Pennington asked what the BOCC gets from paying the recruiting firm.

Mr. Salinas answered it is a very similar process to what staff is doing now.

Commissioner Pennington inquired about the distinction.

Mr. Picano spoke about the primary difference lies in the fact that recruiting firms maintain a distribution list of attorneys actively seeking employment opportunities. Stated the advertisement process is similar to the way staff has been advertising. Added he can ask the firms if they actually reach out to the prospect attorneys.

Commissioner Pennington stated the recruiting firms search for attorneys and not necessarily government attorneys.

Mr. Picano agreed.

There was continued BOCC discussion regarding recruiting firms.

(Item 8a – Continued)

Commissioner Carney asked why staff felt the interim contract was needed immediately.

Mr. Salinas explained why staff brought the interim contract for consideration so quickly.

Chair Dance noted it has been a month and a half since the 4 to 0 BOCC consensus to create an interim contract. Explained it was to ensure the County Attorney's Office had leadership in place by August 1st, when Mr. Hadeed retires. Reiterated his concerns with hiring a recruiter firm.

Commissioner Richardson stated the BOCC does not need to fill the County Attorney position until they are ready.

Mr. Salinas stated concern with Commissioner Richardson's statement.

Mr. Hadeed explained the BOCC needs to have somebody that has the authority to act for the BOCC legally on many matters. Emphasized the position cannot be left undesignated and it cannot be left to someone titled Deputy County Attorney.

Chair Dance reiterated he is still counting consensus on hiring a recruiting firm.

Commissioner Richardson questioned the recruiting firm rates.

Mr. Salinas answered the rates provided were actual quotes that Mr. Picano got from the recruiting firms.

Commissioner Richardson noted the high rates is funding that could be used towards the beach renourishment. Suggested staff be more aggressive on the marketing approach.

There was continued BOCC discussion regarding the various platforms and conferences that the position is being advertised.

Mr. Hadeed strongly recommended hiring Mr. Moylan as County Attorney. Emphasized on Mr. Moylan's experience and achievements.

Commissioner Richardson spoke in disapproval of hiring a recruiting firm.

Chair Dance stated there is no consensus to spend funds on hiring a recruiting firm because 3 of the 5 Commissioners did not support the idea.

(Item 8a – Continued)

Mr. Salinas asked when the BOCC would like to close the position.

Commissioner Pennington suggested the BOCC table the interim contract discussion to the July 21st meeting and discuss closing the position at that time.

Commissioner Hansen stated the position needs to be closed so the BOCC can start the interview process.

Chair Dance noted there was already BOCC consensus that determined there were no applicants they desired to conduct interviews with.

Mr. Picano mentioned David Raulerson withdrew his application.

Chair Dance opened public comment.

Ron Long, Flagler County resident, spoke in support of Mr. Hadeed's recommendation to hire Mr. Moylan as County Attorney. Spoke is disapproval of hiring a headhunter firm to recruit applicants.

Darlene Shelley, City of Palm Coast resident, noted concerns with the County Attorney's Office due to the outcomes of past County lawsuits and legal issues. Stated concern with the Airport Overlay Ordinance.

Chair Dance closed public comment.

Mr. Salinas reiterated the following BOCC guidance:
- The BOCC will not hire an outside recruiter.
- The BOCC wishes to table the interim contract to the meeting in July.
- An application closing date will be selected during the meeting in July.

Asked the BOCC for guidance on the interview times and who the BOCC wishes to interview.

Commissioner Carney noted she will vote to approve item 8a. Asked if the BOCC if they can provide Mr. Picano with three names of applicants they would like to interview. Added Mr. Picano can report back at the July meeting with the names of applicants who are still open to come in for an interview.

There as continued BOCC discussion.

(Item 8a – Continued)

A motion was made by Commissioner Carney to approve item 8a - Contract for a 90-Day Interim County Attorney – and submit three names to Human Resources before this coming Friday for potential interviews in the month of July for consideration. The motion died for lack of a second.

A motion was made by Commissioner Pennington to table item 8a - Contract for a 90-Day Interim County Attorney – to the July meeting and allow the BOCC present three names for the interview process to Human Resources in the interim. Seconded by Commissioner Hansen.

Chair Dance called the question. Motion carried 4 to 1 with Chair Dance in opposition.

PUBLIC HEARINGS

ITEM 9A – NONE

ITEM 10A - COUNTY ADMINISTRATOR REPORT/COMMENTS

Heidi Petito, County Administrator, reported the following:

- Staff is pulling together information for the Animal Control Workshop on June 23rd at 1:00 p.m. Staff will provide the BOCC with the information sometime this week.
- She just emailed a copy of the lead testing, so it is in all the Commissioner's inbox.

Commissioner Carney asked when the BOCC will see the resolution for the Airport Master Plan Committee.

Ms. Petito stated it depends if the BOCC wishes to workshop the topic in advance.

Chair Dance asked for a status update on the Airport Master Plan.

Ms. Petito noted the BOCC has not advertised yet for the Airport Master Plan Committee.

Commissioner Carney asked when the committee will be advertised.

Roy Sieger, Airport Director, explained the BOCC decided on the makeup of the committee, but the application is not available yet. Reported that he recently submitted the FAA grant for the Airport Master Plan. Stated he cannot guarantee when the grand funding will be received, but it should be no later than this September. Added staff will start working advertising the application, so the Board members can be selected prior to getting the grant.

Commissioner Carney asked for clarification.

(Item 10a – Continued)

Mr. Sieger spoke about the bilateral infrastructure bill funding that accumulated over many years for the Airport Master Plan.

ITEM 10B - COUNTY ATTORNEY REPORT/COMMENTS

None

ITEM 10C – COMMUNITY OUTREACH

Darlene Shelley, City of Palm Coast resident, stated concern with the funding and the flight schools at the Flagler County Executive Airport.

Anna Jones, City of Palm Coast resident, asked where she could submit complaints to.

Chair Dance answered airport related concerns should be submitted to the Administrator and Airport Director.

Ms. Jones reported she sent emails and a petition to the BOCC and Mr. Sieger.

ITEM 10D – COMMISSION REPORTS/COMMENTS/ACTION

Commissioner Pennington spoke about the importance of the BOCC getting along and being united.

Commissioner Carney provided a summary of the information discussed during the beach management workshop earlier today. Spoke in disapproval of an additional ½ cent sales tax. Asked the BOCC to pick a one-year beach management plan. Added there is no law that requires the BOCC to have a six-year plan with a maximum contribution to the beach funding plan. Suggested the BOCC change the Capital Improvement Plan to a three-year plan or a five-year plan.

Commissioner Richardson asked where the rumor of the Palm Coast library closing came from.

Holly Albanese, Library Director, explained the BOCC asked her to provide a presentation on alternatives to the 6-library staff requested for the Nexus Center. In conversation with Administration, there was discussion on what the alternatives would look like and how they would affect the libraries. During this conversation she stated the County is not required to have a library at all. Added the $4 million library grant requires the BOCC to operate the Nexus Center at a certain level based on the 5-year proposal. Stated an alternative would be to shut down the Plam Coast library, sell the 19 acres, and make the City of Palm Coast find a way to fund their own library. Reported she met with staff at the library and discussed the alterative

(Item 10d – Continued)

options. Emphasized that she would never recommend closing the Palm Coast library, but it was suggested staff provide the BOCC with every possible alternative. Clarified her recommendation is to fund 6 new additional library staff. Added the rumor might have evolved from the alternative options presented to staff.

Commissioner Richardson thanked Ms. Albanese for the transparency.

Commissioner Carney asked Ms. Albanese if she received feedback from staff.

Ms. Albanese answered yes, she received feedback from the administrative staff. Offered to present the feedback and presentation on the alternatives at the July 2nd meeting.

Mr. Salinas put the 5-year Capital Improvement Plan (CIP) over the projector. Explained the CIP projects being funded this year is broken down by funding source and that is the document that typically get published.

Commissioner Carney asked if the BOCC will see the 5-year CIP during budget discussions.

Mr. Salinas answered it can be included. Added the 5-year plans include new construction, capital preservation, technology, and roads.

Commissioner Carney asked staff to bring all the 5-years plans back during budget discussions.

Mr. Salinas agreed.

Chair Dance asked Commissioner Carney to send Administration the framework of her proposed plan.

Commissioner Carney clarified her concern was the numbers presented on the spreadsheet.

Chair Dance asked Commissioner Carney to provide her statements to Administration. Asked Commissioner Carney if she still wants a retreat.

(Item 10d – Continued)

Commissioner Carney answered she was able to get what she needed. Noted concern with the BOCC still bringing up the additional ½ cent sales tax.

Chair Dance clarified his thoughts on a retreat would be focused on the BOCC's framework for being a cordial Board as information is presented to the public.

Commissioner Pennington suggested calling it a philosophical discussion.

Chair Dance offered to put the discussion together.

Commissioner Richardson suggested a program that is designed for introducing new Commissioners.

Chair Dance agreed and noted he wants the get Commissioner Richardson's and Commissioner Carney's feedback on their onboarding experience.

There was BOCC consensus to allow Chair Dance to put together topics for a BOCC retreat/philosophical discussion.

<u>**ADJOURNMENT**</u>

The meeting was adjourned by consensus at 7:55 p.m.

APPROVED AND ADOPTED ____

ATTEST: FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

______________________________ ______________________________

Tom Bexley
Clerk of the Circuit Court & Comptroller

Andrew S. Dance
Chair