



Flagler County Board of County Commissioners Meeting Agenda

May 4, 2026 • 9:00 a.m.

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

View the meeting streamed live on the County's YouTube Channel: www.YouTube.com/FlaglerCounty

1. Pledge to the Flag and Moment of Silence

2. Additions, Deletions and Modifications to the Agenda:

Item 04b(6) and Item 07e added to the agenda on 04-24-2026.

Item 10b added to the agenda on 04-29-2026.

3. Announcements by the Chair

4. Recognitions, Proclamations and Presentations:

4a) Recognitions: None

4b) Proclamations:

- 1) [Problem Solving Court Month – May 2026](#) (Requested by Court Administration, Seventh Judicial Circuit)
- 2) [Correctional Officers & Employees Week – May 6-12, 2026](#) (Requested by Flagler County Sheriffs Office)
- 3) [Public Service Recognition Week – May 3-9, 2026](#) (Requested by Tom Bexley, Clerk of the Circuit Court and Comptroller)
- 4) [Water Safety Month – May 2026](#) (Requested by Ryan Lukosavish, Florida Department of Children and Families)
- 5) [Older Americans Month – May 2026](#) (Requested by Joseph Hegedus, Director of Health and Human Services)
- 6) [National Travel and Tourism Week – May 3-9, 2026](#) (Requested by Amy Lukasik, Tourism Director)
- 7) [Records and Information Management Month - April 2026](#) (Requested by Tom Bexley, Clerk of the Circuit Court and Comptroller) *Added on 4-24-2026*

4c) Presentations (3-5 Minutes): None

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6a) Clerk: Bills and Related Reports: Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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 April 10, 2026](#)
- 2) [Disbursement Report for Week Ending April 17, 2026](#)

6b) Clerk: Approval of Board Meeting Minutes: Request the Board approve the minutes from the following Meetings:

- 1) [April 6, 2026 Regular Meeting](#)
- 2) [April 6, 2026 Workshop](#)

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) Consideration to Transfer Funds from General Fund Reserves to the County Attorney's Professional Services Account in the Amount of \$90,000 for Professional Legal Services: Request the Board consider and approve the Budget Transfer. *(Requested by E. John Brower, Financial Services Director)*

7-c) Consideration of an Interlocal Agreement Regarding Automatic and Mutual Aid Between Flagler County and the St. Johns County: Request the Board approve the Interlocal Agreement Regarding Automatic and Mutual Aid between the St. Johns County and Flagler County fire departments and authorize the Interim County Administrator to execute the Interlocal Agreement. *(Requested by Michael Tucker, Fire Rescue Chief)*

7-d) Consideration of the 2026-2029 Flagler County Baker Act Transportation Plan for Involuntary Mental Health Care: Staff recommend that the Board approve the Flagler County Baker Act Transportation Plan, as mandated by Chapter 394, Florida Statutes. *(Requested by Joseph Hegdus, Health and Human Services Director)*

7-e) Interlocal Agreement for Designation and Use of Sheriff's Unexpended Budget Balances *(Requested by Adam Mengel, Interim County Administrator, and Sean Moylan, Deputy County Attorney)* **Added on 4-24-2026**

8. General Business: None

9. Public Hearings: None

10. Additional Reports and Comments:

10-a) County Administrator Report/Comments

10-b) County Attorney Report/Comments (Link to: [2026 Florida Legislature Final Bill Report](#) **Added on 4-29-2026**)

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.

**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: May 4, 2026

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: [Use this link to view attachment\(s\)](#)

1. Proclamation Declaring a Local State of Emergency – April 27, 2026
2. Proclamation Declaring a Local State of Emergency – May 4, 2026

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

SUBJECT: Consideration to Transfer Funds from General Fund Reserves to the County Attorney's Professional Services Account in the Amount of \$90,000 for Professional Legal Services

DATE OF MEETING: May 4, 2026

OVERVIEW/SUMMARY: Staff are seeking approval to transfer funds from General Fund Reserves to the Pooled Expenditures Division in the amount of \$90,000 to provide funding for contracted legal services. These funds are needed mostly to pay for outside defense counsel in the *Robaina v. Flagler County* lawsuit. The plaintiff asserted claims for inverse condemnation, civil rights violations, and the public records law violations. The plaintiff amended the complaint three times and tried to add several county employees as individual party defendants. The plaintiff litigated the matter heavily and refused to settle at several opportunities. There was extensive discovery including many depositions. The inverse condemnation claim culminated in a two-day bench trial at which the County utilized an expert witness and demonstrative aids. Had the plaintiff prevailed, the County would have been responsible for the plaintiff's attorney's fees and costs in addition to damages. The County prevailed; however, under the law, the County is not entitled to reimbursement of legal fees on the inverse condemnation, fraud, and civil rights claims. The County spent a total of \$218,660.55 in attorneys fees.

Although the County is not entitled to attorney's fees on these claims, the County can recover costs. Thus, the County filed a motion to award costs, which amount to just under \$20,000.00.

The only remaining count is a meritless claim against the County for violations of the public records law. At the time of this writing, the plaintiff is within a safe harbor window of time in which she must choose to either drop this claim or litigate it. However, if the plaintiff does not drop this public records claim and the County prevails, the plaintiff will be forced to reimburse the County for its attorneys fees in defending against this claim.

STRATEGIC PLAN:

Focus Area: Effective Government

- Goal 1- Maintain Financial Stability
 - Objective EG 1.1: Ensure a minimum of 5% operating reserves beginning each fiscal year for unforeseen expenses or natural disasters. (Reserved for contingencies.)
 - Measure 1.1.1: Prioritize support and flexibility within budget to successfully navigate unforeseen expenses within a given fiscal year.

FUNDING INFORMATION: Funding in the amount of \$90,000 will be transferred from General Fund 5% Operating Reserves to the County Attorney Division.

DEPARTMENT CONTACT: E. John Brower, Financial Services Director (386) 313-4036

RECOMMENDATION: Request the Board consider and approve the Budget Transfer.

ATTACHMENTS: [Use this link to view attachment\(s\)](#)

1. Budget Transfer
2. General Fund Reserve Spreadsheet

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

SUBJECT: Consideration of an Interlocal Agreement Regarding Automatic and Mutual Aid Between Flagler County and the St. Johns County.

DATE OF MEETING: May 4, 2026

OVERVIEW/SUMMARY: On December 7, 2010, Flagler and St. Johns Counties entered into an interlocal agreement to provide automatic aid and mutual aid services into defined geographical areas bordering both jurisdictions.

Due to changing service demands within each fire department's area of responsibility, the agencies are desiring to update the previous agreement to reflect responses into these areas and the evolving operational capabilities of each agency (i.e., hazardous materials response and air medical response). Updating the previous agreement ensures 911 callers will receive emergency assistance as quickly as possible.

Since implementation of the current interlocal agreement, the two agencies have delivered high-quality emergency services to the residents living in these areas. During this same time, the growth of each agency's service areas has significantly changed. This updated agreement will allow the agencies to serve their respective citizens at a high service level and still provide emergency response support to each other in an effective manner.

STRATEGIC PLAN:

Focus Area: Public Health & Safety (PHS)

Goal 3 – Improve Public Safety Response and Service Delivery Capabilities

Objective PHS 3.3: Protect life, property and the environment from the effects of fire, medical emergencies, disasters and hazardous materials accidents to current and expanding service delivery areas.

FUNDING INFORMATION: No additional funding required.

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

RECOMMENDATION: Request the Board approve the Interlocal Agreement Regarding Automatic and Mutual Aid between the St. Johns County and Flagler County fire departments and authorize the Interim County Administrator to execute the Interlocal Agreement.

ATTACHMENTS: [Use this link to view attachment\(s\)](#)

1. Interlocal Agreement for Automatic and Mutual Aid Between St. Johns County and Flagler County.

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

SUBJECT: Consideration of the 2026-2029 Flagler County Baker Act Transportation Plan for Involuntary Mental Health Care

DATE OF MEETING: May 4, 2026

OVERVIEW/SUMMARY: Staff requests review and approval of the Flagler County Baker Act Transportation Plan (Transportation Plan) which provides a coordinated system for acute care in Flagler County for residents requiring involuntary mental health care. The County is required by mandate to have an adopted plan, with this version due to the state in June 2026.

The plan presented has been completed in accordance with the Florida Mental Health Act (Chapter 394, Florida Statutes), commonly referred to as the “Baker Act”. The Transportation Plan addresses the problem that a Baker Act Receiving Facility does not exist yet in Flagler County, though one will be provided soon in partnership with SMA Healthcare. Currently, any Flagler County resident requiring involuntary mental health care must be transported to Volusia County where both Halifax Health and Stewart-Marchman-Act Behavioral Healthcare (SMA) operate Baker Act Receiving Facilities by the Flagler County Sheriff’s Office. The Northeast Region Department of Children and Families, Substance Abuse and Mental Health Program Office is responsible for providing oversight of the Baker Act System in Flagler County and monitors this Transportation Plan annually.

Initiated in 2013, a Public Safety Coordinating Council designed an acute care system that would be more responsive to individuals in need of mental health and substance abuse services in Flagler County. Typically, Flagler law enforcement agencies are called when a person is in a mental health crisis: law enforcement frequently initiate Baker Act proceedings. The Flagler County Sheriff’s Office (FCSO) receives the bulk of these calls, as it is the law enforcement agency for both the unincorporated areas and the City of Palm Coast, the largest city in the County. City of Flagler Beach and City of Bunnell Police Departments likewise receive such calls for their respective jurisdictions.

Each law enforcement response resulting in a Baker Act proceeding was found to involve an average of two hours of staff time. This reduced available law enforcement in Flagler County just to handle Baker Act calls and transporting individuals to Baker Act receiving facilities at Halifax Health and SMA, in Volusia County. Similar impacts can be seen to the Flagler Beach and City of Bunnell Police Departments.

This Transportation Plan will improve this dynamic, as law enforcement agencies in Flagler County will transport individuals in need of mental health services under the Baker Act to the SMA Healthcare Crisis Triage and Treatment Unit (CTTU) in Bunnell rather than the “nearest receiving facility.” The CTTU will provide clinically-based screening services to individuals in need of crisis counseling, and moreover, transportation to the nearest receiving facility and subsequent continuing care for those who are ordered to treatment under the Baker Act by clinical professionals and Flagler County law enforcement agencies. Law enforcement is no longer responsible for transporting individuals from one facility to another unless the individual has criminal charges. This approach keeps the law enforcement deputies and police officers within the community where (and when) they are needed within the community.

SMA has successfully obtained and maintained Central Receiving System grants to operate this program. Additionally, this Transportation Plan will require another revision in the fall of 2026, upon the completion of the new Flagler County Central Receiving Facility in partnership with SMA Healthcare.

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

Staff will work closely with SMA Healthcare and the Sheriff's Office to complete that update and notify DCF, per Florida Statutes.

STRATEGIC PLAN:

- Goal 4 – Expand Behavioral Health and Substance Abuse Programs
 - Objective PHS 4.1 – Expand public-private partnerships to help remove barriers related to behavioral health access.

DEPARTMENT CONTACT: Joseph Hegdus, Health and Human Services Director (386) 586-2324.

FUNDING INFORMATION: The funding is already in place as part of state and local grants to, and received by, the noted community provider. Flagler County is adopting this Transportation Plan to replace our previous Baker Act Transportation Plan.

RECOMMENDATION: Staff recommend that the Board approve the Flagler County Baker Act Transportation Plan, as mandated by Chapter 394, Florida Statutes.

ATTACHMENTS: [Use this link to view attachment\(s\)](#)

1. Flagler County Baker Act Transportation Plan

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

SUBJECT: Interlocal Agreement for Designation and Use of Sheriff's Unexpended Budget Balances

DATE OF MEETING: May 4, 2026

OVERVIEW/SUMMARY: The Sheriff's Office anticipates receiving Federal funding this year to offset some of its program expenses, with this funding continuing (based on future budget approvals) for the next three years inclusive of this year. With work on the new Florida State Guard Multi-Agency Regional Training Facility progressing slowly, the Sheriff's Office would like to use some of these funds to advance the construction of the Regional Training Facility. The attached Interlocal Agreement (ILA) would enable the Sheriff's Office to utilize these funds (along with annual unexpended funds) for programmatic expenses, including capital projects like the Training Facility, with the specific intent of limiting the duration of this ILA to the anticipated three-year duration of the availability of the Federal funding. This three-year time period should likewise coincide with the time needed to construct and complete the Regional Training Facility.

As the Board is likely aware, Section 30.50(6), Florida Statutes, requires the Sheriff, at the end of each fiscal year, to return unexpended funds to the Board of County Commissioner's (BCC's) general fund. Under this ILA, the BCC will place the Sheriff's unexpended funds in a reserve line item to be budgeted to and used by the Sheriff over the next three fiscal years: the term of the ILA is one year with two one-year automatic renewals. The reserve may accumulate from year to year, and the BCC would not be permitted to use the reserve to offset or reduce other portions of the Sheriff's budget. The ILA also requires the Sheriff to submit to the BCC each year, along with his proposed budget, the prior fiscal year's expenditures down to the sub object level.

Excess Fees Received:

FY 25 - \$2,120.12

FY 24 - \$153,030.89 (of which \$151,704.27 was from a FEMA Reimbursement for Hurricane Ian)

FY 23 - \$10,684.12

FY 22 - \$36,456.37

FY 21 - \$7,722.99

STRATEGIC PLAN:

Effective Government (EG)

- Goal 2 – Build & Maintain Relationships to Support Effective & Efficient Government
 - Obj. EG 2.2: Pursue policy, fiscal and legislative options to provide county leaders with the flexibility and tools needed to respond to the challenges associated with a growing community.

DEPARTMENT CONTACT: Adam Mengel, Interim County Administrator, and Sean Moylan, Deputy County Attorney

FUNDING INFORMATION: Approving this agreement abdicates the Board's statutory power to budget County funds.

ATTACHMENTS: [Use this link to view attachment\(s\)](#)

- 1) Interlocal Agreement for Sheriff's Unexpended Budget Balances