



Flagler County Board of County Commissioners Agenda

REVISED

December 5, 2016 • 9:00 a.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:**
 - a) **Recognitions:** Fall 2016 Flagler County Citizens' Academy Course Completion Certificates
 - b) **Proclamations:**
 - 1) 2017 Flagler County's Centennial Celebration
 - 2) United Way 75th Anniversary
 - c) **Presentation:** None
5. **Community Outreach:** A thirty-minute time has been allocated at the beginning of the meeting for public comment. Each speaker will be allowed up to three minutes to address the Commission on any consent agenda item or other topics not on the agenda. Each speaker will have three (3) minutes. Any speaker who is unable to speak within this Community Outreach period will be allowed to speak during the Community Outreach portion at the end of the meeting.

CONSENT

6. **Constitutional Officers:**

Clerk:

6a) Bills and Related Reports: Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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 November 11, 2016
- 2) Disbursement Report for Week Ending November 18, 2016
- 3) Revenue Collected for October 2016

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

- 1) November 7, 2016 Workshop
- 2) November 22, 2016 Special Meeting

7. **Consideration of Granting of a Non-Exclusive Easement to BellSouth Telecommunications, LLC, a Georgia limited liability company, d/b/a AT&T Southeast for the Installation and Maintenance of Underground Communications Lines at the Flagler Executive Airport:** Request the Board approve the granting and recording of a non-exclusive easement to BellSouth Telecommunications, LLC, a Georgia limited liability company, d/b/a AT&T Southeast as approved to form by the County Attorney and approved by the County Administrator in order to complete the construction, operation and maintenance of underground communication infrastructure related to the expansion of the Flagler Executive Airport
8. **Consideration of Award for Request for Multiple Vendor Proposals 17-012P for Graphic Design and Creative Services Not to Exceed \$75,000 Annually:** Request the Board approve the award for Request for Proposals 17-012P for Graphic Design and Creative Services with The Brandon Agency, Evok Advertising, Fuseideas, and TypeFace Studios for Graphic Design and Creative Services and authorize the Chairman to execute a contract as approved as to form by the County Attorney and approved by the County Administrator **Any work authorizations within the \$75,000 can be approved by the County Administrator.**
9. **Consideration of Bid Award 17-014B to P&S Paving, Inc. for Asphalt Milling and Paving County Road 2009 (Lake Disston Drive) in the Amount of \$277,819.01:** Request the Board approve Bid Award 17-014B to P&S Paving, Inc. for Asphalt Milling and Paving County Road 2009 (Lake Disston Drive) in the amount of \$277,819.01 and authorize the Chair to execute a contract as approved as to form by the County Attorney and approved by the County Administrator and authorize the County Administrator to execute any project related change orders within the project budget.
10. **Consideration of Reappointment to the Health Planning Council of Northeast Florida:** Request the Board consider the reappointment of Mr. Robert Snyder to the Health Planning Council of Northeast Florida for an additional two-year term.
11. **Consideration of Appointment to the Tourist Development Council:** Request the Board appoint Mayor Milissa Holland in the category of an "Elected Municipal Official", for a four-year term.
12. **Consideration of Work Authorization No. WA-8, Establishing the Scope of Services and Compensation for Hoyle, Tanner & Associates, Inc. under RSQ-Q007-0-2015, in the amount of \$745,350.00, to Perform Construction Services during the Project Construction Phase for the Relocation and Extension of Runway 11-29.:** Request the Board approve and authorize the execution of Work Authorization No. WA-8 under RSQ-Q007-0-2015 for Hoyle, Tanner & Associates, Inc. as approved to form by the County Attorney and approved by the County Administrator.
13. **Consideration of Flagler County Tourist Development Council Fund 110 Discretionary Event Funding:** Request the Board approve the recommendation of the Flagler County Tourist Development Council 110 Discretionary Event funding in the amount of \$47,500 and authorize the County Administrator to execute the contracts as approved to form by the County Attorney.
14. **Consideration of Single Source Procurement for Website Marketing Services with Just Program, LLC in the amount of \$130,200:** Request the Board approve Single Source Agreement for Website Marketing Services with Just Program, LLC in the amount of \$130,200 and authorize the Chair to execute a contract as approved as to form by the County Attorney and approved by the County Administrator.

15. **Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency:** Request the Board ratify the Proclamations Extending the State of Local Emergency.

GENERAL BUSINESS

*General Business Presentations Limited to 15 Minutes with Individual Speaker Comments
Limited to 3 Minutes Each Speaker per Adopted Commission Meeting Procedures*

16. **Board Appointments**

a) **Reorganization of the Board of County Commissioners:** Request the Board review and assign Board Committee Assignments for 2017.

b) **Consideration of Appointment to the Family Life Center:** Request the Board consider the appointment of a Commissioner to the Family Life Center Board of Directors as an ex-officio member.

17. **Consideration of the Clean Water State Revolving Fund (SRF) Facilities Plan for the Plantation Bay Wastewater Treatment Facility and Provide for Construction of Wastewater Treatment Plant with Funding Through the Florida Department of Environmental Protection (FDEP) Clean Water SRF Program in the Amount Not To Exceed \$5,745,945.00:** Request the Board approve the attached resolution adopting the State Revolving Fund planning document.

PUBLIC HEARINGS

Public Hearings will be heard after 9:30 a.m.

18. **LEGISLATIVE – Consideration of an Ordinance Establishing a Temporary Moratorium on Medical Marijuana Treatment Centers and Dispensing Facilities for Low-THC and Medical Cannabis within the Unincorporated Areas of Flagler County:** Request the Board approve on first reading the ordinance establishing a temporary moratorium through June 17, 2017 or until appropriate land development regulations become effective, whichever occurs first, prohibiting the establishment or operation of Medical Marijuana Treatment Centers and dispensing facilities for low-THC and medical cannabis within the unincorporated areas of Flagler County.

ADDITIONAL REPORTS AND COMMENTS

19. **County Administrator Report/Comments**

20. **County Attorney Report/Comments**

21. **Commission Action**

22. **Community Outreach**

A thirty-minute time has been allocated at the end of the meeting for public comment. Each speaker will be allowed up to three minutes to address the Commission on items not on the agenda.

23. **Commission Reports/Comments**

10 MINUTE BREAK

HUNTER'S RIDGE ITEMS (PUBLIC HEARINGS & GENERAL BUSINESS)

24. **QUASI-JUDICIAL – Consideration of a Petition to Establish the Hunter's Ridge Oaks Community Development District No. 1, Adoption of an Ordinance through First and Final Reading establishing the Hunter's Ridge Oaks Community Development District No. 1 (CDD), and Approval of an Interlocal Agreement between the CDD and Flagler County; Petitioner: U.S. Capital Alliance, LLC; Agent: Kim C. Booker, Booker & Associates, P.A.:** Request the Board through first and final reading adopt the ordinance establishing the Hunter's Ridge Oaks Community Development District No. 1, and to approve the execution of the Interlocal Agreement.
25. **QUASI-JUDICIAL – Application #3047 – Application for Review in the PUD (Planned Unit Development) District for an Amendment to an Approved PUD Site Development Plan for the Hunter's Ridge Office Park Phase 1 PUD; Parcel Number: 22-14-31-0000-01010-0120; Owner: U.S. Capital HR, LLC; Applicant: Kimberly A. Buck, P.E., Alann Engineering Group, Inc.:** Request the Board open and continue the public hearing for the amendment to the PUD Site Development Plan for the Hunter's Ridge Office Park Phase 1 PUD to the Board's December 19, 2016 regular meeting at 5:30 p.m.
26. **QUASI-JUDICIAL – Application #3046 – Application for Review in the PUD (Planned Unit Development) District for an Amendment to an Approved PUD Site Development Plan for the Hunter's Ridge Temporary RV Storage PUD; Parcel Number: 22-14-31-0000-01010-0110; Owner: U.S. Capital Alliance, LLC; Applicant: Kimberly A. Buck, P.E., Alann Engineering Group, Inc.:** Request the Board open and continue the public hearing for the amendment to the PUD Site Development Plan for the Hunter's Ridge Temporary RV Storage PUD to the Board's December 19, 2016 regular meeting at 5:30 p.m.
27. **QUASI-JUDICIAL – Consideration of an Order to Rescind Notice of Noncompliance Pursuant to Florida Statute 380.06 for Hunter's Ridge Development of Regional Impact (DRI):** Request the Board: 1) approve the Order to Rescind the Notice of Noncompliance Pursuant to Florida Statute 380.06 and the substantial form of the following Agreements and legal instruments; 2) authorize the County Administrator and County Attorney to approve minor amendments to the Agreements and legal instruments as they may deem necessary to effectuate the Board's intent; 3) authorize the County Administrator and County Attorney to proceed with scheduling a closing at such time as they determine that the Agreements and legal instruments are finalized; and 4) authorize the Chair to execute the Agreements and legal instruments required for the closing, as determined by the County Administrator and County Attorney. The approval of the Order to Rescind the Notice of Noncompliance is expressly contingent upon: 1) the issuance of a Conceptual Permit and Management Plan by the St. Johns River Water Management District, in a form as approved by the County Administrator; 2) the approval and execution of the Agreements and legal instruments, in the substantial form as attached, subject to minor revisions as approved by the County Administrator and the County Attorney; 3) the approval and execution of all closing documents, releases, certificates, affidavits and disclosures as may be deemed necessary by the County Attorney; 4) the approval of the Closing Statement and Pro Forma Title Insurance Policies by the County Attorney; and 5) the payment of all recording costs, documentary stamp taxes and title insurance premiums by the Developer. The Order to Rescind the Notice of Noncompliance shall not be effective until the Order is recorded by Flagler County in the Official Records of Flagler County, Florida.
28. **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.