

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

APRIL 12, 2005

SPECIAL MEETING

Present: Chairman Jim Darby, Vice Chairman Hutch King, Commissioners George Hanns, Blair Kanbar and Jim O'Connell, Clerk Gail Wadsworth, County Administrator David Haas, County Attorney Carl Kern, and Clerk's Secretary to the Board Eileen Knowles

Chairman Darby called the meeting to order at 10:00 a.m.

ITEM 1 – CORRIDOR MANAGEMENT PLAN

A motion was made by Commissioner King that it be mandatory all development projects go to the Scenic A1A PRIDE committee for input and review but that the results must not be mandatory in order for the BCC to approve it. Seconded by Commissioner Kanbar.

Commissioner Hanns stated he did not agree it should be mandatory, however, Ms. Wilson said it should remain as it was and Mr. Hadeed believed it should be mandatory. He never saw Mr. Hadeed do anything harmful to the County so he would support the motion.

Commissioner O'Connell stated he did not believe it should be mandatory and thought it could be a recommendation, but did not think it should be a requirement.

Commissioner Kanbar thought it was important to support the motion because it would speed up the process and open lines of communication with developers and those who lived in the Hammock.

Chairman Darby stated he reluctantly would support the motion but thought there were several setbacks the BCC had not considered and needed to consider if it was adopted. The imperative created by the BCC to refer developers to an informal committee that was structured as such under a set of bylaws not governed by the BCC left it wide open to how the PRIDE committee conducted its meetings. And knowing on the "reverse side of the coin" all developers were now required to attend those meetings and be subjected to its level of questioning without a fair method of how that questioning occurred.

Commissioner O'Connell commented with the current group of volunteers they were in good shape, but no one stayed involved forever and that was an additional concern.

County Administrator Haas stated he thought the motion was a mistake and if passed it would be a mistake. If his comment earlier made it seem as though he thought that was what the BCC should do, it was not.

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Chairman Darby asked if there were any legal reservations to be offered by counsel.

County Attorney Kern stated the committee would issue an opinion but the BCC would have the final say on the development. This was purely advisory and, hopefully, as Ms. Wilson said it would be done in a voluntary, cooperative type of environment.

Chairman Darby stated this meeting was called at the request of the committee and if there were questions that needed answers this was the time to sort it out.

Planning & Zoning Director Fufidio stated the Planning Department's understanding of the motion before the BCC was there would be various levels of approval. Some came to the BCC, some stopped at the Planning Board, and some were made at staff level for small site plans of less than 5-acres. It was staff's understanding that only those proposals that were subject to the full scenic corridor overlay district or the design criteria of the scenic corridor overlay district would be subject to the mandatory provision.

Chairman Darby stated Assistant County Attorney Bosch at the last meeting reported she was finding problems with different development ordinances and would be working on draft changes, so the BCC needed to include that in its thinking.

Asked if Commissioners King and Kanbar concurred with what Mr. Fufidio iterated.

Commissioner King and Commissioner Kanbar concurred.

Chairman Darby requested public comment on the motion before the BCC.

Carol McCleery, Hammock, Scenic A1A PRIDE committee, stated she did not know if it was necessary or desirable to make it mandatory and thought what was important was that most of the time the committee was able to work with the developer to make some proposals that did not cost the developer a lot of money and often saved money, and made a more attractive and saleable project.

Dick Rubino, Scenic A1A PRIDE committee, spoke about chairing a group where its discussions with developers of two projects led to changing of their culture of design and sensitivity to environmental impacts.

Donna Richardson-Drevniok, Scenic A1A PRIDE committee, explained that any developer or property the committee was interested in was because it was on the scenic highway.

Don Hoskins, Scenic A1A PRIDE committee, stated he thought the problem started a long time ago when someone said the committee approved plans, but it did not approve plans. It was not there to tell developers what they could or could not do; it tried to tell them what the committee would like to see.

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Al Hadeed explained the reason for a mandatory referral was that six months ago staff was encouraging developers to get that input, but now there was a perception that they were inconsequential. The only way to reverse that, at this point in time, was a mandatory referral.

Marianne McNeil, Sea Colony, stated she thought the picture in the newspaper of the oak tree being moved spoke for itself as far as what developers were trying to do in the Hammock. She thought it should be mandatory but did not think the committee had a right to say whether or not a developer should do a project.

There was no further comment.

Chairman Darby closed public comment.

Chairman Darby thanked the committee for the job it did and knew that it had the best interest of the community at heart. It was one of the best committees the BCC had and he wished it well.

Chairman Darby called the question. Motion carried 4 to 1, with Commissioner O'Connell dissenting.

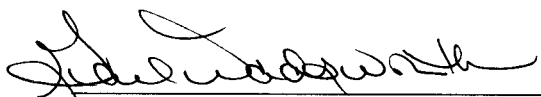
ADJOURNMENT

The meeting adjourned by consensus at 10:30 a.m.

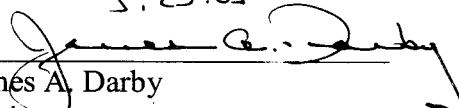
APPROVED AND ADOPTED MAY 23, 2005

ATTEST:

FLAGLER COUNTY BOARD OF
COUNTY COMMISSIONERS



Gail Wadsworth
Clerk and Ex Officio Clerk to the Board

5.23.05


James A. Darby
Chairman