

**TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
14 JANUARY 1999**

**SILENT PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**            Mayor Drabczuk  
                          Councilwoman Carroll  
                          Councilman Kendrick  
                          Councilman Payne  
                          Councilman Skelly  
                          Councilman Williams

1. Council Approval of Agenda
2. Consent Agenda
  - A. Minutes, Council Meeting 10 December , 1998
  - B. Status of Funds, December, 1998
3. Action Items
  - A. Progress Report on Annual Audit
  - B. Resolution 99-1 (Draft)
  - C. Committee Report – Waste Management – Chairman Kendrick
4. Engineer's Report
5. Attorney's Report
6. Town Manager Report
7. Public Request/Comments
8. Councilmember Reports/Comments
9. Correspondence
  - A. Letter, Simpson & Simpson
  - B. Letter, Mental Health Association of Okaloosa/Walton County
10. Mayor's Announcements
11. Adjourn

DRAFT

Original document is skewed

DRAFT

RESOLUTION 99 - 1

A RESOLUTION OF THE TOWN OF CINCO BAYOU, OKALOOSA COUNTY, FLORIDA, REQUESTING THE ASSISTANCE AND SUPPORT OF CONGRESSMAN JOE SCARBOROUGH IN OBTAINING A SEPARATE POSTAL ZIP CODE FOR THE TOWN OF CINCO BAYOU FOR THE PURPOSE OF INSURING FAIR AND EQUITABLE DISTRIBUTION OF FINES, LEVIES AND TAXES RIGHTFULLY DUE THE TOWN OF CINCO BAYOU.

**WHEREAS**, the Town of Cinco Bayou, Florida, (hereinafter referred to as "Town") has in the past been deprived of a portion of fines, levies and taxes based on improper usage of postal Zip codes including the Town in the City of Fort Walton Beach, Florida; and,

**WHEREAS**, the Town is entitled by statute to such fines, levies and taxes; and,

**WHEREAS**, despite continual efforts and communications to alleviate the situation, corrective action has not been forthcoming, thus the unfair depriving situation continues to this day; and,

**WHEREAS**, there appears to be no other effective way to identify the inhabitants of the Town by State, County, and Local authorities to alleviate unfair distributions; and, •

**WHEREAS**, the Postal Authorities are objecting to assigning a separate Zip code for the Town, at this time, because of the scarcity of Zip codes within the 325 - - area, even though such request made under earlier guidelines would probably have been favorably considered; and,

**WHEREAS**, even though the use of Zip codes for any other purpose than the delivery of United States Mail is forbidden by statute, they are in fact utilized for other purposes as part of common usage by individuals, entities and organizations thereby creating a need for specific identification the rectify situations such as mentioned above; and

**WHEREAS**, the action of the Postal Authorities in denying the properly constituted Town a Zip code to correct this obvious requirement for departure from normal operating parameters and guidelines in place at this time is arbitrary, unfair and damages the welfare of the Town; and,

**WHEREAS**, other alternatives offered such as adding Cinco Bayou, Florida, 32548 as an alternate address in the computerized records is helpful but confusing to the citizenry along with being inadequate to the task; and,

**WHEREAS**, the purpose of any governmental agency should be to provide for fair and equitable treatment under the law by assisting and fostering maximum accommodation when applying departmental rules and regulations which from time to time require immediate remedy despite projected future requirements which might involve further evolution and enlargement of the Zip code numbering system.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Cinco Bayou,

Okaloosa County, Florida, by unanimous vote, requests that:

1. The United States Postal Service by copy of this resolution be encouraged to assign a separate Zip code to the Town of Cinco Bayou, Okaloosa County, Florida.

2. Congressman Joe Scarborough use the powers of his office to plead our case to the United States Postal Service thru its offices in Fort Walton Beach, Okaloosa County, Florida, and thru its Regional or District office in Jacksonville, Florida that this request be granted to a just resolution by assigning a separate Zip code to the Town.

3. The Town Manager is hereby authorized to communicate with the necessary offices, individuals and agencies necessary to attain and implement this request.

**ADOPTED** in regular sess this 14<sup>th</sup> day of January, 1999

THE TOWN OF CINCO BAYOU  
FLORIDA

ATTEST:

BY: \_\_\_\_\_  
Charles W. Turner  
Town Manager/Clerk

BY: \_\_\_\_\_  
Randall P. Drabczyuk  
Mayor

RECEIVED  
12-29-98

*[Handwritten signature]*

SIMPSON & SIMPSON  
ATTORNEYS AT LAW

909 MAR WALT DRIVE, SUITE 1024  
FT. WALTON BEACH, FL 32547  
(850) 862-1134  
FACSIMILE (850) 862-7617

DAVID A. SIMPSON  
BOARD CERTIFIED CIVIL TRIAL  
TRIAL - PERSONAL INJURY AND WRONGFUL DEATH  
TRIAL - WORKERS' COMPENSATION  
CAMERON DENISE SIMPSON\*  
TRIAL - PERSONAL INJURY AND WRONGFUL DEATH  
TRIAL - WORKERS' COMPENSATION  
\*ALSO ADMITTED IN GEORGIA

December 17, 1998

PENSACOLA  
(850) 438-1134

*Charles Turner  
Town of Cinco Bayou  
10 NE Yacht Club Drive  
Ft. Walton Beach, FL 32547*

Re: Edward & Barbara Connor vs. Town of Cinco Bayou

Dear Mr. Turner:

*I have been retained to represent the interest of Edward and Barbara Connor in the above referenced violation of Florida Statute 440.205 Appendix I (copy attached). He has indicated that he was terminated on the same day he was in the emergency room receiving treatment for back strain of a workers compensation accident while working for the Town of Cinco Bayou. This statute states that "an employer is not to discharge, threaten, or intimidate or coerce an employee with respect to a claim or attempt to claim workers compensation."*

*In an effort to resolve this matter we would be more than willing to negotiate the claim or discuss with you or your attorneys in the next 30 days. If we do not hear from you within the 30 days, we will have no alternative but to file a lawsuit in Okaloosa County for the wrongful retaliatory discharge of my client. This is especially damaging during the holiday season when he is now unemployed and unable to obtain suitable gainful employment.*

*I look forward to discussing this with your attorney.*

Very truly,

*Cameron D. Simpson*

CDS/ah



# Mental Health Association of Okaloosa/Walton County

POST OFFICE BOX 505 • FORT WALTON BEACH, FLORIDA 32549 • (850) 244-1040 • FAX (850) 244-2573



January 6, 1999

Manager, Town of Cinco Bayou  
10 NE Yacht Club Drive  
Fort Walton Beach, FL 32548

Dear Council Members,

Thank you so much for your generous contribution of seventy-five dollars to Project Cheer 1998. Your gift allowed the Mental Health Association to provide a new flannel shirt or flannel nightgown for more than five hundred men, women, and children in long-term psychiatric care during the holidays.

Your continued support of the Mental Health Association and its work in our community is greatly appreciated. Thank you for responding to the needs of those who cannot thank you themselves. It couldn't be done without you!

Thank you and Best Wishes for a Happy New Year!



Virginia Glynn Barr, ACSW  
Executive Director

*P.S. Thank you - this really helped a lot!*