

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
JANUARY 18, 1979

1. MINUTES-REGULAR COUNCIL MEETING-DECEMBER 14, 1978.
2. FINANCIAL STATEMENT-DECEMBER 1978.
3. AUDIT 1977-78.
4. ORDINANCE #51-SECOND READING.
5. APPROVAL OF PERSONNEL POLICY #1.
6. APPROVAL OF PURCHASING POLICY.
7. REPORT ON GODWIN'S RELEASE. (Attorney)
8. STATUS REPORT ON PENDING LAWSUITS. (Attorney)
9. CHANGE OF MEETING DATES.
10. WEST FLORIDA REGIONAL PLANNING COUNCIL-YEARLY DUES, \$117.00.
11. REPORTS FROM CLERK.
12. DATAGRAM INFORMATION-1979 LICENSE TAGS FOR MOBILE HOMES.
13. AUER MARINE-BOAT RAMP.
14. RESOLUTION 79-1.
15. SERVICES FROM OKALOOSA COUNTY SHERIFF DEPARTMENT.
16. RESOLUTION, 1973.
17. OKALOOSA COUNTY LEAGUE OF CITIES DINNER.
18. OKALOOSA SHERIFF'S BALL.

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
January 18, 1979

Town officials in attendance: Mayor Jim Kendrick, Council members Irene Balsley, Phil Johnston, Harold Peek, Ralph Perry and Max Usrey; Attorney Rick Powell and Town Manager/Clerk Kenneth Espy, Recorder.

Also present were: Ron Goetsch-Playground Daily News; Brentwood Bryan and Jimmy Messick, Auditors-Creel, Bryan & Gallagher; Dick Bixby, Adelia Robblee, Abbie Tyner and Ruth Usrey.

A quorum being present, Mayor Kendrick opened the meeting with a silent prayer at 5:30 p.m.

1. MINUTES-REGULAR COUNCIL MEETING-DECEMBER 14, 1978. Motion by Mr. Johnston to accepted as printed, seconded by Mrs. Balsley. Motion carried unanimously.
2. FINANCIAL STATEMENT-DECEMBER 1978. Mrs. Balsley questioned the Clerk as to the amount of Check #3255 to Petty Cash and informed the Council that it is the Finance Committee's policy that only \$25.00 Petty Cash is available for use during each calendar month rather than the Clerk's understanding that a balance of \$25.00 in that fund could be maintained at all times. She also questioned the amount of Checks #3266 and #3267 paid to Kenneth Espy and Delores Rouse as they were greater than previous pay checks. The Clerk explained that each included pay for overtime spent in that pay period. She informed the Clerk that there were no provisions for Miss Rouse to receive overtime. If she works hours in excess of the 40 hours week, she is to be compensated by compensatory time off from work later. The amount of Check #3287 to Gulf Power Company was also questioned as it seemed unreasonable for the services claimed. The Clerk agreed to investigate with Gulf Power as to it's correctness. After these discussions of checks identified, motion made by Mr. Peek to accept the statement as presented, seconded by Mr. Johnston. Motion carried unanimously.
3. AUDIT FY 77-78. The Clerk presented the Audit as completed along with cover letter containing comments from the auditor, to the Council and invited questions of the Auditors present. In reply to the comment referring to the "written plan of organization" required by the State, the Clerk assured the Council he had obtained a copy of this same type document from Mr. Evans of Fort Walton Beach and using it as a guide had prepared a plan for Cinco Bayou. He will present this plan soon for adoption. Also he is preparing "Job Descriptions" for each of the two administrative employees that will satisfy the comment relative to this subject. Regarding the comment concerning "payroll checks" it was agreed that the bi-weekly time sheet would always accompany the checks when countersignature is required. Knowing the comment regarding the "Uniform Accounting System" required by the State was forthcoming, the Clerk advised the Council he had spent considerable time studying the manual, discussing the system with the present accounting firm "Business Management System," discussing it with the Auditor when the audit was in progress and had plans to further consult with neighboring Towns who were also intergreting the system. It appeared possible to continue with Business Management Systems by incorporating the State account numbers in the descriptions when questioned by Mr. Johnston if the Audit firm could assist in the establishment of this State required accounting system Mr. Bryan advised, they could, however, no fixed fee could be established, the services would be charges on a man-hour basis. Mr. Bryan further stated he could not adviced for sure but felt that although the Town had not met the State dictated date of October 1, 1978, for implementation there would surely be a one year transitional period prior to enforcing

3. AUDIT FY 77-78 (cont). compliance or endangering State Revenue Funds. The Audit was accepted and the Mayor referred the matter of comments to the Finance Committee and ask that they assist any way possible.

4. ORDINANCE #51-SECOND READING. Attorney Powell performed the second and final reading of Ordinance #51 amending that part of the Code of Ordinance being Section III (V) Zoning pertaining to "Use Permitted" related to the sale of "beer, wine, liquor or other intoxicating beverages." A motion was made by Mrs. Balsley to approve the final reading of this amending ordinance, seconded by Mr. Perry. Motion carried unanimously.

5. APPROVAL OF PERSONNEL POLICY #1. With copy of the policy letter in hand, Mr. Johnston moved that the Council adopt it as printed, seconded by Mr. Peek. During discussion, it was revealed that the Personnel Committee had no chairman and had not met as a Committee to discuss this letter. Considering there were some areas subject to discussion the Mayor appointed Mrs. Balsley as Chairman of the Personnel Committee, ask Mr. Johnston if he would withdraw his motion, Mr. Johnston stated he would, Mr. Peek concurred, and referred the letter before the Council to that committee for further study and presentation at next council meeting.

6. APPROVAL OF PURCHASING POLICY. As it was determined, the Finance Committee had not met as a committee to discuss this Policy letter and there were areas suggested to discussion. The Mayor referred this letter to the Finance Committee for further study and presentation to the Council at next council meeting.

7. REPORT ON GODWIN'S RELEASE. Attorney Powell advised the Council that he had the termination check for Mr. James Godwin and had discussed the matter with him. Mr. Godwin had not accepted the check on the terms the Council had advised the Attorney to impose (that is surrender the check only upon receipt of a signed release from Mr. Godwin clearing the Town of any future indebtedness to him). Mr. Godwin had furnished the Attorney a letter stating his refusal to sign such a release to the Town, a part of which the Attorney read to the Council, he then stated he could only legally advised the Town to continue to press for a release. After some discussion, Mr. Perry moved that the check be surrendered to Mr. Godwin without his signing a release, seconded by Mr. Peek. VOTE: YEAS-Perry, Peek and Usrey; NAYS-Johnston and Balsley. Attorney will make payment to Mr. Godwin.

8. STATUS REPORT ON PENDING LAWSUITS. Attorney Powell reminded the Council they had joined with the County in a suit against the State to have the 1977 Tax Rolls approved. He had been advised the Attorneys have reached an agreement and they would have a hearing January 29 and at that time the Rolls would likely be approved. As to the suit against Pryor, his Attorney have obtained an extension of the date for next hearing until March 1 and with the other briefs and hearings necessary as well as appeals it would likely be three months before any settlement can be expected. Regarding that part of the suit pertaining to Glenwood Park, Mr. Pryor's Attorney has determined the necessity of investigating more into records of action that has taken place regarding ownership, as well as questions of knowledge of Town officials as to the history of this park. On the plot for Sleepy Oak Subdivision, the surveyor, Mr. Overstreet has changed the west border of the Town of Cinco Bayou due to the change in the water edge of the Bayou. Mr. Powell advised the Council some written explanations should be requested of Mr. Overstreet justifying the boundaries of the plat of the Sleepy Oak Subdivision. After some discussion of this matter, the Council agreed to meet on the site of this subdivision along with Mr. Overstreet for his explanation. The meeting was set for 1:00 p.m., Friday, January 19, 1979.

9. CHANGE OF MEETING DATES. Mrs. Balsley opened this discussion of consideration of the most appropriate time and dates for the council meetings. It was her opinion, the business of the Town could best be served by having the Council Committee meetings on the second Thursday and the Regular Council meetings on the third Thursday of the month. After some discussion of Mrs. Balsley's opinion, it was agreed by all that the following schedule would prevail Committee meetings on the second Thursday and Regular Council meetings on the third Thursday at 7:00 p.m.
10. WEST FLORIDA REGIONAL PLANNING COUNCIL-YEARLY DUES, \$117.00. The bill for 1979 dues to this planning council had been received and the Clerk was requesting permission to make the payment and keep membership active. The Council was advised, however, that the subject of membership to this planning council had been "tabled" during our August 3, 1978 council meeting. Mr. Johnston moved that this subject be withdrawn from the table for discussion. After discussion, Mrs. Balsley moved that the Town's membership to this planning council be withdrawn, seconded by Mr. Peek. Motion carried unanimously.
11. REPORT FROM CLERK. The Clerk reported on the following items of interest to and concern of the Council:
- A. The General Revenue Sharing Resource Book was received.
 - B. The old flasher signs parked along Garnett Street will be moved away.
 - C. The map on the Conference Room Wall has been changed to a Zoning Map.
 - D. The office has had two inquiries regarding the two old empty houses along Yacht Club Drive just west of Luverne Street relative to remodeling for office buildings.
 - E. The Council agreed to pay Okaloosa County Comprehensive Planning Agency \$3,500 to prepare the plan for Cinco Bayou. Of this amount, a grant of \$1600 was received from the State. A invoice for \$1750 has been received from that Agency for work accomplished. As no results of this work has been received, it has been agreed to withhold the payment check until some planning materials are received.
 - F. Extensive shopping for paneling for the conference room had been accomplished and a sample was in the room. It was on sale with 25% off. The Clerk also gave an estimate of the amount required to accomplish the work, however, it was agreed to withhold this work until a later date.
 - G. The concern for the amount of dirt and debris being piled on the beach of Laguna Park was resolved when the Contractor burying the water line advised all this dirt would be moved over onto Mr. Johnston beach front.
12. DATAGRAM INFORMATION-1979 LICENSE TAGS FOR MOBILE HOMES. Mrs. Balsley reminded the Council of an article in the Florida League of Cities January "Datagram" concerning 1979 License Tags for Mobile Homes and inquired of the Clerk if he had noted it. He reply was in the affirmative. Mr. Perry suggested the Clerk contact the Tax Collector's office for information on number of trailers in the Town.

13. AUER MARINE-BOAT RAMP. Mayor Kendrick advised the Council of a communication from Mr. Auer of Auer Marine stating the inadequacy of the Boat Ramp recently completed at the foot of Seaway Street. No official communication had been received by the Clerk, therefore, no further action was taken.
14. RESOLUTION 79-1. The Clerk advised he had received a "PRE-APPLICATION FORM" for funds from the State for the COMPREHENSIVE PLANNING. He had completed the form and prepared a resolution resolving to apply for these funds. The council members signed the resolution with instructions to follow through with the application.
15. SERVICES FROM OKALOOSA COUNTY SHERIFF DEPARTMENT. Mr. Usrey reminded the Council of the inadequate service the Town was receiving from the Sheriff's Department. He had noted park gates were unopened and the lack of appearance of patrol cars. It was agreed the Clerk will keep a diary of gates unopened and other omissions.
16. RESOLUTION, 1973. Mr. Usrey also advised the Council of a Resolution passed in July 1973 permitting a variance to height and land per family limitations of the "R-1 Multiple Family Dwelling Zoning. He expressed his opinion that the effective period of this Resolution should have expired and the action of the Council should be reversed. The Attorney advised if there was no limitation of time contained in the Resolution, he did not believe it could be cancelled. Mayor Kendrick asked Mr. Usrey and Attorney Powell to conspire in . . . compiling policy concerning including time limitations in future ordinance.
17. OKALOOSA COUNTY LEAGUE OF CITIES DINNER. Clerk reminded the Council of the invitation to the Okaloosa League of Cities dinner to be held at the Sheraton Miramar Inn, January 25 at 6:30 p.m., hosted by the Town of Shalimar and ask all who wished to attend to advise him prior to January 23.
18. OKALOOSA SHERIFF'S BALL. Mayor Kendrick reminded the Council of the invitation to each to attend a social hour and barbecue at the Fairgrounds sponsored by the Sheriff Department, Monday, January 22 at 6:30 p.m.
19. ADJOURNMENT. Meeting adjourned at 7:10 p.m.

RESPECTFULLY SUBMITTED AS TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.


KENNETH H. ESPEY
Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Financial Statement.
2. Newspaper Clippings-PGDN.

TOWN OF CINCO BAYOU - JOURNAL OF CHECKS WRITTEN - DEPOSITS MADE

December 1978

Check Number	To Whom	Purpose	Date	Amount	Bank Bal	Of Fwd And	ACCOUNTING CODES
				Check	Deposits		
-- --		Bal Fwd	1	--	4444.99		
32 36	Town of Cinco	Petty Cash	1	22.71			603
37	Butler's Florist	Flwrs To Mrs.	1	11.00			418
		Richard Powell					
38	GravellyOfMobile	Mower with Sulky	1	1944.95			653
		Rider					
39	Moore-Handley	Tool Box F/Truck	4	68.88			655
40	Gatlin L&S Co	Supplies	5	10.39			1104
41	Polyengineering	Ret - Dec	5	100.00			401-00
42	City of FWB	Repair Pot Holes	5	198.47			416
43	Estergren, FA&P	Ret - Nov	5	100.00			401-01
44	VOIDED	--	--	--			
45	Long Ins Agency	Notary Bond F/Clk	5	35.00			423
46	Barnett Bank	Rent-Safe Dep Box	5	12.00			412
47	K. Espy	2Wks-11/21-12/4	5	250.00			421
48	D. Rouse	2Wks-11/21-12/4	5	214.60			427
49	A. Davis	2Wks-11/21-12/4	5	51.97			427
50	F. Sahlin	2Wks-11/21-12/4	5	92.75			427
51	Stone's Gulf	Gas-Oct & Nov	5	30.25			403
-- --		See Dep 78/79-08	5	--	2040.37		
--	Frm Sav Acct	To Ck Acct	5	--	4285.82*		
52	CENTEL	14th Pmt-U/F Tax	12	300.00			705
53	Oka Sheriff Dept	Svs - Dec	12	400.00			401-08
54	Sears	Chain Saw	12	207.95			655
55	Town of Cinco	Petty Cash	12	23.79			603
-- --		See Dep 78/79-09	12	--	1349.98		
56	Frm Ck Acct	To Fed Sav Acct	14	1858.00**			608
--	Frm Sav Acct	To Ck Acct	14	--	4000.00***		
-- --		See Dep 78/79-10	18	--	703.00		
-- --		See Dep 78/79-11	18	--	35.00		
57	City of FWB	Rpr Traf Light	19	81.45			413
58	VOIDED	--	19	--			
59	Sadie Robblee	Cake F/Xmas Party	19	15.00			410
60	Barnett Bank	P/R Dep - Nov	19	211.00			702
61	Oka W&S Sys	Sewer Trmt - Nov	19	1092.00			405-15
62	L.D. Junger	108 Cubic Yds Of	19	324.00			652
		Sand Fill-Francis					
		Park-Seawall					
63	Oka W&S Sys	Pump Out L/S-Kelly	19	44.25			403
64	Boyett's	Svs-12/1-12/31/78	19	30.00			401-11

December 1978

Check Number	To Whom	Purpose	Date	Amount Check	Bank Bal Of Fwd And Deposits	ACCOUNTING CODES
32	65 Humane Society	Svs - Nov	19	8.00		401-09
66	K. Espy	2Wks-12/5-12/18	19	257.00		401
67	D. Rouse	2Wks-12/5-12/18	19	219.10		401
68	A. Davis	2Wks-12/5-12/18	19	72.45		401
69	K. Espy	Xmas Bonus	19	25.00		427
70	D. Rouse	Xmas Bonus	19	25.00		427
71	A. Davis	Xmas Bonus	19	25.00		427
72	CENTEL	Town Hall	19	10.70		405-D1
73	VOIDED	--	--	--		
74	Atlas Ext	Svs - Dec	19	7.00		401-10
75	City of FWB	Water - Seaway	19	26.99		405-04 (56.53)
		" - T/Hall				405-03 (57.40)
		" - Francis				405-05 (2.58)
		" - Laguna				405-06 (46.53)
76	Gulf Coast Eng	NamePlate-Clerk	19	2.60		418
77	IBM	Typewriter Rpr	19	37.34		403
78	VOIDED	--	--	--		
79	Safety Service	FireExtInsp'tion	19	6.00		403
80	EMCO, Inc.	Final Payment on Francis Pk-S'wall	20	5964.00		652
81	Estergren, FA&P	Prep of Release & Prep of Prop Ord (liquor lics & Restaurants & Notice of Prop Ord	21	75.00		401-02
82	Gulf Pwr Co	L/S-Laguna	21	14.28		405-10
83	Gulf Pwr Co	Town Hall	21	83.99		405-07
84	Gulf Pwr Co	Traffic Lights	21	24.96		405-08
85	Gulf Pwr Co	Pump-Leyenda	21	17.08		405-12
86	Thomas Burke	Dues-PGDN-Dec	21	4.35		412
87	Gulf Pwr Co	Pump-Laguna	21	85.89		405-11
88	Playground News	Notice-PropOrd#51	21	19.48		401-03
89	Polyengineering	Engineering Svs For Francis Pk-Seawall	21	534.72		401-06
		See Dep 78/79-12	21		1065.92	
90	BMS	Actg - Dec	29	55.00		401-04
91	Oka Sheriff Dept	Svs - Jan	29	400.00		401-08
92	CENTEL	Loop Lift/Sta	29	18.75		405-02

December 1978

Check Number	To Whom	Purpose	Date	Amount	Bank Bal	Of Fwd And	ACCOUNTING CODES
32 93	CENDEL	Loop Lift Sta	29	5.40			405-02
94	Gulf Pwr Co	Street Lights	29	253.61			405-09
95	R.L.Polk & Co	78' City Directory	29	54.00			412
96	Stone's Gulf	Gas - Dec	29	26.45			403
97	Gulf Pwr Co	L/S-Kelly	29	7.89			405-10
98	GovernmentInfoSvs	Manual on Rev Shar	29	14.95			414
--	--	See Dep 78/79-13	29	--	2021.82		
INT	Barnett Bank	On Sav Acct	31	--	187.90	****	
INT	Barnett Bank	On Fed Rev Shar	31	--	52.54	*****	
Total Cks Wr				16112.39	7456.53		(Income for Dec)
Bal Fwd 1 Dec 78					4444.99		
***TRF Frm Sav Acct to Ck Acct					8285.82		
Total Funds Available					20187.34		
Cks Wr					-16112.39		
****Qtrly Int on Sav Acct					-187.90		
*****Qtrly Int on Fed Sav Acct					-52.54		
		Cash O/H In Bank	31		3834.51		
		Petty Cash Funds	31		12.92		
		Cash In Bank	31		3847.43		
		CD's	31		103500.00		
#200-004-0							
Sav Acct 1 Dec 78					14285.82		
*TRF to Ck Acct					-4285.82		
***TRF to Ck Acct					-4000.00		
****Qtrly Int					187.90		
		Total Savings	31		6187.90		
#200-067-9							
Sav Acct 1 Dec 78					3780.52		
**TRF Frm Ck Acct					1858.00		
*****Qtrly Int					52.54		
		Total Savings	31		5691.06		
		Total Funds Available	31		119226.39		

TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.


 KENNETH ESFY
 Town Manager/Clerk

Cinco Bayou Advised To Adopt 'Uniform System of Accounting'

By RON GONTSCH
City News Editor

Cinco Bayou councilmen Thursday heard a report from the firm of Creel, Bryan & Gallagher recommending adoption of the "uniform system of accounting" all Florida municipalities were required to adopt last year.

Failure to have adopted the new system as of Oct. 1, 1978, according to a spokesman for the Fort Walton Beach firm, is a violation of Florida Statute 218.33.

"Technically you should be in compliance," he said. "But I think there may be a transition period of one year where the state is not enforcing compliance."

The recommendation was based on an audit of the town's 1977-78 financial records.

Mayor Jim Kendrick referred the matter to the finance committee, which will present a proposal to the council in 30 days.

Creel, Bryan & Gallagher also recommended that the council adopt a personnel policy specifying employee duties and responsibilities, and that Mayor Kendrick review time reports before countersigning employee paychecks.

In another matter, the council voted 3-2 to release a check totalling \$458.18 to former Town Clerk Jim Godwin "without the stipulation that he sign a release form."

Councilmen initially had insisted that Godwin sign and deliver a release to Town Attorney Rick Powell before the severance pay was granted, but changed their minds and resolved the matter on the basis of Powell's "personal advice."

Other business:
Councilmen approved a change in the council's monthly meeting dates. As of next month, the council will meet as a committee at 7 p.m. on the second Thursday of each month, and will hold its regular meeting on the following Thursday.