

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
FEBRUARY 7, 1989

Mayor Laginess called the Special Council Meeting to order at 6:00 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Present: Mayor Laginess
Councilwoman Buchanan
Councilman Davis
Councilwoman Dumka
Councilman Gage
Councilman Skelly

Also Present: Attorney McInnis Manager Borchik
Jim Wyatt Secretary Kelley
Charli Wyatt George Killorin
Keith Howard Steve Jernigan
Robert Hook Jerry Schnitzius
Spence King Bruce Rolfsen

Public Hearing - Ordinance No. 131 - An ordinance approving the merger of the corporate limits of the Town of Cinco Bayou, Florida, with the Ocean City/Wright Fire Control District for the purpose of providing Fire Protection and Fire Prevention services to and for the Town of Cinco Bayou, Florida. Attorney McInnis read the ordinance by title only. Councilwoman Buchanan made a motion to approve the first reading of Ordinance 131, seconded by Councilman Davis. At this point, Attorney McInnis stated that an amendment to Section 4 was needed, i.e., to delete the statement that indicates state legislature action prior to the ordinance taking effect. He explained that the special bill that created the boundaries of the Ocean City/Wright Fire District also provided for incorporated municipalities to merge with that district without the need for special legislation. Councilman Skelly made a motion to amend and delete the last three lines of Section 4, seconded by Councilman Gage. The motion carried unanimously.

COUNCIL AS COMMITTEE MEETING

REGULAR BUSINESS

1. Minutes - January 2 & January 9, 1989 - Councilman Skelly made a motion to accept the minutes of January 2 & January 9, 1989 and the Financial Report of January 1989, and to place these items on the Consent Agenda, seconded by Councilman Gage. The motion was unanimously approved.
2. Financial Reports - January, 1989 - See item #1.

3. New Town Hall - Mr. Steve Jernigan reported to the Council that the plans and specification for the new Town Hall are about 99% completed. He explained the site plans and discussed the parking lot and stormwater run-off. Mr. Jernigan will bring final plans and specifications to next weeks meeting.

4. Laguna Landing - Mr. Keith Howard, representing the Howard Group and Mr. Jim Wyatt, representing Mr. Bob Altenbach, were present to ask for approval of the site plan and for permission to start paving the parking lot at Laguna Landing. Councilman Skelly made a motion to approve Phase I of the site plan limited to the area approved by the Town Engineer and to place this item on the Consent Agenda, seconded by Councilman Gage. The motion carried unanimously.

5. EWS Proposed Rate Changes - Mr. Jerry Schnitzius was present to update the Council concerning the landfill tipping fee increases. Commercial tipping fees have been increased to \$24 per ton, and residential tipping fees have been increased to \$3.00 per unit. This will result in the following rate increases for Cinco Bayou: Beginning April 1, 1989, bags will increase to \$.60 each, tags will increase to \$9.35 per month for four tags, and \$7.77 per month for three tags. Following a discussion concerning recycling, Mr. Schnitzius told the Council that he would report back to them as soon as he has more information.

6. Proposed Curb Repair - Mr. Spence King, Town Engineer, recommended to the Council that an 18 inch gutter curb be used for this project. The estimated cost is \$2892.50 (445 feet x \$6.50 per square foot.) Mr. King will contact several contractors for bids to be presented at next weeks meeting.

7. AMSEC Contract - Mr. Robert Hook was present to request renewal of their contract to provide four (4) hours of security patrol for the Town each night. Councilman Gage made a motion to renew the AMSEC contract, and for this item to be placed on the Consent Agenda, seconded by Councilman Skelly. The motion was unanimously approved.

8. Panhandle League of Cities Membership - Councilman Skelly made a motion to approve membership in the Panhandle League of Cities and to place this item on the Consent Agenda, seconded by Councilwoman Dumka. The motion was unanimously approved.

COUNCILMEMBERS REPORTS/COMMENTS - Councilman Skelly asked about the status of the Howard property. The Town Manager reported that the initial letter had been sent to Mr. Howard and he had 30 days from January 13, 1989 to correct the problem. Councilman Skelly also asked if Mrs. Baxter had talked to the Town Manager about the water collecting in Mrs. Scoffield's yard. He has talked to Mrs. Baxter and explained that it is Mrs. Scoffield's responsibility. Councilman Gage informed the Council that he had

attended the Panhandle League of Cities Board of Directors Meeting on January 19, 1989. During this meeting Councilman Gage made a recommendation to include in their proposed legislative agenda the subject of competitive bidding for architectural services, land surveyers, and engineers. This item was adopted and will be included in the proposed legislative agenda.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME - None.

COMMITTEE REPORTS

1. Administrative Committee - None.
2. Finance & Budget Committee - None.
3. Comprehensive Plan Committee - None.

CORRESPONDENCE

1. Minutes - Comprehensive Plan Committee - No action.
2. Okaloosa County - Recycling Program - The Council instructed the Town Manager to inform the County that the Council will participate in a recycling program that is best for the Town's citizens, however the Council has not made a decision as to which program will be best.
3. DOT Public Notice - 5 Year Plan - No action.
4. League of Women Voters - Consolidation of Services - No action.
5. University of Florida - Intern Program - The Council decided not to participate in this program.
6. DOT - Temporary Closing of State Roads - No action.

TOWN MANAGER'S REPORT - None.

MAYOR'S ANNOUNCEMENTS - None.

There being no further business, the meeting adjourned at 7:38 PM.



Mayor

Attest:



Town Manager/Clerk

NOTE: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part and is on file in the Office of the Town Manager/Clerk.

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SUMMARY OF THE OKALOOSA COUNTY

COMPREHENSIVE PLAN COMMITTEE MEETING

2:00 P.M. Wednesday, January 25, 1989 at Niceville City Hall

AGENDA ITEM ONE: Mr. D. Collier Houston, Director of the Okaloosa County Planning Department and Chairman of the Comprehensive Plan Committee called the meeting to order.

AGENDA ITEM TWO: Meeting on Concurrency by DCA in Tallahassee.

Mr. Greg Wood, City Administrator for Valparaiso attended this meeting and said that the Department of Community Affairs (DCA) had formed a group to meet with the Department of Transportation (DOT) on this Concurrency Rule. Mr. Wood said he believes it will take Legislature to do something and believes that despite any challenges to the Concurrency Rule his consensus is will stay with DCA. Regarding Land Development Regulations (LDR) he said from the time we find out whether or not were in compliance with DCA on our plan, the clock starts ticking. Mr. Wood said he felt this an advantage to local government as it gives us more time to deal with DCA's comments. Mr. Wood also added that Stormwater Management is going to be a big item coming up in Legislature.

Mr. H.T. Smith, Planning Board with Fort Walton Beach said he also attended the meeting in Tallahassee. He said he was very impressed with Secretary Pelham of DCA. Mr. Smith said DCA have a proposed new wording coming out that is shocking to him of some of the requirements coming down to local government. He said one of the things was that your going to have a continuing review process as to whether or not you can build, he said this was made very clear. Mr. Smith said this was just a workshop and they will be having another workshop and two Public Hearings. He also said he felt that DCA's Concurrency Rule was going to tie up the cities and a lot of expertise would be needed in dealing with this Concurrency Rule.

Mr. Houston, said what the Concurrency Rule means is your going to have to have all infrastructure in place prior to issuing Building Permits or Orders. What period & time it has to be in place, if its done by agreement, what physical time it has to be in place. The Concurrency Rule also means that you can not exceed Level of Services (LOS) on any required LOS. This Concurrency Rule is big and it can literally stop Building Permits or Project Approvals.

AGENDA ITEM THREE: DCA Rule Changes:

Mr. Houston said Rule 9J-11 is the Rule on Submission. The Department of Community Affairs are proposing several changes to this. When DCA first receive the Comprehensive Plans the first time around, they go through a transmittal Public Hearing, not adoption, DCA have to have time to make their comments. The Department of Community Affairs time frame is tight to get comments back to review them, have Public Hearing for Planning Commission & Commissioners and adopt them. One of the important changes is the time frame from 60 days to 120 days. Another change that DCA are developing is the Model Land Development Regulations. In this program everyone gets involved, there are two different ones. Citrus County are doing one with a grant from DCA using other people to do it and the University of Florida are doing one. Both models will be reviewed by DCA in order for them to decide what should be put into the Land Development Regulations. They are also proposing some grant funds, as it now exists there are no grant funds from the state to do the LDR's. They have also given a number to the Land Development Regulations, Chapter 9J-24.

Mr. Houston said regarding the time frame for review from 60 days to 120 days and there was conversation going on throughout the state. He asked the committee if they remembered a letter he had written to Mr. Woody Price when he was head of the Comprehensive Plan work for DCA. Mr. Price said this review could be done using a consent order the same way that DER uses for its sewage treatment plant. Mr. Houston said that the Secretary of DCA, Mr. Pelham is now picking up on this same theme. Therefore, if we find a plan not to be in compliance we could enter into the local government with an Agreement that would identify the problems, specific the period of time that they have to correct it, guidelines to be followed, etc.

Mr. Houston said DCA also talked about their requirements for affordable housing. Mr. Houston said this was going to be a tough one and FEMA were going to have to pay for housing for people in one form or another. He said he felt that this whole program is going to be changed constantly. Legislature did pass this year that you can not discriminate against mobile homes. Discussion followed on affordable housing.

AGENDA ITEM FOUR: Annexation Sub-committee: Chairman Lyn Mitchell, Planning Director, Destin.

Mr. Houston said that Mr. Mitchell was going to meet with Mr. John Brock, Vice-president of Barrett Daffin & Carlan, Inc. to write up what we need to go in the Intergovernmental Coordination Element. Mr. Houston said in each Intergovernmental Coordination for all ten there is a proposed Interlocal Agreement in there which deals with giving notice to each other regarding a project which would affect a local governing body boarding your jurisdiction. This is one of the procedures and DCA have already commented to everyone that they need some system of how to handle annexations. Discussion followed.

AGENDA ITEM FIVE: Meeting in Orlando of the State Association of Florida Planning & Zoning Officials (SAPZO), March 22-24th.

Mr. Houston informed everyone of the meeting in March. He will be attending along with Mr. John Brock and Mr. Bill Fray, County Financial Advisor.

Mr. Brock said the American Planning Association will be holding a conference in Tallahassee on March 20-21st. This is the 1989 Legislative Conference and they will be discussing what kind of bills are being proposed. This session basically deals with Growth Management issues and there will be a working session at the Capital. Mr. Brock said there will be sessions on Infrastructure & Finance related issues dealing with such issues as Transportation, Water & Sewer, Solid Waste, Environmental Issues, Stormwater Management, Wetlands, and Coastal Resources. Mr. Brock those interested to attend and said early registration is March 3rd, for members \$55, nonmembers \$65. Late registration after March 3rd will be \$65 for members, \$75 nonmembers. Mr. Brock said you may get a copy of the registration form from Mr. Houston and Mr. Brock believes this will be very good conference and encourages everyone to attend.

AGENDA ITEM SIX: Agreement with Barrett Daffin & Carlan, Inc. and Fray Municipal Services. Time Schedule.

Mr. Brock described the Project Time Schedule, the bottom asterisks are approximate dates depending on DCA. Basically what the schedule is doing is taking the effective dates for local plans in our area and backing up the necessary times and deadlines to reach that goal.

Mr. Houston mentioned the public hearings involved in this, six down. He said the public hearing is not to adopt anything it is just to receive comments, public comments. Look at those and see if you want to make any changes and send them onto our consultant Mr. Brock. When we receive them back we then go to public hearings which are called transmittal public hearings. Mr. Houston said the date to get our Comprehensive Plan into DCA is a fixed exact date, January 1, 1990. However, we need to get it in early in case there are any problems. After the two public hearings and DCA have the plans, they do the Compliance Review. Then we have a public hearing, planning commission and local governing body, adopt it, and send it back to DCA. Then DCA has a period of time to give us notice of compliance. They either declare it in compliance or noncompliance, and if we can not fix it quickly, then it automatically goes to administrative hearing.

Mr. Brock added that is why BDC have the asterisks at the bottom of the time schedule as there is so much confusion in Tallahassee at this time as to how much time DCA have to accomplish these items. It's all up to DCA and we probably will not know anything until the conclusion of Legislation this year.

Mr. Houston said the pamphlet put out by DCA "The 1000 Friends of Florida" state that every plan that has been submitted to this date have been filed against which means they will go to administrative hearings. The Department of Community Affairs have automatically done this and Mr. Houston said from what he has read DCA want more put in the plans.

Mr. Smith asked about the special requirements regarding public hearings for final adoption. Mr. Houston said there is some particular advertising you have to place in the paper. The size of type you must use and you can not place it in the legal section of the paper. Any amendments have to be advertised in this fashion as well.

Mr. Tom Maney, Planning Board of Fort Walton Beach said he did not see on the schedule any place for recycling or approval of the plan. That if a city receives a document from the contractor and they do not like it and want it changed so that they approve it, where is the opportunity for this.

Mr. Brock, referred to number four of the Time Schedule where local governments complete review of Preliminary Draft Capital Improvements Elements and submit comments to BDC. He said the cities are going to make their comments here as to whether or not you like it. And another opportunity is number seven, local governments submit Draft Comprehensive Plan review/hearing comments to BDC. This is another opportunity to say your either approving this or not.

Mr. Maney said that BDC need time to respond and Fort Walton Beach need time to review and he does not see either of these actions on the schedule and believes the schedule is incomplete. He said Fort Walton Beach would like definite dates for contractor getting comments back to them for review and returned to contractor. Mr. Maney said Fort Walton Beach could put together a recommended suggested date. Mr. Houston agreed with Mr. Maney's suggestion and said to please send any comments you have right now for changes to Mr. Brock. Discussion followed.

Mr. Brock also suggested Mr. Maney draft up an amendment to the Time Schedule. Mr. Maney said that this was a fair request and Fort Walton Beach would do this.

AGENDA ITEM SEVEN: Other Business.

Further discussion followed regarding the proposed amendment to the Time Schedule and notification of upcoming county workshops to the municipalities.

Meeting was adjourned.

ATTACHMENT A
PROJECT SCHEDULE

<u>Activity</u>	<u>Date</u>
o BDC initiates plan consistency analysis, data update, revisions necessary for completion of all comprehensive plans.	01/10/89
o BDC initiates preparation of Capital Improvements Elements (partial).	01/10/89
o BDC publishes/distributes Preliminary Draft Capital Improvements Elements.	06/30/89
o Local governments complete review of Preliminary Draft Capital Improvements Elements and submit comments to BDC.	08/01/89
o BDC completes Draft Comprehensive Plans and distributes to Local governments.	10/01/89
o Local governments initiate public meetings/hearings for draft plans in order to receive comments.	10/01/89
o Local governments submit Draft Comprehensive Plan review/hearing comments to BDC.	11/15/89
o Local governments initiate transmittal public hearings.	12/31/89
o Latest date for Preliminary Plan adoption for transmittal to DCA.	01/31/90
* DCA completes compliance review.	04/30/90
* Local governments have public hearings for final adoption of plan. Notify DCA to attend.	06/01/90
* DCA notice of compliance determination.	07/16/90
* Effective date of plans.	07/17/90

*Approximate dates, depending on actual review times.

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2/14/89 ASB

UNIVERSITY OF FLORIDA
COLLEGE OF ARCHITECTURE

URBAN AND REGIONAL PLANNING DEPARTMENT

February 1, 1989

Mr. Albert Borchik, Jr.
Town Clerk
Cinco Bayou
35 Kelly Ave
Ft. Walton Beach, Fl. 32548

Dear Mr. Albert Borchik, Jr.

The Urban and Regional Planning Department of the University of Florida requires its graduate students to complete an internship during their two year program.

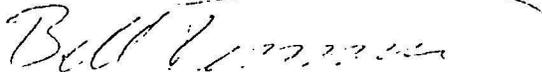
These internships are usually sought and coordinated with a city, county or private planning agency within the state and are completed during the summer months.

Through this letter I am requesting information from your agency regarding potential internships for the Summer of 1989 (May to mid-August). The department will refer to you appropriate students to fulfill your requirements.

Please respond as early as possible so appropriate plans can be made by the students for the internship.

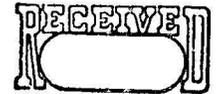
I look forward to hearing from you soon.

Sincerely,



Mr. Bill Timmins
Intern Coordinator

Enclosure: Intern information



UNIVERSITY OF FLORIDA
COLLEGE OF ARCHITECTURE

URBAN AND REGIONAL PLANNING DEPARTMENT

Subject: General information about the intern program.

Duties: The intern perform tasks or a series of tasks in the planning field gaining as much experience as possible while at the same time being of beneficial service to your agency.

Duration: Generally 12 weeks though somewhat shorter or longer periods may be approved.

Salary: \$6-10/hr. for a 40hr. work week, (some agencies provide housing).

Evaluation: Completion by agency of an intern's evaluation report.

Bill Timmins
Intern Coordinator

FLORIDA

BOB MARTINEZ
GOVERNOR



DEPARTMENT OF TRANSPORTATION

KAYE N. HENDERSON
SECRETARY



Post Office Box 607
Chipley, Florida 32428
February 2, 1989

Town of Cinco Bayou
35 Kelly Avenue
Fort Walton Beach, Florida 32549

Gentlemen:

On January 19, 1989 the Department revised Rule Chapter 14-65, Temporary Closing of State Roads. Discard any previous forms used for temporary closing of state roads and replace with attached Form 850-040-65-a. Below is a summary of rule changes and requirements.

A permit is not required for the following special events:

1. A closing of one or more vehicle traffic lanes of a street or highway for a period of less than fifteen minutes. A police escort is required.
2. A motorcade when no traffic lanes are closed and law enforcement personnel control traffic at each intersection.
3. A run with a police escort and the detour of traffic is not necessary.
4. A parade on a street which only intersects a state road and law enforcement personnel control the traffic at intersections.

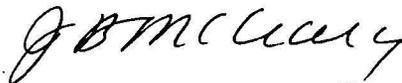
To obtain a permit, a "Temporary Closing of State Road" form must be submitted to this office a minimum of three weeks prior to the event. The following must be included with this request:

Temporary Closing of State Roads
February 2, 1989
Page 2

1. A certified copy of an excerpt of minutes of a duly scheduled meeting, or a duly executed resolution, from the local governmental entity stating they will assume full responsibility for any liability claims arising from, or based on, the activities of the event.
2. Marked maps indicating the temporary detour and the parade routes.
3. A statement of the provisions made for the temporary rerouting of traffic.
4. Approval from the United States Coast Guard District Commander authorizing the opening or closing of any movable bridge within the limits of road closure.
5. This form must be signed by an official of the local governmental entity and the chief of the local law enforcement agency. NOTE: If the event goes out of the jurisdiction of one governmental entity and into the jurisdiction of another, both agencies must submit requests with required attachments.

Should you have any questions, please call me at (904) 638-0250.

Sincerely,



J. B. McCrary, P.E.
District Maintenance Engineer

JBM:SB:gmm

Attachment

cc: Maintenance Engineers w/attachment

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Lince Bayou Mayor
Council + Manager

33 Kelly Ave.

Ft. Walton Beach, FL
32548

YOU ARE INVITED

The League of Women Voters of Okaloosa County

Presents

A Discussion of Consolidation - a Look at:

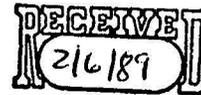
Police & Fire Protection; Solid Waste Disposal;
Medical Emergency Services; Water & Sewerage;
Building Codes; Public Library System.

February 11
10:00 a.m.

Chamber of Commerce
Ft. Walton Beach

Original document is skewed

PUBLIC NOTICE



CC: Dave Heinrich
All Cities
1989 All MPO Members

The FLORIDA DEPARTMENT OF TRANSPORTATION hereby announces a public hearing on the Third District Five Year Transportation Program for the state transportation system at the following location, date and time:

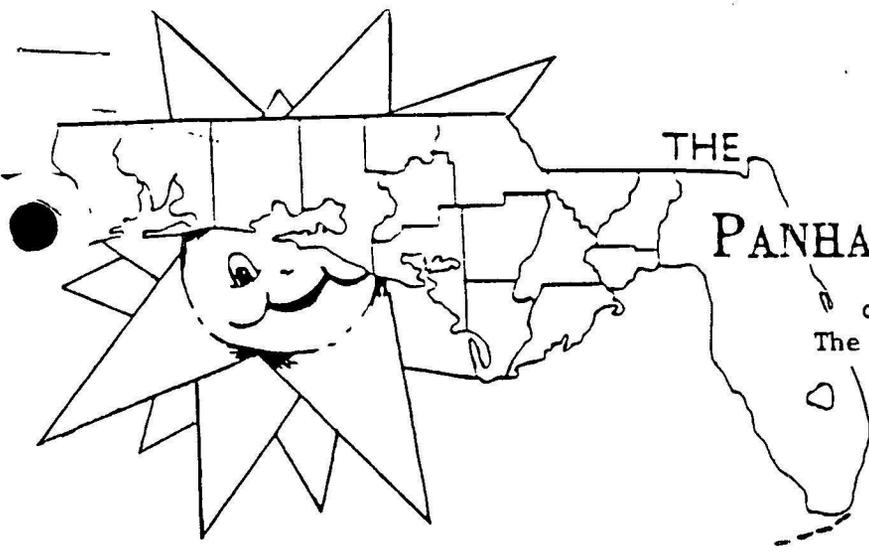
DATE: Monday, February 27, 1989

TIME: 1:00 p.m. - 3:00 p.m.

PLACE: Panama City Hall
City Commission Chambers, Room 210
9 Harrison Avenue
Panama City, FL 32402

PURPOSE: This hearing is being held to give consideration to the necessity of making changes to projects included in the Five Year Transportation Program and to hear requests for new projects to be added to, or existing projects to be deleted from, the Five Year Transportation Program, pursuant to Section 334.21, Florida Statutes.

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THE PANHANDLE LEAGUE OF CITIES

c/o The University of West Florida
The Center for State and Local Government
11000 University Parkway
Pensacola, Florida 32514-5751
Larry Walker, League Coordinator

January 20, 1989

Dear City Official:

Enclosed is an invoice for renewal of your city's membership in the Panhandle League of Cities. Annual dues are set at \$60, as they were in 1988.

As always, the Panhandle League of Cities needs your city's continued support through membership and active participation. The League will be in its third year of fielding a Legislative Committee to represent the interests of city residents and city officials in the state legislative process. Your council is asked to participate in this effort by designating one or more elected officials to serve as members of the Legislative Committee. Forms are provided in this letter for this purpose.

A vital aspect of the League's activities is the active lobbying of legislators during the legislative session. The Panhandle League will have a team of municipal officials present in Tallahassee each week throughout the 1989 legislative session. Housing accommodations will be arranged and paid for by the League, and meals will be reimbursed by the League. It is hoped that many Legislative Committee members will be able to serve on our lobbying team.

As usual, the Panhandle League will offer other services to its members, their elected officials, and their administrative leaders. It will organize education programs and social occasions, and it will represent Panhandle-area interests in the activities of the Florida League of Cities.

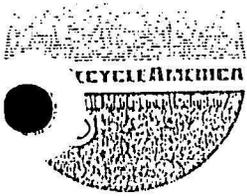
Your city will benefit by becoming a 1989 member of the Panhandle League; more importantly, by contributing to the strength of the League, your city will benefit the cause of better local government throughout the Panhandle and the state.

To establish 1989 membership, return the enclosed invoice with payment of \$60, made payable to the Panhandle League of Cities. If more information is desired, please contact me.

Sincerely,

Larry Walker
League Coordinator

- | | | | | |
|--------------------------|----------------------------------|--------------------------------------|----------------------------|------------------------------|
| Bob Barnard
President | John V. Lawson
Vice President | John Shortall, Jr.
Vice President | Roy Kingsmill
Treasurer | Al Swihart
Past President |
|--------------------------|----------------------------------|--------------------------------------|----------------------------|------------------------------|



Section 7.0 PROGRAM COSTS

Below are listed several options available to Okaloosa County and participating municipalities for curbside recycling. Additionally, costs are listed for a rural area drop-off center and a multi-unit complex program.

7.1 Curbside Residential Recycling

Option 1

One bin system including all eight municipalities \$ 1.80

Option 2

One bin system including all municipalities except
the City of Fort Walton Beach \$ 1.85

Option 3

Three bin system including all eight municipalities \$ 1.90

Option 4

Three bin system including all municipalities
except the City of Fort Walton Beach \$ 1.95

7.2 Rural Area Drop-off Center

Environmental Waste Systems proposes to place at three locations, a roll-off container specially designed for deposit of source separated recyclables. Placement of containers are to be on County owned or maintained property, fenced and manned by County personnel. Container will be serviced on call.

Monthly Rental of Container \$60.00

Rate Per Pull \$140.00

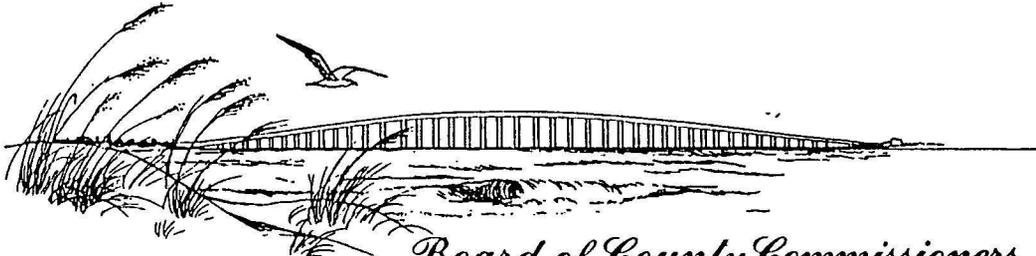
7.3 Multi-unit Complexes

Environmental Waste Systems proposes to place a specially designed two cubic yard container in the parking lot of each multi unit complex. Service to the container one per week.

Rate per container per month \$35.00

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1/30/89

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CF



Board of County Commissioners

County Seat
Crestview, Florida 32536
Tel. (904) 682-2711

Okaloosa County
Florida

Annex
Thalimar, Florida 32579
Tel. (904) 651-3710

January 26, 1989

Town of Cinco Bayou
Attn: Mayor Charles Laginess
35 Kelly Avenue
Cinco Bayou, Fl. 32548

SUBJECT: Okaloosa County Recycling Program

We appreciate your response with respect to the county recycling program.

On 25 January 1989 county officials and staff met to receive sealed proposals from franchise haulers with respect to their plan for operating a curbside recycling program. Only one proposal was submitted by Environmental Waste Systems. Proposed program costs are indicated on the attached sheet.

Public Works staff will spend the next week to ten days reviewing and analyzing the proposal, and will continue its negotiations to develop an effective (curbside) recycling program for Okaloosa County.

We will keep you abreast of these efforts as they progress.

Sincerely,

DAVID F. HEINRICH
Public Works Director
Okaloosa County, Florida

DFH/jk

Please Address Reply To: