

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
February 11, 2010 – 6:00 PM

Mayor Farley called the Regular Council meeting to order at 6:00 P.M. on Thursday, February 11, 2010. Following the Pledge of Allegiance and a silent prayer, roll call was taken:

Roll Call: Mayor Farley
Councilman Artabasy
Councilman Bratton
Councilman Koch
Councilman Chubb
Councilman Driver

Also present at the meeting were: Town Manager/Clerk, Nell Dykes, Asst. Town Manager Monika Gillette, Attorney Jeff Burns, Engineer Tim Martin and Deputy Jim Welch.

Regular Business:

1. **Council Approval of Agenda:** Mayor Farley asked for acceptance of the agenda. Councilman Koch motioned to approve the agenda. Councilman Bratton seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Farley asked for acceptance of the consent agenda: Regular Council Meeting Minutes of January 14, 2010 and Budget Status as of January 31, 2010. Councilman Chubb motioned to approve the agenda. Councilman Koch seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. **Attorney Burns read by title Resolution 2010-03:** *A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, URGING FLORIDA'S CONGRESSIONAL DELEGATION TO APPROPRIATE FUNDING TO THE NATIONAL MARINE FISHERIES SERVICE (NMFS) SO THAT A NEW, FULL-BLOWN STOCK ASSESSMENT CAN BE CONDUCTED FOR EACH GULF SPECIES THAT IS TO BE MANAGED. FURTHER THAT THE NEW, FULL-BLOWN STOCK ASSESSMENT BE CONDUCTED BY A CREDIBLE INDEPENDENT THIRD-PARTY SOURCE. FURTHER THAT THIS NEW FULL-BLOWN STOCK ASSESSMENT BE USED BY THE NMFS IN ORDER TO COMPLY WITH THE FEDERAL MANDATES OF THE MAGNUSON-STEVENSON FISHERY MANAGEMENT ACT (THE ACT).*

Councilman Chubb motioned to accept the Resolution as presented. Councilman Artabasy seconded the motion. The motion passed unanimously.

DISCUSSION ITEMS:

1. **CRA/CDBG Update.** Manager Dykes submitted a written report. She updated the council on easements stating that three additional easements that will need to be secured. She also stated that she met with utility company representatives and there were no changes to the current requirements. She also stated that she and Mayor Farley met with a loan officer from Beach Community Bank requesting information about possible financing options for the Eglin Parkway Corridor project. Councilman Artabasy motioned for the Mayor, Town Manager and Attorney to continue research and discussion on financing options for the Eglin Parkway Corridor project and report back to the Council. Councilman Chubb seconded the motion. The motion passed unanimously.

2. **Glenwood Park Drainage Culvert:** Engineer Martin stated that the permit had been submitted to DEP and that as soon as it was issued the contractor would be notified. He also stated the EJ Gomes from Eglin AFB secured 24" pipes the Town could borrow for the project. The anticipated timeline for the project should be one month from start of construction.

REPORTS:

Town Manager's Report: Ms. Dykes submitted a written report.

Engineer's Report: nothing additional

Attorney's Report: nothing additional

Community Officer's Report: Deputy Welch submitted a written report. He also stated that there were seven calls for vehicle burglary in January and that all the cars were unlocked and seemed to be committed by teens.

Public Comments/Requests: None given.

Council Member's Comments/Reports:

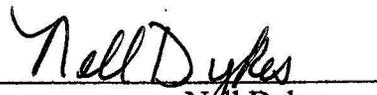
- Councilman Chubb stated that he was sworn in as President for the Okaloosa County League of Cities. He also informed the council of "Hands Across the Sands" a initiative from Gulf Coast Chambers of Commerce protesting oil rigs in the Gulf. He also stated that the City of Fort Walton Beach continued to push for annexation of small towns. Mayor Farley suggested that everyone review the minutes from the City's "City Council Retreat" to review discussions by the Fort Walton Beach City Council. Councilman Bratton reminded the Council that Cinco Bayou had adopted a resolution on its stance regarding annexation and asked that it be forwarded to the Council members as a review.
- Mayor Farley noticed upcoming closure of Town Hall for President's Day, Monday, February 15, 2010.

Adjourn – There being no further business, the meeting adjourned at 6:35 pm.

ATTEST:



Theresa Farley, Mayor



Neil Dykes
Town Manager/Clerk

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2009 through September 2010

Ordinary Income/Expense	Oct '09 - Sep 10	Budget	\$ Over Budget	% of Budget
Income				
001 REVENUE ACCOUNTS				
TAXES				
311.000 - ADVALOREM TAXES	66,275.98	121,520.00	-55,244.02	54.6%
312.410 - FIRST LOCAL OPTION FUEL TAX	4,135.81	21,575.00	-17,439.19	19.2%
Total TAXES	70,411.79	143,095.00	-72,683.21	49.2%
UTILITY SERVICES TAXES				
314.100 - UTIL TAX - GULF POWER	6,744.87	28,000.00	-21,255.13	24.1%
314.300 - UTIL TAX - WATER FWB	1,237.30	6,300.00	-5,062.70	19.8%
314.400 - UTIL TAX - NAT GAS OKALOOSA CO	786.85	3,676.00	-2,889.15	21.4%
315.000 - UTIL TAX - LOCAL COM. SERVICES	11,189.20	37,998.00	-26,808.80	29.4%
316.100 - LOC CST REFUND	602.15	7,226.00	-6,623.85	8.3%
Total UTILITY SERVICES TAXES	20,560.37	83,197.00	-62,636.63	24.7%
LICENSES AND PERMITS				
321.100 - OCCUPATIONAL LICENSES	5,876.25	6,200.00	-323.75	94.8%
322.000 - PERMITS - TOWN	95.00	200.00	-105.00	47.5%
Total LICENSES AND PERMITS	5,971.25	6,400.00	-428.75	93.3%
FRANCHISE FEES				
323.100 - Franchise fees - electricity	12,735.10	53,000.00	-40,264.90	24.0%
323.400 - Franchise fees - natural gas	682.68	4,725.00	-4,042.32	14.4%
Total FRANCHISE FEES	13,417.78	57,725.00	-44,307.22	23.2%
STATE GRANTS CDBG				
334.900 - ADMIN CDBG FUNDS	0.00	48,000.00	-48,000.00	0.0%
334.901 - ENGINEERING CDBG FUNDS	0.00	68,000.00	-68,000.00	0.0%
334.902 - CDBG RELOCATION OF UTILITIES	0.00	300,000.00	-300,000.00	0.0%
334.903 - TIF RELOCATION OF UTILITIES	0.00	65,000.00	-65,000.00	0.0%
334.904 - CDBG FUNDS SIDEWALKS/PED MALLS	0.00	171,000.00	-171,000.00	0.0%
Total STATE GRANTS CDBG	0.00	650,000.00	-650,000.00	0.0%
STATE SHARED REVENUES				
GENERAL GOVERNMENT				
335.120 - STATE REVENUE SHARING PROCEEDS	8,490.28	24,193.00	-15,702.72	35.1%
335.160 - ALCOHOLIC BEVERAGE LICENSES	148.83	200.00	-51.17	73.4%
335.180 - LOCAL GOVT HALF-CENT SALES TAX	7,342.43	22,374.00	-15,031.57	32.8%
Total GENERAL GOVERNMENT	15,979.54	46,767.00	-30,787.46	34.2%
Total STATE SHARED REVENUES	15,979.54	46,767.00	-30,787.46	34.2%
SHARED REV OTHER LOCAL UNITS				
338.100 - OCCUPATIONAL LIC OKALOOSA CO	336.82	500.00	-163.18	67.4%
Total SHARED REV OTHER LOCAL UNITS	336.82	500.00	-163.18	67.4%
PHYSICAL ENVIRONMENT				
343.400 - GARBAGE/SOLID WASTE	7,032.57	30,500.00	-23,467.43	23.1%
Total PHYSICAL ENVIRONMENT	7,032.57	30,500.00	-23,467.43	23.1%
CULTURE/RECREATION				
347.600 - BOAT LAUNCH FEES	1,174.50	12,000.00	-10,825.50	9.8%
Total CULTURE/RECREATION	1,174.50	12,000.00	-10,825.50	9.8%
FINES AND FORFEITS				
361.100 - COURT FINES - COUNTY	69.73	200.00	-130.27	34.9%
Total FINES AND FORFEITS	69.73	200.00	-130.27	34.9%
INTEREST AND OTHER EARNINGS				
381.140 - VANGUARD BANK CHECKING	53.15	100.00	-46.85	53.2%
381.182 - INTEREST EARNINGS - TAX COLL	40.18	200.00	-159.82	20.1%
381.184 - BEACH COMMUNITY BANK SAVINGS	0.00	200.00	-200.00	0.0%
381.185 - BEACH COMMUNITY BANK CD #8849	941.84	2,200.00	-1,258.16	42.8%
381.186 - BEACH COMMUNITY BANK CD #8860	941.84	2,200.00	-1,258.16	42.8%
Total INTEREST AND OTHER EARNINGS	1,977.01	4,900.00	-2,922.99	40.3%
RENTS AND ROYALTIES				
382.000 - SEAWAY STREET	0.00	500.00	-500.00	0.0%
382.100 - FACILITY RENTAL-TOWN HALL	1,900.00	1,500.00	400.00	126.7%
382.200 - CELL TOWER LEASE	7,988.60	24,000.00	-16,011.40	33.2%
382.300 - SEAWAY RIGHT OF WAY WHATABURGER	0.00	100.00	-100.00	0.0%
Total RENTS AND ROYALTIES	9,888.60	26,100.00	-16,211.40	37.8%
OTHER MISCELLANEOUS REVENUES				
389.000 - OTHER MISC REV	18.00	100.00	-82.00	18.0%
389.100 - OTHER MISC REV - SR 85 MAINT	1,189.51	1,189.00	0.51	100.0%
389.200 - OTHER MISC REV - TRAFFIC SIGNAL	0.00	1,200.00	-1,200.00	0.0%
389.201 - ST HIGHWAY SYSTEM LIGHTING	0.00	1,087.00	-1,087.00	0.0%
Total OTHER MISCELLANEOUS REVENUES	1,207.51	3,576.00	-2,368.49	33.8%
Total 001 REVENUE ACCOUNTS	148,007.47	1,064,960.00	-916,952.53	13.9%
Total Income	148,007.47	1,064,960.00	-916,952.53	13.9%

**Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2009 through September 2010**

Expense	Oct '09 - Sep 10	Budget	\$ Over Budget	% of Budget
001-EXPENDITURE/EXPENSE ACCTS.				
PAYROLL EXPENSE				
613.120 - SALARIES & WAGES	37,334.48	107,781.00	-70,446.54	34.6%
613.121 - EMPLOYEE BONUS	300.00			
613.210 - EMPLOYEE FICA/MEDICARE	2,856.06	8,248.00	-5,389.94	34.6%
613.230 - EMPLOYEE LIFE & HEALTH INS	4,464.82	13,700.00	-9,235.18	32.6%
613.240 - EMPLOYEE WORKMANS COMP	2,194.00	3,500.00	-1,306.00	62.7%
613.260 - EMPLOYEE UNEMPLOYMENT COMP	81.93			
PAYROLL EXPENSE - Other	0.00			
Total PAYROLL EXPENSE	47,231.27	133,227.00	-85,995.73	35.5%
EMPLOYEE RETIREMENT PLAN				
619.360 - RETIREMENT BENEFITS - EMPLOYEE	1,451.70	4,232.00	-2,780.30	34.3%
Total EMPLOYEE RETIREMENT PLAN	1,451.70	4,232.00	-2,780.30	34.3%
OPERATING EXPENDITURE/EXPENSE				
613.320 - ACCOUNTING AND AUDITING	7,712.00	12,000.00	-4,288.00	64.3%
PROFESSIONAL SERVICES LEGAL				
614.310 - PROFESSIONAL SERVICES-LEGAL	1,282.00	8,000.00	-6,718.00	16.0%
Total PROFESSIONAL SERVICES LEGAL	1,282.00	8,000.00	-6,718.00	16.0%
PROFESSIONAL SERVICES ENGINEER				
619.310 - PROFESSIONAL SERVICES-ENGINEER	0.00	7,500.00	-7,500.00	0.0%
Total PROFESSIONAL SERVICES ENGINEER	0.00	7,500.00	-7,500.00	0.0%
619.400 - TRAVEL AND PER DIEM	1,350.00	9,400.00	-8,050.00	14.4%
COMMUNICATIONS				
619.410 - COMMUNICATIONS-PHONE	808.06	3,500.00	-2,693.94	23.0%
619.411 - COMMUNICATIONS-POSTAGE	101.93	300.00	-198.07	34.0%
619.412 - COMMUNICATIONS-INTERNET	656.00	1,700.00	-1,044.00	38.6%
Total COMMUNICATIONS	1,566.99	5,500.00	-3,933.01	28.4%
619.430 - UTILITIES-TOWN HALL	2,036.03	7,500.00	-5,463.97	27.1%
619.440 - RENTALS AND LEASES	780.00	2,000.00	-1,250.00	37.5%
619.460 - INS PROP/LIB/AUTO	0.00	19,000.00	-19,000.00	0.0%
619.460 - REPAIR & MAINTENANCE -TOWN HALL	377.27	3,000.00	-2,622.73	12.6%
619.461 - REPAIR & MAINTENANCE - OTHER	0.00	500.00	-500.00	0.0%
619.470 - PRINTING/BINDING	0.00	500.00	-500.00	0.0%
LEGAL ADVERTISING				
619.480 - LEGAL ADVERTISING	0.00	2,000.00	-2,000.00	0.0%
Total LEGAL ADVERTISING	0.00	2,000.00	-2,000.00	0.0%
619.490 - OTHER CURRENT CHG & OBLIGATIONS	603.91	2,000.00	-1,396.09	30.2%
619.491 - ELECTION EXPENSE	0.00	1,200.00	-1,200.00	0.0%
619.510 - OFFICE SUPPLIES	805.43	2,000.00	-1,194.57	40.3%
619.520 - OPERATING SUPPLIES	330.76	800.00	-469.25	41.3%
619.540 - BOOKS,PUB,SUB & MEMBERSHIPS	1,013.68	2,600.00	-1,586.32	39.0%
619.620 - CAPITOL IMPROVEMENTS - TOWN HAL	0.00	600.00	-600.00	0.0%
619.630 - IMPROVEMENTS OTHER THAN BLDGS.	0.00	600.00	-600.00	0.0%
619.640 - MACHINERY & EQUIPMENT	778.68	1,000.00	-221.32	77.9%
619.620 - AID TO PRIVATE ORGANIZATIONS	250.00	500.00	-250.00	50.0%
Total OPERATING EXPENDITURE/EXPENSE	18,653.74	88,200.00	-69,546.26	21.4%
PUBLIC SAFETY				
621.340 - LAW ENFORCEMENT	29,238.75	70,173.00	-40,934.25	41.7%
Total PUBLIC SAFETY	29,238.75	70,173.00	-40,934.25	41.7%
EMERGENCY AND DISASTER RELIEF S				
626.490 - OTHER CHG & OBLIGATIONS	0.00	1,000.00	-1,000.00	0.0%
Total EMERGENCY AND DISASTER RELIEF S	0.00	1,000.00	-1,000.00	0.0%
PHYSICAL ENVIRONMENT				
630.620 - EQUIPMENT & TOOLS	480.39	500.00	-39.62	92.1%
634.430 - GARBAGE/SOLID WASTE-WASTE MGMT	6,930.00	28,000.00	-21,070.00	24.8%
637.490 - DRAIN,DCH,YACHT CL REP & MAINT	0.00	500.00	-500.00	0.0%
638.630 - STORMWATER MANAGEMENT	1,878.11			
Total PHYSICAL ENVIRONMENT	9,288.50	29,000.00	-19,711.50	32.0%
TRANSPORTATION				
641.430 - UTILITY SERVICES - STREETS	3,474.40	12,000.00	-8,525.60	29.0%
641.460 - REPAIR & MAINTENANCE SERVICES	29.69	2,200.00	-2,170.31	1.3%
641.620 - OPERATING SUPPLIES FUEL & OIL	416.81	1,800.00	-1,383.19	27.8%
641.630 - OPERATING SUPPLIES - STREETS	0.00	250.00	-250.00	0.0%
641.630 - IMPROVEMENTS - STREETS	0.00	600.00	-600.00	0.0%
Total TRANSPORTATION	3,920.90	16,850.00	-12,929.10	23.7%
STATE GRANTS - CDBG				
650.331 - CDBG ENGINEERING	2,884.00	68,000.00	-63,116.00	4.4%
650.340 - CDBG GRANT ADMINISTRATION	0.00	47,640.00	-47,640.00	0.0%
650.630 - CDBG RELOCATION OF UTILITIES	0.00	300,000.00	-300,000.00	0.0%
650.631 - TIF RELOCATION OF UTILITIES	1,888.65	65,000.00	-63,111.35	2.9%
650.632 - CDBG FUNDS SIDEWALKS/PED MALLS	0.00	171,000.00	-171,000.00	0.0%
Total STATE GRANTS - CDBG	4,782.65	649,640.00	-644,857.35	0.7%

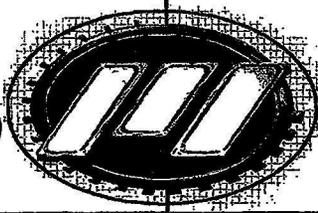
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Accrual Basis

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2009 through September 2010

	Oct '09 - Sep 10	Budget	\$ Over Budget	% of Budget
ANIMAL CONTROL SERVICES				
662.340 - ANIMAL CONTROL SERVICES - PAWS	423.00	1,830.00	-1,407.00	23.1%
Total ANIMAL CONTROL SERVICES	423.00	1,830.00	-1,407.00	23.1%
PARKS AND RECREATION				
572.340 - OTHER CONTRACTUAL SERVICES	9,656.64	24,720.00	-15,063.36	39.1%
572.430 - UTILITIES - PARKS	114.77	500.00	-385.23	23.0%
572.460 - REPAIR AND MAINTENANCE PARKS	714.43	4,000.00	-3,285.57	17.9%
572.520 - OPERATING SUPPLIES - PARKS	0.00	300.00	-300.00	0.0%
572.630 - CAPITAL IMPROVEMENTS PARKS	0.00	1,000.00	-1,000.00	0.0%
Total PARKS AND RECREATION	10,485.84	30,520.00	-20,034.16	34.4%
SPECIAL EVENTS				
574.490 - SPECIAL EVENTS/PICNIC DINNERS	4,801.03	7,500.00	-2,698.97	64.0%
Total SPECIAL EVENTS	4,801.03	7,500.00	-2,698.97	64.0%
SPECIAL RECREATION FACILITIES				
572.621 - OPERATING SUPPLIES-BOAT LAUNCH	0.00	900.00	-900.00	0.0%
575.460 - SEA WAY BOAT LAUNCH REP & MAINT	62.89	2,500.00	-2,437.11	2.5%
Total SPECIAL RECREATION FACILITIES	62.89	3,400.00	-3,337.11	1.8%
OTHER CULTURE/RECREATION				
579.630 - TREE/BEAUTIFICATION	0.00	500.00	-500.00	0.0%
Total OTHER CULTURE/RECREATION	0.00	500.00	-500.00	0.0%
OTHER USES				
680.990 - CONTINGENCY FUND	0.00	4,211.00	-4,211.00	0.0%
681.910 - CRA TAX INCREMENTS TWN PORTION	24,976.44	24,977.00	-0.56	100.0%
Total OTHER USES	24,976.44	29,188.00	-4,211.56	85.6%
Total 001-EXPENDITURE/EXPENSE ACCTS.	155,494.70	1,064,960.00	-909,465.30	14.6%
Total Expense	155,494.70	1,064,960.00	-909,465.30	14.6%
Net Ordinary Income	-7,487.23	0.00	-7,487.23	100.0%
Net Income	-7,487.23	0.00	-7,487.23	100.0%



MITTAUER
& ASSOCIATES, INC.
CONSULTING ENGINEERS

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February 2, 2010

Ms. Nell Dykes, Town Manager
Town of Cinco Bayou
10 Yacht Club Drive
Cinco Bayou, FL 32548

RE: Monthly Update for Period through 1/31/10
CDBG Commercial Revitalization Project
CDBG Grant No. 07DB-3R-01-56-02-C02
Town of Cinco Bayou, Florida
Mittauer & Associates, Inc. Project No. 0108-01-1

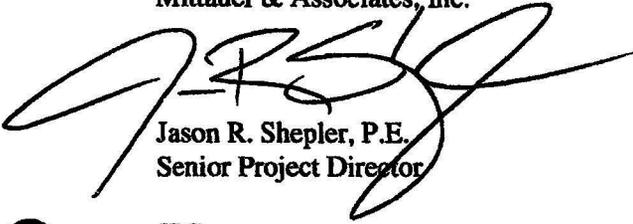
Dear Nell:

The Town is currently working on acquiring the final easements needed for construction of the project. As discussed in our previous correspondence, three (3) main parcels, Parcels 1, 3, and 17, were in the process of being resolved. Parcel 1 was removed from the list since the parcel owner was unwilling to grant an easement. This issue created additional re-routing of existing overhead lines by Gulf Power. Last week we were notified that the re-routing design requires an additional three (3) easements in order to construct the overhead re-routing from Beal Parkway to Hughes Avenue. Gulf Power is currently coordinating with the Town's attorney to initiate these efforts. Parcel No. 3 and 17 have been resolved and the Kmart parcel is nearing completion. If we can not gain acceptance for the three (3) new easements, then we will have to reassess the project in its entirety.

We have coordinated another joint utility meeting that will occur this Thursday, February 4, 2010. This meeting has been scheduled to initiate final coordination before bidding the project.

If you should happen to have any question with the current status or outstanding issues, please do not hesitate to contact me via telephone at 904.644.0644 or e-mail at jshepler@mittauer.com.

Sincerely,
Mittauer & Associates, Inc.


Jason R. Shepler, P.E.
Senior Project Director

JRS

cc: Tim Martin (Connelly & Wicker)

Kathy Baker (Jordan & Associates)

MANAGER'S REPORT – FEB, 2010

UNFINISHED BUSINESS:

CRA/CDBG Grant – Please see the report from Mittauer & Associates in your packets. The hard copies are available at town hall. Attorney McInnis will give an update on the easements.

Jason Shepler, Attorney McInnis, Me and representatives from the utilities, Gulf Power, Cox Cable, Southern Light, and Okaloosa Gas met at Attorney McInnis' office on Thursday, February 4th to discuss the easements and bidding process to be sure everyone was on the same page with the progress of the project. Hopefully we will be ready to go out for bid in approximately 3 weeks.

GLENWOOD PARK DRAINAGE ISSUE: Tim Martin will give an update on this project.

LOCAL COMMUNICATIONS SERVICES TAX: The payments are being made as promised by DOR.

NEW BUSINESS:

ADDITIONAL FUNDING FOR CDBG PROJECT: Mayor Farley and I met with Loan Officer Mr. Charlie Wilber at Beach Community Bank on Friday, February 5th. We inquired about a possible loan to help fund the completion of the CDBG project. Mayor Farley and I will meet with Attorney McInnis to discuss the possibilities and a more detailed report will be given by Mayor Farley at the council meeting on Thursday.

DAYS TO REMEMBER:

Monday, February 15th, President's Day – Town Hall Closed