

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
February 21, 1980

1. MINUTES-REGULAR COUNCIL MEETING-JANUARY 17, 1980.
2. FINANCIAL STATEMENT-JANUARY 1980.
3. SANITARY SEWER IMPROVEMENT BID (OPP BOULEVARD).
4. APPROVAL FOR PLAT OF GLENWOOD TOWNHOUSES.
5. APPROVAL FOR REQUEST OF ZONING CHANGE FROM R-1 OF LOTS 17-19,  
BLOCK 6 TO C-1. (Tony Semenov)
6. APPROVAL OF PURCHASING POLICY #1 AND PERSONNEL POLICY #1 (DELETING  
THE NAME "MANAGER" USING ONLY TOWN CLERK).

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
FEBRUARY 21, 1980

Town officials in attendance: Mayor Irene Balsley, Council members Winfield Davis, Phil Johnston, Harold Peek, Ralph Perry and Max Usrey; Attorney Rick Powell, Engineer Miller Burt and Recorder Dee Carter.

Also present were: Steve Chew-PGDN, Susan Johnston, Tony Semenov-Town and Country Realty and Adelia Robblee.

Therefore, a quorum being present, Mayor Balsley opened the meeting with a silent prayer at 7 p.m.

1. MINUTES-REGULAR COUNCIL MEETING-JANUARY 17, 1980. Motion by Mr. Usrey to accept as printed, seconded by Mr. Perry. Motion carried unanimously.
2. FINANCIAL STATEMENT-JANUARY 1980. Motion by Mr. Johnston to accept as presented, seconded by Mr. Usrey. Motion carried unanimously.
3. SANITARY SEWER IMPROVEMENT BID (OPP BOULEVARD). Mayor Balsley read to Council bids for the Sanitary Sewer Extension (Opp Boulevard). After a brief discussion about the contractors' bids and the laying of the sewer pipes, Mr. Peek moved to accept Kenneth Crowder Utility & Paving as the low bidder of \$7,967.40, on the Sanitary Sewer Extension Project, seconded by Mr. Usrey. Motion carried unanimously.
4. APPROVAL FOR PLAT OF GLENWOOD TOWNHOUSES. Mr. Usrey moved Mayor Balsley sign plat after Will Overstreet, the Surveyor, has placed his signature upon the plat, seconded by Mr. Perry. Motion carried unanimously.
5. APPROVAL FOR REQUEST OF ZONING CHANGE FROM R-1 OF LOTS 17-19, BLK 6 TO C-1.

Motion by Mr. Johnston to grant the request of zone change on Lots 17 through 19, Block 6, from Residential (R-1) to Limited Commercial (C-1), seconded by Mr. Usrey. Motion carried unanimously.

6. APPROVAL OF PURCHASING POLICY #1 AND PERSONNEL POLICY #1 (DELETING THE NAME "MANAGER" USING ONLY TOWN CLERK). Motion by Mr. Johnston to approve Purchasing Policy #1 and Personnel Policy #1 with the deletions enforced the term "Manager" shall be deleted and clerk's title shall be "Town Clerk", seconded by Mr. Davis. Motion carried unanimously.

7. HIRING OF NEW TOWN CLERK. Mr. Usrey, Personnel Committee Chairman, informed Council that he wanted each Council members to come by the Town Hall on Monday, February 25, 1980 and make their selection of applicants for the new Town Clerk.

8. REPORT OF LAWSUITS. Attorney Powell informed Council that the suit concerning Francis Park, a responsive brief was filed on October 4, 1979 and this put the case in posture to allow the Florida Supreme Court to decide whether to rule in the appeal. He also informed Council of the Suit on Glenwood, dictating a motion for a judgement on this plea which will be filed on Feb 22, 1980, hearing will be set within the next thirty days.

9. ADJOURNMENT. Meeting adjourned at 7:41 p.m.

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

*Irene E. Balsley*

IRENE E. BALSLEY  
Acting Town Clerk

## Dismissal of Pryor Suit Asked

By STEVE CHEW

Daily News Staff Writer

The town of Cinco Bayou is expected to file a motion in Okaloosa County Circuit Court today asking for the dismissal of a suit filed against the town by Fort Walton Beach contractor Osborne Pryor.

Town Attorney Rick Powell said Thursday night he would file the motion on behalf of the town, asking the court to rule in the town's favor by dismissing a suit filed by Pryor pertaining to legal ownership of lands in the town limits.

Pryor has claimed legal title to a large portion of Cinco Bayou's bottomland and Glenwood Park within the town. The claims have led to sometimes bitter legal confrontations with town officials during the past two years. The resolution of the claims are pending court settlement.

Powell said after Thursday night's meeting that ever since Pryor filed a suit claiming legal ownership of Glenwood Park, town officials have been restricted from developing the area, although it remains open.

Another suit, filed by the town against Pryor, has found its way into the Florida Supreme Court after several appeals in Pryor's behalf. The suit, concerning the disputed ownership of Frances

Park, was filed after Pryor erected a fence around the property.

The attorney said Pryor on Oct. 4 filed a "responsive brief" which "put the case in posture" to allow the Supreme Court to decide whether to rule in the appeal.

In other action Thursday, the council:

- Accepted a low bid of \$7,967 for a sewer extension project on Opp Boulevard. The low bidder, Ken Crowder Utility and Paving Co., was awarded the bid on a stipulation that the firm supply the town with a bid bond and performance bond. The project consists of laying some 300 feet of pipeline along that thoroughfare.

- Granted a zoning variance to Town & Country Realty that allows the company to house its offices in the "Old Gibson House," 6 Yacht Club Drive. The property was changed to commercial from residential.

- Voted to allow town officials to sign final plat drawings for the Glenwood Townhouse project.

- Approved deleting the word "manager" in the town clerk-manager's title and okayed purchasing and personnel policies pertaining to the town clerk.

- Approved the town's financial statement for January 1980.