

AGENDA
REGULAR COUNCIL MEETING
March 12, 2009 ♦ 6:00 PM

SILENT PRAYER / PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

MAYOR IOVIENO	COUNCILMAN GAILEY
MAYOR PRO-TEM CHUBB	COUNCILMAN FARLEY
COUNCILMAN BRATTON	COUNCILMAN KOCH

SPECIAL BUSINESS:

1. Swearing in of Councilman Farley

REGULAR BUSINESS:

1. Council Approval of Agenda
2. Council Approval of Consent Agenda: Minutes: Regular Council Meeting Minutes of February 12, 2009, and Budget Status as of February 28, 2009.

Action Items:

1. Appoint a Mayor Pro-tem for term beginning March 2009 to March 2010.
2. Direct Staff to place notice to fill 2 vacant council seats including cut off time to receive resumes.

Discussion Items:

1. CRA / CDBG - see manager's report.
2. Schedule Public Meeting of LPA to review Draft of Proposed E.A.R. Based Amendments and make recommendations to Town Council.
3. Schedule Public Town Council Meeting to review and adopt recommendations from LPA on Draft of Proposed E.A.R. based amendments.
4. Schedule workshop for acquiring CDBG easements.

Reports:

1. Town Manager' Report
2. Engineer's Report
3. Attorney's Report
4. Community Officer's Report

Public Request / Comments:

Council Members Comments / Request:

Mayor's Comments / Announcements –

Adjourn

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2008 through February 2009

	Oct '08 - Feb 09	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
001 REVENUE ACCOUNTS				
300.000 · CASH FORWARD	0.00	45,000.00	-45,000.00	0.0%
TAXES				
311.000 · ADVALOREM TAXES	97,856.19	127,366.00	-29,509.81	76.8%
312.410 · FIRST LOCAL OPTION FUEL TAX	7,171.29	24,967.00	-17,795.71	28.7%
Total TAXES	105,027.48	152,333.00	-47,305.52	68.9%
FRANCHISE FEES				
313.100 · FRANCHISE FEE - GULF POWER	12,745.93	50,000.00	-37,254.07	25.5%
313.400 · FRANCHISE FEE - OKALOOSA GAS	1,240.66	4,500.00	-3,259.34	27.6%
Total FRANCHISE FEES	13,986.59	54,500.00	-40,513.41	25.7%
UTILITY SERVICES TAXES				
314.100 · UTIL TAX - GULF POWER	6,830.76	31,000.00	-24,169.24	22.0%
314.300 · UTIL TAX - WATER FWB	1,548.63	6,000.00	-4,451.37	25.8%
314.400 · UTIL TAX - NAT GAS OKALOOSA CO	1,154.12	3,500.00	-2,345.88	33.0%
316.000 · UTIL TAX - LOCAL COM. SERVICES	6,311.67	29,813.00	-23,501.33	21.2%
316.100 · LOC CST REFUND	24,184.38			
Total UTILITY SERVICES TAXES	40,029.56	70,313.00	-30,283.44	56.9%
LICENSES AND PERMITS				
321.100 · OCCUPATIONAL LICENSES	5,405.00	6,200.00	-795.00	87.2%
322.000 · PERMITS - TOWN	110.00	400.00	-290.00	27.5%
Total LICENSES AND PERMITS	5,515.00	6,600.00	-1,085.00	83.6%
STATE GRANTS CDBG				
334.800 · ADMIN CDBG FUNDS	5,805.00	48,000.00	-42,195.00	12.1%
334.901 · ENGINEERING CDBG FUNDS	24,000.00	66,000.00	-42,000.00	36.4%
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	29,805.00	650,000.00	-620,195.00	4.6%
STATE SHARED REVENUES				
GENERAL GOVERNMENT				
335.120 · STATE REVENUE SHARING PROCEE...	13,075.73	24,600.00	-11,524.27	53.2%
335.150 · ALCOHOLIC BEVERAGE LICENSES	98.63	300.00	-201.37	32.9%
335.180 · LOCAL GOVT HALF-CENT SALES TAX	5,341.32	27,365.00	-22,023.68	19.5%
Total GENERAL GOVERNMENT	18,515.68	52,265.00	-33,749.32	35.4%
Total STATE SHARED REVENUES	18,515.68	52,265.00	-33,749.32	35.4%
SHARED REV OTHER LOCAL UNITS				
338.100 · OCCUPATIONAL LIC OKALOOSA CO	382.34	500.00	-117.66	76.5%
Total SHARED REV OTHER LOCAL UNITS	382.34	500.00	-117.66	76.5%
PHYSICAL ENVIRONMENT				
343.400 · GARBAGE/SOLID WASTE	7,266.91	30,500.00	-23,233.09	23.8%
Total PHYSICAL ENVIRONMENT	7,266.91	30,500.00	-23,233.09	23.8%
CULTURE/RECREATION				
347.600 · BOAT LAUNCH FEES	2,965.50	15,000.00	-12,034.50	19.8%
Total CULTURE/RECREATION	2,965.50	15,000.00	-12,034.50	19.8%
FINES AND FORFEITS				
351.100 · COURT FINES - COUNTY	73.55	600.00	-526.45	12.3%
Total FINES AND FORFEITS	73.55	600.00	-526.45	12.3%
INTEREST AND OTHER EARNINGS				
361.140 · VANGUARD BANK CHECKING	28.69	500.00	-471.31	5.7%
361.182 · INTEREST EARNINGS - TAX COLL	141.55	1,000.00	-858.45	14.2%
361.183 · BEACH COMMUNITY BANK CD #3188	0.00	3,000.00	-3,000.00	0.0%
361.184 · BEACH COMMUNITY BANK SAVINGS	83.43	500.00	-416.57	16.7%
361.185 · BEACH COMMUNITY BANK CD #6649	912.18	3,000.00	-2,087.82	30.4%
361.186 · BEACH COMMUNITY BANK CD #8860	912.18	3,000.00	-2,087.82	30.4%
Total INTEREST AND OTHER EARNINGS	2,078.03	11,000.00	-8,921.97	18.9%
RENTS AND ROYALTIES				
362.000 · SEAWAY STREET	0.00	500.00	-500.00	0.0%
362.100 · FACILITY RENTAL-TOWN HALL	1,950.00	1,500.00	450.00	130.0%
362.200 · CELL TOWER LEASE	11,555.55	23,000.00	-11,444.45	50.2%
362.300 · SEAWAY RIGHT OF WAY WHATABURG...	0.00	100.00	-100.00	0.0%
Total RENTS AND ROYALTIES	13,505.55	25,100.00	-11,594.45	53.8%
OTHER MISCELLANEOUS REVENUES				
369.000 · OTHER MISC REV	1,551.00	100.00	1,451.00	1,551.0%
369.100 · OTHER MISC REV - GR 85 MAINT	0.00	1,189.00	-1,189.00	0.0%
369.200 · OTHER MISC REV - TRAFFIC SIGNAL	0.00	1,200.00	-1,200.00	0.0%
369.201 · ST HIGHWAY SYSTEM LIGHTING	0.00	1,087.00	-1,087.00	0.0%
Total OTHER MISCELLANEOUS REVENUES	1,551.00	3,576.00	-2,025.00	43.4%
Total 001 REVENUE ACCOUNTS	240,702.19	1,117,287.00	-876,584.81	21.5%
Total Income	240,702.19	1,117,287.00	-876,584.81	21.5%

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2008 through February 2009

Expense	Oct '08 - Feb 09	Budget	\$ Over Budget	% of Budget
66800 · Reconciliation Discrepancies	-1.60			
001-EXPENDITURE/EXPENSE ACCTS.				
PAYROLL EXPENSE				
813.120 · SALARIES & WAGES	43,482.88	100,323.00	-56,840.12	43.3%
813.210 · EMPLOYEE FICA/MEDICARE	3,326.44	7,675.00	-4,348.56	43.3%
813.230 · EMPLOYEE LIFE & HEALTH INS	6,551.30	12,300.00	-5,748.70	53.3%
813.240 · EMPLOYEE WORKMANS COMP	-1,209.50	3,500.00	-4,709.50	-34.6%
813.250 · EMPLOYEE UNEMPLOYMENT COMP	35.23			
PAYROLL EXPENSE - Other	0.00			
Total PAYROLL EXPENSE	52,186.35	123,798.00	-71,611.65	42.2%
EMPLOYEE RETIREMENT PLAN				
818.380 · RETIREMENT BENEFITS - EMPLOYEE	1,689.35	3,913.00	-2,223.65	43.2%
Total EMPLOYEE RETIREMENT PLAN	1,689.35	3,913.00	-2,223.65	43.2%
OPERATING EXPENDITURE/EXPENSE				
813.320 · ACCOUNTING AND AUDITING	12,922.00	11,000.00	1,922.00	117.5%
PROFESSIONAL SERVICES LEGAL				
814.310 · PROFESSIONAL SERVICES-LEGAL	3,462.00	8,000.00	-4,538.00	43.3%
Total PROFESSIONAL SERVICES LEGAL	3,462.00	8,000.00	-4,538.00	43.3%
COMPREHENSIVE PLAN				
815.310 · COMPREHENSIVE PLANNING	3,000.00	20,000.00	-17,000.00	15.0%
Total COMPREHENSIVE PLAN	3,000.00	20,000.00	-17,000.00	15.0%
PROFESSIONAL SERVICES ENGINEER				
819.310 · PROFESSIONAL SERVICES-ENGINEER	1,570.00	2,500.00	-930.00	62.8%
Total PROFESSIONAL SERVICES ENGINEER	1,570.00	2,500.00	-930.00	62.8%
819.400 · TRAVEL AND PER DIEM COMMUNICATIONS				
819.410 · COMMUNICATIONS-PHONE	1,004.00	3,400.00	-2,396.00	29.5%
819.411 · COMMUNICATIONS-POSTAGE	122.42	300.00	-177.58	40.8%
819.412 · COMMUNICATIONS-INTERNET	760.00	1,700.00	-940.00	44.7%
Total COMMUNICATIONS	1,886.42	5,400.00	-3,513.58	34.8%
819.430 · UTILITIES-TOWN HALL	1,980.30	7,000.00	-5,019.70	28.3%
819.440 · RENTALS AND LEASES	725.00	2,000.00	-1,275.00	36.3%
819.450 · INS PROP/LIB/AUTO	3,445.50	20,000.00	-16,554.50	17.2%
819.460 · REPAIR & MAINTENANCE -TOWN HALL	859.67	3,000.00	-2,140.33	28.7%
819.481 · REPAIR & MAINTENANCE - OTHER	0.00	300.00	-300.00	0.0%
819.470 · PRINTING/BINDING	0.00	1,000.00	-1,000.00	0.0%
LEGAL ADVERTISING				
819.480 · LEGAL ADVERTISING	1,455.30	2,200.00	-744.70	66.2%
Total LEGAL ADVERTISING	1,455.30	2,200.00	-744.70	66.2%
819.490 · OTHER CURRENT CHG & OBLIGATIONS	621.11	2,500.00	-1,878.89	24.8%
819.491 · ELECTION EXPENSE	0.00	700.00	-700.00	0.0%
819.510 · OFFICE SUPPLIES	568.25	2,000.00	-1,431.75	28.4%
819.520 · OPERATING SUPPLIES	370.40	800.00	-429.60	48.3%
819.540 · BOOKS,PUB,SUB & MEMBERSHIPS	2,846.32	2,600.00	246.32	109.5%
819.620 · CAPITOL IMPROVEMENTS - TOWN HAL	0.00	700.00	-700.00	0.0%
819.630 · IMPROVEMENTS OTHER THAN BLDGS.	0.00	500.00	-500.00	0.0%
819.640 · MACHINERY & EQUIPMENT	0.00	1,000.00	-1,000.00	0.0%
819.620 · AID TO PRIVATE ORGANIZATIONS	250.00	500.00	-250.00	50.0%
Total OPERATING EXPENDITURE/EXPENSE	37,752.27	104,200.00	-66,447.73	36.2%
PUBLIC SAFETY				
821.340 · LAW ENFORCEMENT	34,684.50	69,369.00	-34,684.50	50.0%
Total PUBLIC SAFETY	34,684.50	69,369.00	-34,684.50	50.0%
EMERGENCY AND DISASTER RELIEF \$				
828.490 · OTHER CHG & OBLIGATIONS	0.00	1,000.00	-1,000.00	0.0%
Total EMERGENCY AND DISASTER RELIEF \$	0.00	1,000.00	-1,000.00	0.0%
PHYSICAL ENVIRONMENT				
830.620 · EQUIPMENT & TOOLS	0.00	500.00	-500.00	0.0%
834.430 · GARBAGE/SOLID WASTE-WASTE MGMT	6,930.00	28,000.00	-21,070.00	24.8%
837.490 · DRAIN.DCH.YACHT CL REP & MAINT	0.00	500.00	-500.00	0.0%
838.630 · STORMWATER MANAGEMENT	0.00	10,000.00	-10,000.00	0.0%
Total PHYSICAL ENVIRONMENT	6,930.00	39,000.00	-32,070.00	17.8%
TRANSPORTATION				
841.430 · UTILITY SERVICES - STREETS	4,511.71	12,000.00	-7,488.29	37.6%
841.480 · REPAIR & MAINTENANCE SERVICES	78.85	2,200.00	-2,121.15	3.6%
841.620 · OPERATING SUPPLIES FUEL & OIL	299.52	1,500.00	-1,200.48	20.0%
841.630 · OPERATING SUPPLIES - STREETS	0.00	250.00	-250.00	0.0%
841.630 · IMPROVEMENTS - STREETS	0.00	500.00	-500.00	0.0%
Total TRANSPORTATION	4,890.08	16,450.00	-11,559.92	29.7%

Town of Cinco Bayou
Profit & Loss Budget vs. Actual
October 2008 through February 2009

	Oct '08 - Feb 09	Budget	\$ Over Budget	% of Budget
STATE GRANTS - CDBG				
550.331 - CDBG ENGINEERING	24,000.00	66,000.00	-42,000.00	36.4%
550.340 - CDBG GRANT ADMINISTRATION	5,805.00	47,640.00	-41,835.00	12.2%
550.630 - CDBG RELOCATION OF UTILITIES	0.00	300,000.00	-300,000.00	0.0%
550.631 - TIF RELOCATION OF UTILITIES	0.00	65,000.00	-65,000.00	0.0%
550.632 - CDBG FUNDS SIDEWALKS/PED MALLS	0.00	171,000.00	-171,000.00	0.0%
Total STATE GRANTS - CDBG	29,805.00	649,640.00	-619,835.00	4.6%
ANIMAL CONTROL SERVICES				
562.340 - ANIMAL CONTROL SERVICES - PAWS	914.00	1,743.00	-829.00	52.4%
Total ANIMAL CONTROL SERVICES	914.00	1,743.00	-829.00	52.4%
PARKS AND RECREATION				
572.340 - OTHER CONTRACTUAL SERVICES	6,008.30	24,720.00	-18,711.70	24.3%
572.430 - UTILITIES - PARKS	590.65	500.00	90.65	118.1%
572.480 - REPAIR AND MAINTENANCE PARKS	589.38	5,000.00	-4,410.62	11.8%
572.620 - OPERATING SUPPLIES - PARKS	0.00	300.00	-300.00	0.0%
572.630 - CAPITAL IMPROVEMENTS PARKS	0.00	1,500.00	-1,500.00	0.0%
Total PARKS AND RECREATION	7,188.33	32,020.00	-24,831.67	22.4%
SPECIAL EVENTS				
574.480 - SPECIAL EVENTS/PICNIC DINNERS	4,311.35	6,000.00	-1,688.65	71.9%
Total SPECIAL EVENTS	4,311.35	6,000.00	-1,688.65	71.9%
SPECIAL RECREATION FACILITIES				
572.621 - OPERATING SUPPLIES-BOAT LAUNCH	0.00	900.00	-900.00	0.0%
576.480 - SEA WAY BOAT LAUNCH REP & MAINT	268.53	2,500.00	-2,231.47	10.7%
Total SPECIAL RECREATION FACILITIES	268.53	3,400.00	-3,131.47	7.9%
OTHER CULTURE/RECREATION				
679.630 - TREE/BEAUTIFICATION	0.00	500.00	-500.00	0.0%
Total OTHER CULTURE/RECREATION	0.00	500.00	-500.00	0.0%
OTHER USES				
580.990 - CONTINGENCY FUND	0.00	38,979.00	-38,979.00	0.0%
581.910 - CRA TAX INCREMENTS TWN PORTION	29,274.55	29,275.00	-0.45	100.0%
Total OTHER USES	29,274.55	68,254.00	-38,979.45	44.2%
Total 001-EXPENDITURE/EXPENSE ACCTS.	209,894.31	1,117,287.00	-907,392.69	18.8%
Total Expense	209,892.71	1,117,287.00	-907,394.29	18.8%
Net Ordinary Income	30,809.48	0.00	30,809.48	100.0%
Net Income	30,809.48	0.00	30,809.48	100.0%

MANAGER'S REPORT – MARCH 2009

UNFINISHED BUSINESS:

CRA/CDBG Grant – Please see the Monthly Report received from Jason Shepler of Mittauer & Associates. The hard copies are in your boxes. We have received the permits from DOT. Jason is ready to start preparing the bid packet. We will be scheduling a workshop to review the pros and cons of obtaining the easements at this council meeting and scheduling a public Town Hall meeting for business and property owners.

LOCAL COMMUNICATIONS SERVICES TAX: We received a letter from FDR stating that the monthly payments will not start until March. We have not received any further additional funds as of this report.

COUNCIL SEATS OPEN: Councilman Farley will be sworn in. The staff will seek direction from the Council to place the notice to fill the two vacant seats and request a cut off time for submitting resumes. Also a new Mayor Pro-tem will be appointed.

NEW BUSINESS:

E.A.R.: Mr. Dorman has finished the first draft for the proposed E.A.R. Based Amendments. The hard copies can be picked up at town hall for your review. LPA and Public Council meetings will be scheduled for recommendations and direction to the staff to proceed for first submittal to Tallahassee for their first review.

EMPLOYEE PERSONNEL POLICIES MANUAL: Attorney McInnis has completed revisions to the Employee Personnel Policies Manual. You may pick up a copy along with a copy of the previous manual to compare the changes at town hall. Copies will be distributed at the council meeting for you to take to review and to vote on adoption at the April council meeting.

DATES TO REMEMBER: Monday, March 16th I will be having surgery to repair the retina in my left eye. I should not miss more than 2 or maybe 3 days. It is an outpatient procedure.

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
March 12, 2009 – 6:00 PM

Mayor Iovieno called the Regular Council meeting to order at 6:00 P.M. on Thursday, March 12, 2009. Following the Pledge of Allegiance and a silent prayer, roll call was taken:

Roll Call: Mayor Iovieno
Mayor Pro Tem Chubb
Councilman Bratton
Councilman Koch
Councilman Gailey
Councilman Farley

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

Special Business:

1. Attorney McInnis swore in Theresa Farley as Councilman for a two-year term beginning March 2009.

Regular Business:

1. **Council Approval of Agenda:** Mayor Iovieno asked for acceptance of the agenda. Councilman Koch motioned to accept the agenda as presented. Councilman Gailey seconded the motion. The motion passed unanimously.
2. **Council Approval of Consent Agenda:** Mayor Iovieno asked for acceptance of the consent agenda including: minutes Regular Council Meeting of February 12, 2009 and Budget Status as of February 28, 2009. Councilman Farley motioned to accept the consent agenda. Councilman Chubb seconded the motion. The motion passed unanimously.

ACTION ITEMS:

1. Mayor Iovieno stated the need to appoint Mayor Pro Tem for a one-year term. Councilmen Koch and Chubb stated they would serve. Councilman Bratton nominated Councilman Farley for Mayor Pro Tem for one year. Councilman Gailey seconded the motion. The motion passed unanimously.
2. Attorney McInnis stated the need to fill the two vacant council seats within 30 days. Councilman Koch motioned to request letters of intent and/or resumes by interested qualified applicants by April 2, 2009. Councilman Chubb seconded the motion. The motion passed unanimously. Councilman Bratton stated that he would like to continue to serve as a Council member, but had missed the deadline set by the Supervisor of Elections Office.
3. Councilman Gailey motioned to support a proclamation by the Okaloosa County Commissioners in support of the F-35 Joint Strike Fighter and the Joint Integrated Training Center at Eglin Air Force Base. Councilman Chubb seconded the motion. The motion passed unanimously.
4. Ms. Dykes stated a request had been made for a donation of a one-year SeaWay boat launch pass in support of the Diabetes Poker Run. Councilman Koch motioned to authorize the Town Manager to waive the fee for a boat launch decal. Councilman Farley seconded the motion. The motion passed unanimously.

DISCUSSION ITEMS:

1. **CRA/CDBG** – Engineer Jason Shipler submitted a written report. Mrs. Dykes added a CDBG easement workshop needed to be scheduled and recommended scheduling it in conjunction with a required EAR based amendment workshop and public hearing. The meeting was set for March 25, 2009 at 5:01 pm.

REPORTS:

Town Manager's Report: Mrs. Dykes submitted a written report. She also stated she would be absent for two days due to eye surgery.

Engineer's Report: Engineer Martin stated that he was working with Town Maintenance Supervisor Keith Williams and Final Construction on the Glenwood Park erosion project. He also stated he was consulting with FDEP to address any wetland issues.

Attorney's Report: None given.

Community Officer's Report: Deputy Welch submitted a written report. He stated that there had been 3 burglaries at the Fill-Ups gas station and that the suspect was apprehended.

Public Comments/Requests: None given.

Council Member's Comments/Reports:

- Councilman Koch stated that the businesses on the south side of Eglin Parkway had done a nice job upgrading the front. She also stated that a homeowner on Opp Blvd. has acquired more junk. Councilman Chubb asked if the property was in compliance with town codes. Deputy Welch confirmed that the property was beginning to be in disarray and would coordinate with the Sheriff's environmental department to begin a citation process.
- Councilman Gailey gave thanks for the privilege of service on the council.
- Councilman Bratton asked what changes had been made to the Employee Manual submitted. Attorney McInnis stated that it was for review only at this time and that the draft contained highlighted changes
- Councilman Chubb announced a Walking Communities workshop hosted by the City of Destin on March 28, 2009.
- Mayor Iovieno thanked Councilman Chubb for his service as Mayor Pro Tem.

Adjourn – There being no further business, the meeting adjourned at 6:40 pm.

ATTEST:



Michael Iovieno, Mayor



Nell Dykes
Town Manager/Clerk