

**TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING MINUTES
APRIL 9, 1998**

Mayor Drabczuk called the Regular Town Council meeting to order at 6:02 PM. Following a silent prayer and the Pledge of Allegiance to the Flag, roll call was taken.

PRESENT: Mayor Drabczuk
Councilwoman Carroll
Councilman Kendrick
Councilman Payne
Councilman Skelly (Arrived at 6:10 P.M.)
Councilman Williams

ALSO PRESENT: Town Manager Borchik, Attorney McInnis, Secretary Payne, Jerry Carroll, Kim Payne, Ed Connors, Jim Bratton, Mr. Dean and Mladen Rudman.

OATH OF OFFICE

Attorney McInnis administered the Oath of Office to Mayor Randall P. Drabczuk.

1. COUNCIL APPROVAL OF AGENDA - Councilman Payne made a motion to approve the Agenda as presented, seconded by Councilman Williams. The motion was unanimously approved.

2. CONSENT AGENDA

- A. Minutes, Council Meeting - March 12 & March 26, 1998
- B. Financial Report - March 1998
- C. List of Deposits and Checks - March 1998

Councilman Payne made a motion to approve the Consent Agenda, seconded by Councilman Williams. The motion was unanimously approved.

3. ACTION ITEMS

A. Resolution 98-03 - Support of Homeowner's Protection Act - Attorney McInnis read Resolution 98-03 by title only. Councilman Kendrick made a motion to adopt Resolution 98-03, seconded by Councilman Payne. The motion was unanimously approved.

B. Paving Project Status - Engineer Griswold was unable to attend the meeting. Manager Borchik advised the Council that two contractors had picked up bid packets for the street paving project. The deadline for submitting bids is 11:00 AM (CDT) April 30, 1998, and at that time, the bids will be opened and read aloud at the Town Hall. The Engineer will review the bids and related documents and present them with his recommendations to the Town Council at the May 14, 1998 Town Council meeting.

Mayor Drabczuk questioned the recent billing for engineering fees for the street paving project. The Town Manager stated that the Engineer's contract calls for fees in excess of \$ 1,500.00 be approved by the Council. Councilman Kendrick said since the Council did instruct the Engineer to proceed with the paving project, that was the approval. Manager Borchik said the Engineer's contract for engineering services was due for renewal in January 1997. Mayor Drabczuk requested that the contract renewal be on the agenda for the May 14, 1998 meeting. Attorney McInnis asked the Council to consider placing a fee for projects based on a percent of the project cost in the contract.

C. Landscaping Project Status - The Town Manager advised the Council that the landscaping project is almost complete. The Kelly Avenue landscaping completes the replanting of the trees and shrubs along Garnett, Luverne and Irwin Avenue and there is still approximately \$2,500.00 remaining for additional landscaping projects. With regard to the Eglin Parkway/Yacht Club intersection landscaping proposal, we still do not have the approval of the property owner for this project.

D. Town Manager Selection Process - Manager Borchik advised the Council that after the Special Council meeting, Councilman Williams expressed concern with the fact that the only information available on the candidates was the information in their resumes and asked if back ground checks on the candidates were appropriate. Attorney Mcinnis decided that an application form requesting employment history and references should be prepared and mailed to each of the eight selected candidates requesting return by April 20, 1998.

A letter will then be sent to each reference with a reply due by May 1, 1998. All the information should have been received and ready for discussion and setting the interviews at the May 14, 1998 Council meeting. Attorney McInnis suggested using telephone interviews for those applicants who could not be interviewed in person. Following a short discussion, Councilman Payne made motion to offer the applicants a phone interview or travel at their own expense for a personal interview, seconded by Councilman Skelly. The motion was unanimously approved.

At this point, the Town Manager introduced Mr. Dean, a friend of Mrs. Barnes, who requested that the Council reconsider their action concerning the fine for Mrs. Barnes. Mr. Dean said he hoped that the Council would show compassion for Mrs. Barnes since she did not know she was breaking the law by having the tree in her yard cut down. Mr. Dean said Mrs. Barnes is disabled, on a limited fixed income and cannot afford to pay the \$499.99 fine. Councilman Payne then suggested the Council stand by its original decision and allow the fine of \$499.99 stand. There were no further comments from the Council.

E. Budget Summary & Proposed Budget Revision - Manager Borchik outlined the proposed revisions to the FY98 Budget and suggested that the Councilmembers consider the proposed revisions and discuss them during the May Town Council Meeting. A question concerning the additional accounting costs in the proposed budget revision led to a discussion on Council committees. The Town Manager presented a proposed committee structure that would appear to resolve the problems noted in the recent audit concerning internal control for financial activities. Following a short discussion concerning committee activities, Mayor Drabczuk asked the Council to give some thought to this suggestion for discussion at a later time.

4. Engineer's Report - No Report

5. Attorney's Report - No Report

6. Town Manager's Report

A. Mrs. Sahlin called concerning the Crawford property by Glenwood Park. She said that she had received some offers to purchase the property and wanted to give the Town the opportunity to make an offer before deciding on the sale of the property. Councilman Kendrick questioned why the Town would want to acquire any additional property at this time. There was no further discussion on this matter.

B. Received a FAX from the Florida Department of Transportation concerning the proposed increase in the payments for state highway right-of-way maintenance. Advised the DOT that the Town would enter into a new contract for the maintenance of the Eglin Parkway right-of-way at the increased rates. The DOT will provide a letter requesting confirmation of the Town's request for a new contract.

C. Received a letter from the Department of Commerce concerning the 2000 census and asking the Town to confirm the addresses presently listed for the Town's streets. All addresses were incorrect! A correct list has been prepared and forwarded to the Census Department along with a corrected map of the Town.

D. The Ready Bank 90 day Certificate of Deposit at Ready Bank has been rolled over at the same interest rate - 4.5%.

E. Received a printout of the personal property tax payers in Town. Have requested a listing of the personal property tax amounts from the Tax Collector's office.

7. Public Requests/Comments - None

8. Councilmember Reports/Comments

A. Councilman Payne

1. Attended the Okaloosa County LOC dinner hosted by City of Fort Walton Beach on March 19, 1998. Attended the Okaloosa County LOC Board of Director's meeting on April 2, 1998 and was selected as Chairman of a committee to work with the Florida LOC to have the Municipal Officials Institute presented in the panhandle area and to survey members of the League to determine how many members would be interested in attending educational classes if the classes were conducted locally. In addition, had obtained additional information pertaining to the Dual Taxation issue and will leave it at the Town Hall for the Council to review at their convenience.

2. Attended the EDC breakfast where General Kostelnik presented an overview of Eglin AFB's future.

B. Councilwoman Carroll

1. Reference a note in her mail, asked if she is the Town's representative to the EDC? Councilman Payne then made a motion to appoint Councilwoman Carroll as the Town's representative to the EDC Board of Directors, seconded by Councilman Kendrick. The motion was unanimously approved.

C. Councilman Skelly

1. Reminded the Councilmembers of walking tour at the May Council meeting. Following a short discussion, it was decided that the Council would meet at the Town Hall at 6:00 PM, then adjourn to Laguna Park to begin the walking tour at the North East side of Town and look at the streets that will be paved. Councilman Skelly requested the Town Manager to contact the media and see if they would be interested in attending this walking tour..

2. Inquired on the status of the Laguna Landing project and was advised by the Town Manager that the project was still a "Go" but according to the Land Development Code, construction permits must be obtained by May 11, 1998.

9. Correspondence

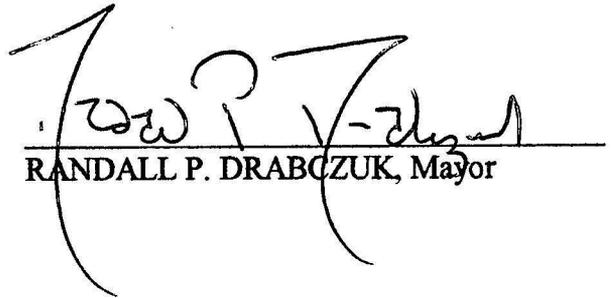
A. Letter, Department of Community Affairs - Local Mitigation Strategy Funding and Participation - The Town Manager presently represents the Town for the Local Hazard Mitigation Strategy planning and preparation activities.

10. Mayor's Comments/Announcements

Reminded everyone of the Town Potluck Dinner on Thursday, April 16, 1998, at 6:30 PM.

11. There being no further business, Mayor Drabczuk adjourned the meeting at 7:22 PM.

Attest:



RANDALL P. DRABCZUK, Mayor



ALBERT S. BORCHIK, Jr. Town Manager/Clerk



RECEIVED
9-6-98
JFB

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

EMERGENCY MANAGEMENT • HOUSING AND COMMUNITY DEVELOPMENT • RESOURCE PLANNING AND MANAGEMENT

LAWTON CHILES
Governor

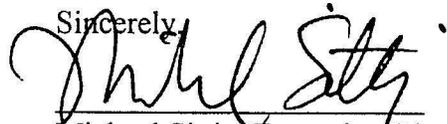
JAMES F. MURLEY
Secretary

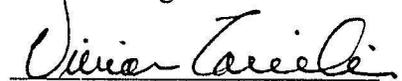
Dear Local Governments:

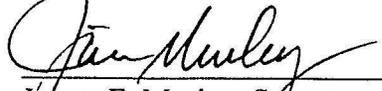
The Florida League of Cities and the Florida Association of Counties in partnership with the Florida Department of Community Affairs encourages cities and counties to participate in the development of a single, unified Local Mitigation Strategy. The Local Mitigation Strategy is a vital part of the Department of Community Affairs' \$20 million "Breaking the Cycle" initiative designed to provide local governments with the funding and resources needed to help build disaster-resistant communities. You should have already received an award letter announcing your eligibility to receive funds to develop a Local Mitigation Strategy.

We believe by working together to develop this strategy, cities and counties will save lives and property by reducing their vulnerability to natural disasters, receive more post-disaster funding more quickly, save money because the costs of mitigation are less than the costs of recovery, improve existing city and county partnerships through the sharing of resources and make better decisions during the chaos that follows a disaster.

The Department of Community Affairs will offer workshops and other technical assistance to help local governments through this process. We look forward to working with you in your efforts to make your community less vulnerable to the effects of natural disasters.

Sincerely,

Michael Sittig, Executive Director
Florida League of Cities


Vivian Zaricki, Executive Director
Florida Association of Counties


James F. Murley, Secretary
Florida Department of Community Affairs

JFM/co/is

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100

FLORIDA KEYS AREA OF CRITICAL STATE CONCERN
FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33159-4022

GREEN SWAMP AREA OF CRITICAL STATE CONCERN
FIELD OFFICE
155 East Summerlin
Bartow, Florida 33830-4641

RECEIVED
3/16/98

AB-7



Florida Department of Insurance

AUTOMATED FAX GATEWAY

Friday, March 13, 1998

SUBJECT: Homeowners' Protection Act Resolution

TO: Cinco Bayou Mayor Randy Drabczuk

FAX: 8502449188

FROM: Bill Nelson

FAX: (850) 488-6581

PHONE: (850) 413-4930

This Fax is 4 pages, including this cover page.



THE TREASURER OF THE STATE OF FLORIDA

BILL NELSON

March 13, 1998

Dear Interested Mayors, Commissioners & City Managers:

Over the course of the past year, many of your constituents have contacted one of our offices either by mail or phone expressing their concerns with the homeowners insurance market in Florida. I share those concerns.

The Legislature and I have worked closely to successfully rebuild and stabilize the market. However, the availability of coverage remains a problem in some cities and the cost is a concern throughout the state. This lack of competition in the insurance marketplace continues to be a burden on many local economies, affecting the construction, real estate and banking industries. Today, Florida stands at a crossroads. We either finish rebuilding the market, giving consumers and communities the relief and protection they need, or allow the industry to maintain its grip on homeowners.

The choice is easy. That is why I have submitted a proposal to the Florida Legislature that will help relieve the premium increases and further stabilize the insurance market. The bill has bipartisan sponsorship in the Florida House of Representatives and the Florida Senate. The proposal, The "Homeowners' Protection Act" does the following:

- Rolls back homeowners' insurance rates by 15 percent;
- Provides loyal policyholders protection against unfair cancellation;
- Allows homebuyers who move to take their insurance with them;
- Assures homeowners full discounts for safeguards like storm shutters;
- Reduces extra charges policyholders might face from the mega-storm;
- Requires private insurance companies to write more policies; and
- Puts rate decisions back in the hands of the Insurance Commissioner;

PAGE TWO
PROPERTY.LTR

Attached is a proposed resolution for your consideration. I encourage you to adopt this resolution at your next meeting, since this bill is already under review by legislative committees. Upon adoption, I would also ask that you send copies of the resolution to the Tallahassee office of each member of your local legislative delegation.

If you or your colleagues require additional materials or have any questions, please contact Bryan Gulley at (850) 413-4930. Also, we would appreciate it if you will inform us of any action you take.

I look forward to your joining me in this effort to return competition to the insurance market in Florida and give consumers and communities the rate relief they deserve.

Sincerely,

A handwritten signature in black ink that reads "Bill Nelson". The signature is written in a cursive, slightly slanted style.

BN/PM/bfg