

TOWN OF CINCO BAYOU  
SPECIAL MEETING  
APRIL 11, 1983

The Special Meeting of the Town of Cinco Bayou Town Council was called to order by Mayor Usrey at 7:02 P.M.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Usrey requested the Clerk to call the roll.

ROLL CALL

Present: Mayor Usrey  
Councilman Davis  
Councilwoman Kelley  
Councilman Perry  
Councilman Wade

Absent: Councilman Johnston

Also Present: Attorney Powell  
Clerk Borchik  
Secretary Borchik

1. PUBLIC HEARING - Attorney Powell read Ordinance 83 by title only. Councilman Davis moved to approve the 1st reading of Ordinance 83, seconded by Councilwoman Kelley. Motion approved unanimously.

2. PUBLIC HEARING - Attorney Powell read Ordinance 84 by title only. Councilwoman Kelley moved to approve the 1st reading of Ordinance 84, seconded by Councilman Perry. Motion approved unanimously.

3. Department of Transportation - Mayor Usrey advised the Council about the proposed changes to the intersection of Eglin Parkway and Yacht Club Drive. A lengthy discussion followed. Councilwoman Kelley moved to accept the proposed changes to traffic flow and traffic signal phasing for the Eglin Parkway and Yacht Club intersection. Motion seconded by Councilman Davis and unanimously approved on a roll call vote.

COUNCIL AS COMMITTEE MEETING

MINUTES - Mayor Usrey asked the Council to review the minutes of March 14th and March 21, 1983, for approval at the next Council meeting.

FINANCIAL REPORT - Mayor Usrey asked the Council to review the March financial report for approval at the next Council Meeting. Mayor Usrey also asked the Council to review the six month budget status for discussion at the next Council Meeting. Mayor Usrey told the Council that the Bookmobile (Orbit, Inc.) has accepted the Town's offer to donate the small house adjacent to the Town Hall. The building will be used for storage of their extra books. Attorney Powell suggested the Council entertain a motion to cover the donation of the house to Orbit, Inc. (Bookmobile) at the next Council Meeting.

REGULAR BUSINESS

1. Kidd Bayou Oaks Townhomes Plat - No decision.
2. Air Force Armament Museum Foundation - Mayor Usrey asked the Council for discussion on the request for a donation to the Air Force Armament Museum Foundation. A lengthy discussion followed.
3. Small City Coalition - Letter City of Holmes Beach - Mayor Usrey asked the Council to review the letters from the Cities of Holmes Beach and Daytona Beach Shores so the Council could decide at the next Council Meeting if the Town would like to participate with other small cities in efforts to effect legislation in the best interest of the small cities.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME None.

COMMITTEE REPORTS

1. Streets/Sidewalks/Neighborhood Watch - Councilman Davis. No report.
2. Parks/Beautification/Environment - Councilwoman Kelley. No report. Councilman Wade said that the work on the cannon pad and stand would be completed the weekend of May 7th & 8th.
3. Finance - Councilman Wade. No report
4. Waterfront/Bayou/Health/Civil Defense - Councilman Perry. No report.
5. Special Committee Reports
  - a. Bicycle Path - Councilman Johnston. Absent. No report.

ATTORNEY'S REPORT No report

CORRESPONDENCE

1. Letter - Baskerville-Donovan Engineers, Inc. Mayor Usrey advised the Council that no new information had been received with regard to the lot line discrepancy between Francis Park and Kidd Bayou Oaks Townhomes.
2. Letter - Warner Amex Cable. Mayor Usrey advised the Council the letter from Warner Amex Cable was to tell the Council about two Special Programs entitled "Cancer the Winners".
3. Letter - Disabled American Veterans - Playground Chapter. Mayor Usrey told the Councilmembers they were invited to the Grand Opening and Ribbon Cutting Ceremony at the new facility for the DAV Playground Chapter.
4. Letter - ISO Commercial Risk Services, Inc. Mayor Usrey told the Council the Town had received a letter advising them that the Town's fire rating had been changed from Class 4 Suburban to Class 4. This change will result in lowering of rates for some commercial properties. Mayor Usrey suggested that everyone contact their

insurance agents and bring this change to their attention, even if they only have residential property.

5. Letter - City of Daytona Beach Shores. Discussed under regular business item 3;

6. Letter - General Hospital of Fort Walton Beach. Mayor Usrey advised the Council this letter asked for volunteers to help with a new program called "Helping Hands of Okaloosa County". A program for the terminally ill. Mayor Usrey asked Councilwoman Kelley to discuss the program with Penny Borio, coordinator for this program, and see what kind of help is needed.

7. Letter - City of Holmes Beach. Discussed under regular business item 3;

CLERK'S REPORT

1. Clerk told the Council that the Clean-up Week was in full swing and everything was going very well.

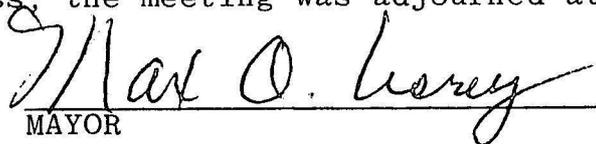
2. Clerk advised the Council that a Mrs. McMann had called the Town Hall asking if the Town could clean up the Farris property. She said it was a mess and there were snakes in the yard. The Clerk told her the Town could not clean the property, but he would try and contact the owners about the problem.

3. The Clerk advised the Council he had again contacted Mixon Enterprises about the road work and his call had not been returned. Okaloosa Asphalt Company will be out on Thursday to look at the road work that needs to be done, and work up an estimate.

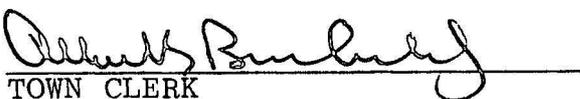
4. The Clerk said the fence around the pump in Laguna Park should be completed on Tuesday April 12th. Discussion followed.

MAYOR'S ANNOUNCEMENTS None

There being no further business, the meeting was adjourned at 8:23 P.M.

  
MAYOR

ATTEST:

  
TOWN 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 Clerk.

AN ORDINANCE AMENDING SECTION 7, APPENDIX A--ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA; PROVIDING FOR THE PERMITTED USE OF MOBILE SEAFOOD OUTLETS IN C-2 GENERAL COMMERCIAL DISTRICT; PROVIDING CERTAIN MINIMUM REQUIREMENTS PRIOR TO OPERATION; REQUIRING POSTING OF ALL NECESSARY LICENSES; PROVIDING AN EFFECTIVE DATE THEREOF; REPEALING ORDINANCES INCONSISTENT WITH SAID ORDINANCES; SEVERING INVALID PORTIONS OF SAID ORDINANCES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

Section 1. Section 7, "C-2 General Commercial District", of Appendix A--Zoning of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby amended to add the following additional subsection which shall read as follows:

(13) The sale of seafood from vehicles, trailers, or other temporary structures not permanently affixed to the ground, shall be permitted provided the applicant for a certificate of zoning compliance shall comply with the following minimum requirements:

1. Public Liability Insurance: The applicant must submit proof of public liability insurance in the minimum amount of Twenty Five Thousand (\$25,000.00) Dollars covering all claims that may arise as the result of its operations at the site.
2. Department of Agriculture: The applicant must submit letters of inspection by the Department of Agriculture of the State of Florida.
3. Department of Natural Resources: The applicant must submit a license from the Department of Natural Resources of the State of Florida for its operations.
4. Sewage Disposal: The applicant must submit certification from the appropriate Water and Sewer System that an adequate means of waste disposal is available.

5. Okaloosa County Health Department: The applicant must submit a letter of inspection by the Okaloosa County Health Department certifying compliance with all state rules and regulations, and further that the containers to be utilized for the storage and display of the seafood are constructed of a smooth surface, non-porous material with an adequate drain at the base to be connected by an appropriate means to an adequate means of waste disposal.
6. Occupational License: The applicant must submit an occupational license issued by the Town Clerk and by Okaloosa County, Florida.
7. Display of Licenses: The licenses described in Paragraphs 3 and 6 hereof, as well as the Certificate of Zoning Compliance issued pursuant hereto must during all hours of operation be exhibited conspicuously at the location for which the same were issued.
8. Invoices: The applicant or vendor of seafood regulated hereby shall at all times retain for inspection by the appropriate governmental authorities including the Okaloosa County Health Department and the Department of Natural Resources all invoices for the seafood to be sold clearly indicating the date, time, and place that the same were purchased and from whom.

Section 2. This ordinance shall take effect immediately upon its passage and approval by the mayor.

Section 3. All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Should any section, clause or provision of this ordinance be declared by a court to be invalid, the same shall not affect the validity of the ordinance in the whole or in any part hereof.

PASSED and APPROVED this \_\_\_\_\_ day of April, 1983.

TOWN OF CINCO BAYOU, FLORIDA

By: \_\_\_\_\_  
MAX O. USREY, Mayor

ATTEST:

\_\_\_\_\_  
ALBERT S. BORCHIK, JR.  
Town Clerk

ORDINANCE NO. 84

AN ORDINANCE AMENDING SECTION 7, APPENDIX A--ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF CINCO BAYOU, FLORIDA; PROVIDING FOR THE PERMITTED USE OF MOTOR VEHICLE SALES IN C-2 GENERAL COMMERCIAL DISTRICT; PROVIDING AN EFFECTIVE DATE THEREOF; REPEALING ORDINANCES INCONSISTENT WITH SAID ORDINANCES; SEVERING INVALID PORTIONS OF SAID ORDINANCES.

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BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

Section 1. Section 7, "C-2 General Commercial District", of Appendix A--Zoning of the Code of Ordinances, Town of Cinco Bayou, Florida, is hereby amended to add the following additional subsection which shall read as follows:

(14) The sale of new and used motor vehicles; provided however, no motor vehicle junk yard shall be permitted hereunder.

Section 2. This ordinance shall take effect immediately upon its passage and approval by the mayor.

Section 3. All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Should any section, clause or provision of this ordinance be declared by a court to be invalid, the same shall not affect the validity of the ordinance in the whole or in any part hereof.

PASSED and APPROVED this \_\_\_\_ day of April, 1983.

TOWN OF CINCO BAYOU, FLORIDA

By: \_\_\_\_\_  
MAX O. USREY, Mayor

ATTEST:

\_\_\_\_\_  
ALBERT S. BORCHIK, JR.  
Town Clerk



3-21-83

# City of Holmes Beach

March 14, 1983

Town of Cinco Bayou  
35 Kelly Ave.  
Ft. Walton Beach, Florida 32548

Re: Small Resort City Coalition

Dear Elected Officials:

As a result of my letter of January 21, 1983 and notification in the Datagram, representatives of many small resort cities attended an informal session at the Florida League of Cities Legislative Conference in Tallahassee, wrote letters of support or had telephone conversations with me to discuss our mutual concerns and how best we might accomplish legislative relief for these problems.

Fortunately it was not necessary to present resolutions from our groups to the League's Legislative Committee or to the General Session because certain members of the various standing committees (particularly the Finance and Taxation Committee) were successful in their endeavors to incorporate some of our wishes in the revised draft of the 1983 Legislative Policy Statement as adopted. At that time we were pleased with the "inroads" made at this Conference.

One of our major concerns was the establishment of an equitable distribution to local governments of any funds generated as a result of a road and transportation tax. You are aware such a tax bill was adopted by the State Legislature at special session; however, there will be no distribution at the State level to local governments. The Florida League of Cities supported the distribution formula mandated by the State should counties levy gasoline tax at the local level. This formula differs from that of the League's Policy Statement. An equitable distribution for our cities will depend upon successful negotiation with our counties if a gas tax is levied at the local level.

At our meeting in Tallahassee all were in agreement as to the necessity for a cohesive support or opposition to legislation affecting any of the small resort cities. Only with a planned group effort will we be in a position to influence legislation that addresses our needs on an equal basis to those of the larger cities or counties.

Communication during the year among all of us and an effort to be aware of proposed legislation together with policy affecting any one of our small resort cities is of paramount importance. Of equal importance is the ability

to make the League of Cities aware of our existence and our determination to have our interests considered and served at the State level.

Inasmuch as our cities are so widely scattered a regional grouping may be the best approach to coordinating our efforts. A designated official from a specified city within a region could act as liason for the region, assuming the responsibility of contacting cities within the region whenever necessary via correspondence, telephone or called meetings to request support of or opposition to major issues. The regional liason could also act as a "clearing house" for dissemination of legislative bills as proposed by the individual cities or for recommendations on policy to the League of Cities. Ideally the liason group would gather at the Florida League of Cities annual meeting each fall to coordinate our efforts prior to the Legislative Conference held in February of each year.

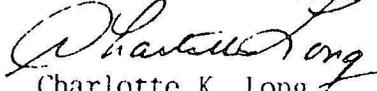
Not so incidentally, one of the major issues in the very near future that we may be facing is annexation of small cities by our larger neighboring cities without benefit of individual referendum. Apparently this can be accomplished by Special act of the legislature. If it happens to one of us it could happen to all of us.

What is suggested is a trial and error effort that will take some time to get on line but I believe we can do it. Attached is a suggested breakdown of regions and cities that might act as liasons for those regions. Will the liason cities telephone or write me as soon as possible if you will participate and accept the assignment. I would very much appreciate hearing from any and all of you, being advised of cities that are not listed to be included, and certainly I am open to all suggestions as to how to better implement our goals.

Commissioner Otto Schulze and City Manager Robert Holmquist of Daytona Beach Shores, together with Mayor Dave Brown of Cocoa Beach were particularly cooperative and helpful to me in Tallahassee. I would like to extend my personal thanks to them. In addition the Town of Palm Beach has voiced strong objection to the League of Cities indicating "disenchantment with the services and recognition provided the smaller cities of Florida".

Sincerely,

CITY OF HOLMES BEACH

  
Charlotte K. Long  
Mayor

CKL:jd

SMALL AND MEDIUM SIZED CITIES SUGGESTED PROCEDURES FOR USE DURING THE  
1983 LEGISLATIVE SESSION

Datagrams of the Florida League of Cities keep us informed on issues. There is little time to act in support or opposition to such matters and so we should be prepared to act immediately.

1. Each City should consider the adoption of a resolution relative to the Florida League of Cities policy statement; resolution to be forwarded to the League with copies to your legislative delegation.
2. Request other small or medium sized cities to support your position on specified matters with House and Senate Committees and their legislative delegations as the issues are considered.
3. Advise your support or opposition by telephone or telegram to members of the House and Senate Committees considering any specific proposed legislation that will have an effect on your City. If you cannot contact the Legislators directly, contact their aides.
4. After a bill is "out of committee" and on the floor of the House and Senate for debate, immediately advise your legislative delegation as to your support or opposition.

Even though our priorities may vary as to concerns we must support each other if we are to have any influence in policy making of the Florida League of Cities and be effective in getting legislation adopted that takes into consideration the fiscal and other needs of the small and medium sized cities.

Every issue reviewed in the Florida League of Cities Policy Statement affects us, some more than others. We must make certain our combined input is available to be considered in any proposed legislation that concerns us

REGIONS BY COUNTIES AND CITIES

SUGGESTED LIASON CITIES

LIASON: City of St. Petersburg Beach

COUNTIES: PINELLAS PASCO CITRUS

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CITIES: Bellair Dade City Crystal River  
 Bellair Beach Inverness  
 Bellair Bluffs  
 Bellair Shore  
 Indian Rocks Beach  
 Indian Shores  
 Madiera Beach  
 North Redington Beach  
 Redington Beach  
 Redington Shores  
 St. Petersburg Beach  
 Seminole  
 South Pasadena  
 Treasure Island

LIASON: City of Holmes Beach, Charlotte Long, Mayor

COUNTIES: MANATEE SARASOTA LEE

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CITIES: Anna Maria Longboat Key Sanibel  
 Bradenton Beach Venice  
 Holmes Beach Sarasota  
 Longboat Key

COUNTIES: OKALOOSA BAY WAKULLA POLK

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CITIES: Cinco Bayou Mexico Beach St. Marks Winter Haven  
 Panama City Beach

LIASON: City of Treasure Island

COUNTIES: DADE MONROE

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CITIES: Bal Harbour Key Colony Beach  
 Bay Harbor Island Key West  
 Golden Beach  
 Hialeah Gardens  
 Indian Creek Village  
 Medley  
 North Bay Village  
 Surfside

LIASON: Town of Lauderdale-By-The-Sea

COUNTIES: BROWARD

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CITIES: Hacienda Village  
 Hillsboro Beach  
 Lauderdale-By-The-Sea  
 Lighthouse Point  
 Oakland Park  
 Park City  
 Sea Ranch Lakes

LIASON: Town of Palm Beach

COUNTIES:	PALM BEACH	MARTIN	OKEECHOBEE
CITIES:	Atlantis Lantana Golf Gulf Stream Highland Beach Juno Beach Jupiter Inlet Manalapan Ocean Ridge Palm Beach Shores Palm Beach South Palm Beach Tequesta	Jupiter Island Sewall's Point	Okeechobee

LIASON: City of Cocoa Beach

COUNTIES:	BREVARD
CITIES:	Cocoa Beach Indialantic Indian Harbour Beach Malabar Melbourne Beach Palm Bay Satellite Beach

LIASON: City of Daytona Beach Shores

COUNTIES:	VOLUSIA	INDIAN RIVER
CITIES:	Daytona Beach Shores South Daytona New Smyrna Beach Holly Hill Ormond Beach Ponce Inlet	Indian River Shores Vero Beach

LIASON: City of Edgewood

COUNTIES:	SEMINOLE	ORANGE	LAKE
CITIES:	Altamonte Springs Winter Springs Lake Mary	Bay Lake Edgewood Lake Buena Vista	Howey in the Hill

LIASON: Town of St. Augustine Beach

COUNTIES:	CLAY	NASSAU	ST. JOHNS
CITIES:	Keystone Heights	Fernandina Beach	St. Augustine Be St. Augustine Town of Marinela

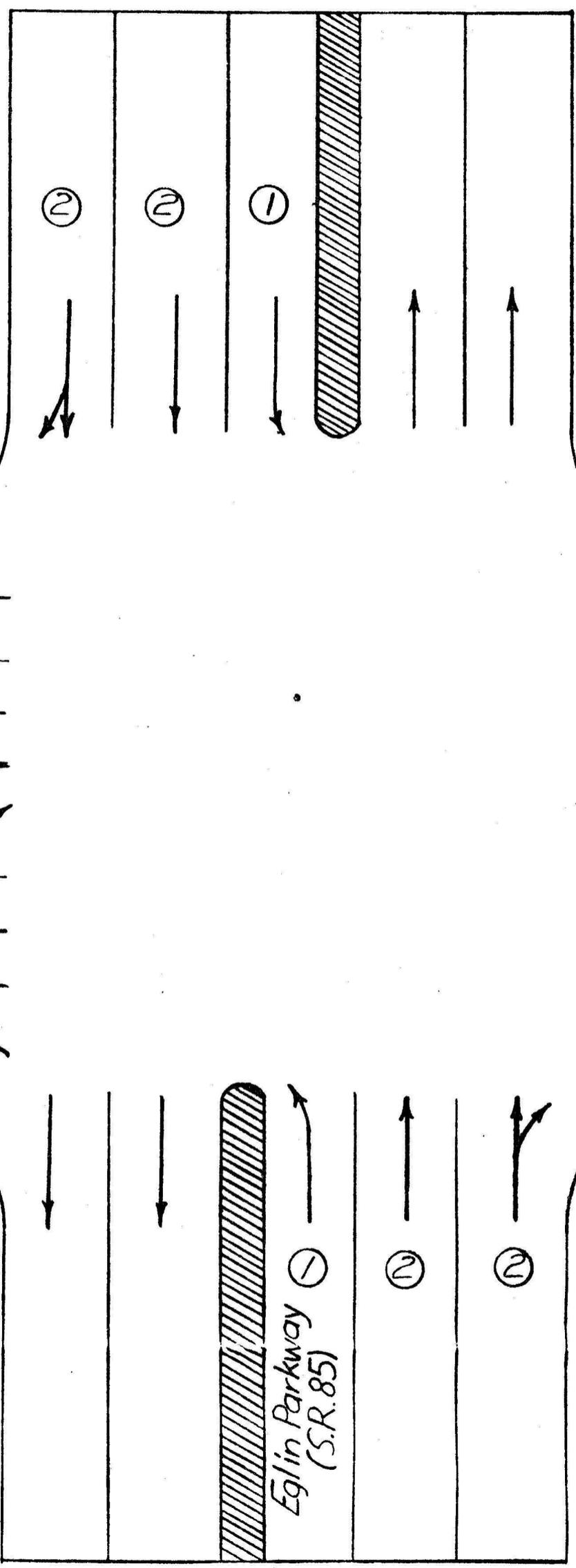
This breakdown attempts not to burden any one region. Should we find consolidation of regions to be more effective we can make that decision when we meet hopefully in the Fall. Please advise me if the liason cities will accept and who the contact will be (Mayor, Commissioner, City Manager).

Thanks.





1-10-83



Existing Intersection  
Eglin Pkwy. and Yacht Club Drive

- PHASE 1 Back to back left turns on S.R. 85
- PHASE 2 Both thru movements on S.R. 85
- PHASE 3 Back to back left turns on Yacht Club Dr.
- PHASE 4 Both thru movements on Yacht Club Dr.

Yacht Club Drive

Eglin Parkway (S.R. 85)



Proposed Intersection  
Eglin Pkwy. & Yacht Club Drive

- PHASE 1 Back to back left turns on S.R. 85
- PHASE 2 Both thru movements on S.R. 85
- PHASE 3 West leg Yacht Club Dr. only
- PHASE 4 East leg Yacht Club Dr. only



1-10-83

March 17, 1983

Our Project No. 0381

Mr. Albert S. Borchik, Jr.  
Town Clerk  
Town of Cinco Bayou  
35 Kelly Avenue  
Ft. Walton Beach, FL 32548

RE: Survey Conflict

Dear Mr. Brochik:

We would like to thank you and the Mayor for giving Charles Martin the opportunity of reviewing with you our position concerning the apparent conflict between those surveys performed by Mr. William Overstreet and our firm. As Mr. Martin explained to you, we feel that our survey is correct for the following reasons:

- A. In Mr. Rice's (Panhandle Associates) letter dated January 27th, 1983 to the Town of Cinco Bayou, he noted that the angle of deflection by the intersection of Kidd and Lucille Streets is very close to the 93+ degrees as Mr. Overstreet had indicated on his survey.

The original plat of Cinco Bayou Subdivision, prepared by T.W. Coleman dated June 7th, 1937, shows that Block 4 is cocked in an Easterly direction away from Block 6, explaining that the intersection of the two aforesaid streets have nothing to do with the lot line of Block 6. In other words, the Westerly line of Block 4 and the Easterly line of Block 6 are not parallel.

- B. The southern line of Frances Park was monumented by others with 4" x 4" concrete monuments. Holding the angle of 90 degrees 00 minutes falls 2.0± feet North of existing monuments. Holding the 93 degrees 03 minutes, as per Mr. Overstreet's survey, the aforesaid southern line falls 7.0± feet Northerly of existing monumentation.
- C. According to Baskerville-Donovan Engineers' survey of Leyenda Park, the Northerly line was established and falls very close to a three foot high chain link fence. A distance of seventeen feet at the back lot line of Lot 16, Block 6 is noted on the original plat of Cinco Bayou Subdivision. Holding this seventeen feet, the angle off the front line is 90 degrees 00 minutes 00 seconds.

**BRANCH OFFICE**

#3 CHAMBER OF COMMERCE BLDG.  
P. O. BOX 959: DESTIN, FL. 32841  
(904) 837-2102

**MAIN OFFICE**

16 WEST ZARRAGOSSA ST.  
PENSACOLA, FL. 32501  
(904) 438-9661 OR 243-3228

**BRANCH OFFICE**

110 WILLING ST., S  
MILTON, FL. 3257  
(904) 623-9449 OR 99-8666

BASKERVILLE-DONOVAN ENGINEERS, INC.

As of this date, we have not been contacted by Mr. Overstreet concerning the above described surveying conflict. In an effort to resolve this matter, we are forwarding a copy of this letter to Mr. Overstreet, as well as a copy of a letter we intend to send to Mr. Overstreet to Mr. Morgan and Mr. Rice. We plan on advising these individuals of the rules of conduct for professional land surveyors which states, in essence, that if you disagree with another surveyor you should notify that surveyor prior to making public your opinion as to the accuracy of his work. We have not been given such notification by Mr. William Overstreet. I think it is equally important to point out that one cannot fully judge another's work if he does not have all the facts. Therefore, before our firm goes to any further expense, in an effort to resolve this situation, we will require the following items in order to make a fair and just comparison:

1. Copies of field notes from Mr. William Overstreet.
2. Copies of his boundary survey which meets Minimum Technical Standards and outlines the area in conflict.

Until or unless further proof or evidence is brought to our attention, the survey by Baskerville-Donovan Engineers, Inc., should not be changed. If you have any questions or require any additional information, please do not hesitate to contact us.

Very truly yours,

BASKERVILLE-DONOVAN ENGINEERS, INC.

  
Fred R. Thompson, P.L.S.  
Vice-President

FRT/ldd

cc: Mr. William Overstreet  
Mr. Charles E. Martin

**RULES**  
**OF THE**  
**STATE BOARD OF PROFESSIONAL**  
**ENGINEERS AND LAND SURVEYORS**  
**CHAPTER 21H-16**  
**RULES OF CONDUCT FOR**  
**PROFESSIONAL LAND SURVEYORS**

- 21H-16.01 Purpose
- 21H-16.02 Standards of Integrity Responsibility to the Public
- 21H-16.03 Public Statements
- 21H-16.04 Truth in Reports and Testimony
- 21H-16.05 Conflict of Interest
- 21H-16.06 Solicitation of Employment
- 21H-16.07 Personal Conduct
- 21H-16.08 False or Malicious Statements
- 21H-16.09 Knowledge of Improper Conduct by Others
- 21H-16.10 Associations and Use of Name
- 21H-16.11 Action by Another Jurisdiction

21H-16.01 Purpose. In order to establish and maintain high standards of integrity, skill and practice in the profession of Land Surveying, the following rules of professional conduct promulgated in accordance with Chapter 472, Florida Statutes, shall be binding upon every person holding Certificate of Registration as a Land Surveyor, and all agents, employees, officers or partners of a person holding a Certificate of Authorization.

The rules as set forth herein are specifically designated to further safeguard the property and public welfare of the citizens of the State of Florida, and shall be construed to be a reasonable exercise of the police power vested in the Florida State Board of Professional Engineers and Land Surveyors by virtue of the Acts of the Legislature, and as such the Florida Board of Professional Engineers and Land Surveyors can establish, conduct, policy and practices to be adopted in keeping with the powers hereinabove stated.

The Land Surveyor who holds a Certificate of Registration from the Florida State Board of Professional Engineers and Land Surveyors is charged with having knowledge of the existence of the reasonable regulations and rules hereinafter provided for his professional conduct as a Land Surveyor, and also shall be deemed to be familiar with their several provisions, and to understand them. Such knowledge shall encompass the understanding the the practice of land surveying is a privilege as opposed to a right, and the Land Surveyor shall be forthright and honest in his statements or written responses to the Board or its representatives on matters pertaining to professional conduct.

General Authority 472.03 FS. Law Implemented 472.03(3) FS. History—New 7-28-75.

21H-16.02 Standards of Integrity Responsibility to the Public. The Land Surveyor shall be governed in all of his professional relations by the highest standards of ethics and integrity, and shall act in all professional matters for each client or employer as a faithful agent or trustee.

General Authority 472.03 FS. Law Implemented 472.03(3) FS. History—New 7-28-75.

21H-16.03 Public Statements.

(1) The Land Surveyor shall not engage in any public disputes, arguments or public controversy with another Land Surveyor over professional practices of said Surveyor, except as he may be required to testify before competent Court of Law or agency.

(2) The Land Surveyor shall not publicly express an opinion on a land surveying assignment of another unless he is fully informed as to all of the facts relating thereto and competent by training and experience to form a sound opinion thereof.

(3) The Land Surveyor shall not make any public statement about land surveying, land surveyor or surveying practices when such statements would tend to bring discredit to the esteem and dignity of the surveying profession.

General Authority 472.03 FS. Law Implemented 472.03(3) FS. History - New 7-28-75.

21H-16.04 Truth in Reports and Testimony

(1) The Land Surveyor shall not be untruthful, deceptive or misleading in any professional report including drawings, statement or testimony, whether or not under oath, nor shall he knowingly omit relevant and pertinent information from such report including drawings, statement or testimony when the result of such omission would or reasonably could lead to a fallacious conclusion.

(2) As an expert witness before any court, commission or other tribunal, the Land Surveyor shall express an opinion on land surveying only when it is founded upon adequate knowledge of the facts in issue, and upon his honest conviction of the accuracy and propriety of his testimony. Under such circumstances, should his knowledge be inadequate, the Land Surveyor must so state his lack of adequate knowledge of the facts in issue.

General Authority 472.03 FS. Law Implemented 472.03(3) FS. History - New 7-28-75.

21H-16.05 Conflict of Interest,

(1) The Land Surveyor shall conscientiously

March 29, 1983

Our Project No. 0381

Mr. William E. Overstreet  
7 Hughes Street  
Ft. Walton Beach, FL 32548

RE: Survey Conflict

Dear Mr. Overstreet:

We have been contacted by Albert S. Borchik, Jr., Town Clerk for the Town of Cinco Bayou concerning what appears to be a surveying conflict between your firm and ours. We were also given copies of a letter from both Mr. Eddie Rice and Mr. Joe Morgan supporting your survey.

However, we have not been notified by your firm nor have we been furnished copies of your survey showing this supposed conflict. Under the rules of professional conduct for land surveyors #21H16.03, Public Statements, Item #2 states "the Land Surveyor shall not publicly express an opinion on a land surveying assignment of another unless he is fully informed as to all of the facts relating thereto.." Therefore, I cannot understand how the three of you could possibly express such an opinion without contacting us and obtaining copies of our field notes and other survey information.

Please provide us with a copy of your survey which shows this conflict; this survey should meet the Minimum Technical Standards. We would like copies of your field notes as well (these field notes and survey drawings should be the same ones reviewed by Joe Morgan and Eddie Rice). After we have received this information, we would like to sit down with you and review this data.

I have enclosed a copy of the Rules of the State Board of Professional Land Surveyors and have forwarded copies of this letter as well as the rules of conduct to Eddie Rice, Joe Morgan and the State Board.

Very truly yours,

BASKERVILLE-DONOVAN ENGINEERS, INC.

  
Fred R. Thompson, P.L.S.  
Vice-President

FRT/ldd  
Enclosure



Warner Amex  
Cable Communications Inc.

784 North Beal Parkway, P.O. Box 2827, Fort Walton Beach, Florida 325 )  
904/862-4142 Serving Ft. Walton Beach, Crestview and Niceville

March 29, 1983

Honorable Mark O. Usrey,  
Mayor, Cinco Bayou Township  
Cinco Bayou Town Hall  
Cinco Bayou, FL 32548

Dear Mayor Usrey:

The National Cable Television Association, in cooperation with the American Cancer Society, is sponsoring the Third Annual Cancer Special entitled "Cancer: The Winners".

The 60-minute special will be cablecast on the following satellite delivery program services:

WTBS  
Cable Channel 8  
March 31, 1983  
8:05 P.M. CST

and rebroadcast  
10:35 P.M. CST

CBN  
Cable Channel 2  
April 4, 1983  
7:00 P.M. CST

We urge that you join us in encouraging public awareness of the importance of this very special program. We will tape this program in its entirety and will be pleased to provide a copy to interested groups to further promote the Cancer Special awareness.

Sincerely,

WALTER L. "PETE" PEDEN  
General Manager

WLP/jr

PLAYGROUND CHAPTER 72, INC.  
DISABLED AMERICAN VETERANS

P.O. BOX 2275  
FT. WALTON BEACH, FLA. 32549



March 26, 1983

Mayor, Max O. Usrey  
35 Kelly Ave.  
Fort Walton Beach, Florida 32548

Dear Mayor Usrey:

You and your Council Members are invited to attend the Grand Opening, and Ribbon Cutting Ceremony at the new facility of Playground Chapter 72, Inc. located at 716 Edge Ave. (Formerly 196 Circle Drive) Fort Walton Beach, near Show Town USA, Drive In Movie.

The ceremony will begin at 1:00 P.M. on the 24th day of April, 1983. This facility will be dedicated to the service of veterans, their dependents, widows and orphans.

If you have any questions please call 862-9215.

Sincerely

  
Tommy R. Simms  
Commander

4-1-83

182

# ISO COMMERCIAL RISK SERVICES, INC.

4070 BOULEVARD CENTER DRIVE JACKSONVILLE, FLORIDA 32207  
TELEPHONE: (904) 396-5901

March 30, 1983

Mr. LaVern Bechtel, City Manager  
City of Fort Walton Beach  
Post Office Box 1449  
Fort Walton Beach, Florida 32548

Dear Mr. Bechtel:

We wish to thank the city officials who cooperated with our representative during our recent survey. We have completed our evaluation of the fire insurance classification for your city and confirm that Class 4 continues to apply.

Included in our survey was the adjacent city of Cinco Bayou which is afforded fire protection by your fire department. The protection class for this area is changing from Class 4 Suburban to Class 4. This change will result in a lowering of fire insurance rates for some commercial properties in that city. The new rates are effective as of April 1, 1983.

The purpose of our visit was to gather information needed to determine a fire insurance classification which may be used to develop fire insurance rates. This survey was not conducted for property loss prevention or life safety purposes and no life safety or property loss prevention recommendations will be made.

The city classification is used in the development of fire insurance rates for properties with needed fire flows of 3500 gpm or less. The private and public protection at properties with larger fire flows are individually evaluated and the protection class at these properties could vary from the city classification.

We are attaching a copy of the Grading Sheet and the results of the hydrant flow tests witnessed during our survey.

Mr. LaVern Bechtel

-2-

March 30, 1983

If you have any questions concerning our survey and grading, please let us know.

Very truly yours,



Robert W. Brown  
Field Rating Representative

rwb:mb

Encl.

cc: ✓ Mr. Albert Borchik, Town Clerk  
Town of Cinco Bayou  
35 Kelly Avenue  
Fort Walton Beach, Florida 32548

Mr. Charlie E. Gray, Chief  
Bureau of Policy and Contract Review  
Florida Department of Insurance  
Tallahassee, Florida 32301

# City of Daytona Beach Shores

POST OFFICE BOX 7196

Daytona Beach Shores, Florida 32016

4-1-83

MB

OFFICE OF  
THE CITY MANAGER

March 31, 1983

TELEPHONE  
904 / 767-1121

Honorable Charlotte Long,  
Mayor,  
City of Holmes Beach  
5901 Marina Drive  
Holmes Beach, Fl. 33510

Dear Mayor Long:

Thank you for your letter of March 14, 1983 and for your continued initiative in promoting the mutual welfare of smaller cities. Before I get into the hottest item in our County at the moment, let me review our progress since we last met.

First, as you know, because of the efforts made by many of us the Legislature relented on imposing distribution formula on gas tax receipts in accordance with the now discredited 1/2 cent sales tax distribution and instead decided to let each County and its cities agree on the distribution of a 1 to 4 cent per gallon optional tax. We are now working with Volusia County and its other cities to bring about a fair distribution that will meet our County and City needs. These needs are peculiar to our County because of our most important roadway known as the "World's Most Famous Beach."

Secondly, whereas despite our efforts to change it, there appears to be little enthusiasm in the Legislature to change the 1/2 cent sales tax "population only" distribution formula, even though many legislators admit it is inequitable. However, one suggestion has been made by Ray Sittig which we will pursue in due course. The suggestion is that if an individual County and its Cities can agree to a different distribution formula via an interlocal agreement, then a special local act could be introduced in the Legislature taking an exception to the law for that particular County and the local act would undoubtedly pass.

Now to the issue of consolidation or annexation. Our Legislative Delegation, at a public meeting, has announced that they will sponsor a local bill this session (and has already filed it) which would mandate a study of consolidation of services and political boundaries within the Eastern portion of Volusia County. This action was taken despite the strong objection of all but two cities in the County. The bill would also mandate that the cities involved in the area to be studied (seven of them) would be forced to pay for the study, estimated at \$150,000 on a formula based half on population and half on property value. The objection of the cities centers around obtaining a guarantee from the

Honorable Charlotte Long,  
Mayor,  
City of Holmes Beach  
March 31, 1983

Page two of two

legislative group that any consolidation recommendations arrived at by the study would not be carried out in the Legislature without the agreement by the voters of each City involved, which is, of course, the present law. However, since the Legislative Delegation would not give us that assurance, the smaller cities involved have decided to fight the entire study as being undemocratic and possibly unconstitutional and we want to get support from other cities in Florida who might someday be faced with the same situation of being swallowed up without consent.

Another issue concerning this which is of great importance to all Florida Cities is that the idea of a "winner take all" vote in our County to form three cities out of the present seven has been advanced by Mayor Larry Kelly of Daytona Beach and City Manager Howard Tipton. As First Vice President of the Florida League of Cities, Kelly is in line for the Presidency next year. How can a person who advocates a "winner take all" vote to swallow up his neighbors represent the League of Cities whose motto is "Local Government is the Keystone of Democracy"?

The Volusia Cities involved are in the process of withdrawing their support for Kelly and will actively oppose him at the convention.

I am attaching a series of newspaper clippings which elaborate on the various happenings and illustrate the extreme bias of the News-Journal in trying to force a consolidation by any means they can.

You can see from the editorial opinion of the News-Journal and from the statements by Kelly and Tipton that because the Shores dared to express dissatisfaction with the 1/2 cent sales tax distribution and also tried to install a beach ramp toll to help pay for beach maintenance, that they felt the Shores had no right to exist and should be done away with. Of course they forget to mention the Shores \$230 million property value and the 5.3 miles of the "World's Most Famous Beach" which is longer than that of Daytona Beach which has 4.8 miles. Both of these would be a great bonanza for Daytona Beach to acquire.

Finally, Bob Holmquist and I thank you for the the kind words of your letter and for your support and we will be glad to be the Liaison City in our area. As the consolidation study opposition gels, we will keep you informed.

P.S. Next week you should be receiving a sample Resolution passed by cities in the Volusia County area opposing a Winner-take-all referendum.

Sincerely,  
  
Councilman  
Otto Schulze,  
Daytona Beach Shores

OS:jm

cc: Mayor & City Council  
City Manager  
Affected Cities

# Daytona Pushing Unification

By JOHN CARTER

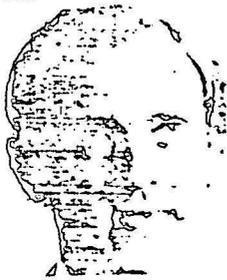
Journal Staff Writer

of beach regulations and under an independent authority Council control would be "Band Aid" measure and delay of the only real solution — part consolidation of area gov- — top Daytona Beach city of- garged Saturday.

anager Howard Tipton, saying following the lead of Mayor Lar- made that point in a letter to councilman Kurt Massfeller re- the councilman Saturday af-

was responding to a call for county supervision of all Volu- ty beaches made by Massfeller ing Thursday sponsored by the Legislative Delegation.

proposal to have the county run ches does not solve the real of delivering urban services ctively," Tipton's letter said in



TIPTON

"Daytona Beach Shores and Ponce Inlet should not exist as separate cities . . . There should be only three cities providing services in the area . . ." — Howard Tipton, Daytona Beach City Manager.

part. "Substantial cities with substantial tax bases will not need ramp tolls to finance their beach maintenance problems. Daytona Beach Shores and Ponce Inlet should not exist as separate cities but be consolidated with Port Orange and Daytona Beach."

The city manager pointed out that relieving the Shores and Ponce Inlet of the responsibility of paying for beach services would assure those cities of survival when, in fact, the orderly

growth of the Greater Daytona Beach Area would be best served by their demise.

The letter concluded: "County takeover of the beaches would be treating a symptom but not providing the best solution. There should be only three cities providing services in the (Greater Daytona Beach) area — Daytona Beach, Ormond Beach and Port Orange.

Tipton said in a Saturday interview he has joined Mayor Kelly in raising

the consolidation issue because spread public interest in the be- following unification proposals su- by State Sen. Edgar Dunn, D- Beach; Massfeller the Daytona Area Chamber of Commerce l- bon beach committee; and a editorial in the Daytona Beach Journal.

The beach problems are a board into what Tipton hopes (See UNIFICATION on Page

DAYTONA BEACH SUNDAY NEWS-JOURNAL — January 30, 1983

January 30, 1983 DAYTONA BEACH SUNDAY NEWS-JOURNAL — 3A

## Unification

(Continued from Page 1A)

productive discussions on what he says is the best longterm solution to all area problems: Consolidation. He said if one takes a larger view and discusses efficient and economical delivery of all basic government services, such as police, fire, water, sewerage, streets and other urban services, then one should add Holly Hill and South Daytona to the list of Volusia cities which should be dissolved.

Speaking as a city manager in theoretical terms without regard to politics, Tipton explained the area ideally should be composed of only three cities. He admitted that this is a judgment call, but Daytona Beach, Ormond Beach and Port Orange could become large enough to provide all services, yet not become so large they would fall prey to the loss of accountability and urban ills which plague some major cities.

In a letter last week to the City Commission and city department heads, Tipton reacted to the Morning Journal editorial, which explored several solutions to the beach crisis, including consolidation. "Small cities that have an insufficient tax base to provide service and maintain a beach are the problem. Small cities like Holly Hill and South Daytona that are basically bedroom communities and enjoy the economy stemming from the beach but have no part of the maintenance responsibility also are part of the problem," the city manager wrote.

Tipton said he knew his comments

outstanding citizens in those cities would prefer to be a part of Daytona Beach. "They're not ready to say publicly that they'll support consolidation," Kelly said, adding: "Those key people must decide."

The mayor said he is looking for some highly visible spokesmen in those cities to step forward soon and announce their support for unification.

Kelly said he endorses the comments made by Tipton in the letter to Massfeller. He pointed out that he campaigned on full consolidation of the area into one city before his first term on the City Commission. He confessed that under advice from Tipton and other experts in city management he has modified his views somewhat over the past few years and that a triumvirate of full service cities such as Daytona Beach, Ormond Beach and Port Orange is acceptable to him.

For his part, Massfeller said he welcomed the city manager's comments and considers them "the opening of a dialogue" on beach problems. In a Saturday interview only an hour after Massfeller had received the letter from Tipton, the first term county councilman said he hadn't detected strong public opinion either way on the consolidation issue and wouldn't respond formally at this time.

"If we could show the public that consolidation could lead to tax savings or improved service, especially in those areas we call 'quality of life,' then I

Massfeller theorized. He added, however, that he had sampled public attitudes on the possibility that control of the beaches would be passed over to an appointed authority and that the opinions usually were negative. He said he has perceived that it is important to Volusians that elected officials retain supervision of the beach, especially if taxpayers continue to foot the bill.

"I'm speaking only for myself, but I had a concern that the chamber committee was going to come up with an independent authority" and that that concept might be adopted, Massfeller explained. "I'd prefer the city and county work together on this. Why have a third level of government?"

The beach and all facets of its operation have long held a fascination for Massfeller. He said he was going to supply the notes for his speech before the legislative delegation to his colleagues on the County Council at Thursday's meeting and find out how others feel about his proposal.

"We have a good county government with a good staff," Massfeller said, explaining why he thinks the county is the right agency to handle a unified beach.

Another chapter in the continuing saga of beach related proposals and counterproposals likely will be played out Monday at the Daytona Beach Area Chamber of Commerce. Sen. Dunn, who has his own beach plan in hand and who has the power to affect the others, especially in the area of possible consolidation, will address the chamber's blue

providing the professional city manager's support to a topic which long has been championed by Mayor Kelly would become a "hot potato." but he also said the threat that a short term solution to beach problems might be successfully pressed by other community leaders has prodded him to action.

"Our purpose is educational," Tipton said, stressing that no plan or strategy now exists to bring about consolidation.

Kelly agreed in a separate Saturday afternoon interview, saying: "It's good to keep talking about it, keep it in front of the public so maybe something will happen."

The mayor confided that in a recent conversation with Sen. Dunn he had said: "If you really want to be gutsy, Senator, let's have a vote of the people." Kelly said he envisioned such a referendum as a choice between full consolidation of the Greater Daytona Beach Area or the creation of three large, full service cities.

"Whoever controls the water and sewer systems controls the growth and the future of an area," Kelly asserted.

Kelly said he has had several recent conferences with community leaders in the smaller cities and said that many

# Study Commission Idea Faces Opposition

MARCH 25, 1983

By JOHN CARTER  
News-Journal Staff Writer

Mayors and some councilmen from four East Volusia cities agreed Thursday to fight a proposal by the Volusia Legislative Delegation to form a commission to study the way government services are delivered to area residents.

Elected representatives and city managers from Holly Hill, South Daytona, Daytona Beach Shores and Ponce Inlet said they would enlist the aid of other small cities in Florida to oppose the study commission and to fight any attempt to merge, consolidate or annex any areas in Florida in any manner other than the so called "inside-outside" referendum.

The refusal of the Volusia Legislative Delegation to promise that it never would recommend a single referendum, or "winner take all" referendum, or would never merge any area cities through simple legislative fiat has caused the smaller cities to oppose a study commission they otherwise would have eagerly accepted, the officials

The officials decided to appoint a committee made up of the four city managers — Charles McCool of Holly Hill, Bill Dennis of South Daytona, Bob Holmquist of Daytona Beach Shores and Richard Rossi of Ponce Inlet — to begin a sophisticated attack on the proposed study commission.

said in the meeting at Holly Hill's Sica Hall.

The mayors and councilmen decided to appoint a committee made up of the four city managers — Charles McCool of Holly Hill, Bill Dennis of South Daytona, Bob Holmquist of Daytona Beach Shores and Richard Rossi of Ponce Inlet — to begin a sophisticated attack on the proposed study commission and the larger issue of consolidation.

The legislative delegation — Sen. Ed

Dunn, D-Ormond Beach; Rep. Sam Bell, D-Ormond Beach; Rep. Tom Brown, D-Port Orange; and Rep. T.K. Wetherell, D-Port Orange — have insisted that the study commission is a separate issue from the politically sensitive consolidation question and that the proposed commission should be free to do its work without any preconceived notions.

But the representatives of the smaller cities are equally insistent that the stu-

dy commission is a prelude to consolidation and several of them denounced the study commission as "a sham" during Thursday's two hour session.

McCool announced that the first meeting of the city managers' committee would be 9:30 this morning in his office at Holly Hill City Hall. Among the tasks assigned to the managers are:

○ Prepare a budget outlining how much each city should be assessed to pay for administrative expenses and professional services in the fight against the special bill which will create the commission and for the longer term battle on consolidation and annexation procedures statewide.

○ Research the costs and best methods for the smaller cities to order their own study of the benefits and disadvantages of full or functional consolidation.

○ Investigate the possibility of hiring a professional lobbyist to represent the smaller cities in the upcoming legislative session with an eye toward lining up representatives and senators from

(See OPPOSITION on Page 3B)

# Opposition

(Continued from Page 1B)

other areas to oppose the study commission bill.

○ Discuss the hiring of a "media consultant" to design ads and marshal public support for the stand of the smaller cities.

○ Continue work already begun by McCool in a statewide network of smaller cities which the Holly Hill city manager has dubbed: CIRCA, or "Citizens for the Right to a Referendum on Consolidation or Annexation."

○ Organize a hard hitting and aggressive campaign to prevent Daytona Beach Mayor Larry Kelly from assuming the presidency of the Florida League of Cities at the league's next meeting. Kelly, who has been a target of the four cities' ire since he suggested that they be dissolved and that the area should be composed of the three full service cities of Daytona Beach, Port Orange and Ormond Beach, is president elect of the league.

○ Debate the possibility of contacting other cities disgruntled with the Florida League of Cities who might want to form a new organization officials of the four cities say would be more in tune with the needs of small towns. McCool also said there has been some talk that the smaller cities might want to form their own Political Action Committee.

○ Examine the study commission bill

and the consolidation methods for larger constitutional issues which might lead the smaller cities into hiring an attorney to tie up the study commission or any merger attempt in court indefinitely.

○ Organize residents of the smaller towns so that legislators and others will be flooded with anti-consolidation letters and petitions.

South Daytona Mayor Gene Rhodes took the lead in discussions of the strategy, pointing out to the audience of about 50 officials and guests that the previous strategy of dealing with the legislative delegation had been unsuccessful. "I feel we have failed miserably thus far," Rhodes complained. "Nothing we asked for, nothing we said, was given any consideration."

The new strategy should be set up so that citizens are involved, Rhodes argued, saying that the elected officials of the smaller cities were being accused of trying to maintain their own power bases and that they had an apparent lack of credibility in fighting the commission and the merger issues.

Several of the mayors and councilmen complained that they had discussed the issues with legislators in public and in private but that their comments had been ignored. Holly Hill Councilman Dutch Mostert claimed

that the delegation's recent public hearing at Daytona Beach Community College had been "rigged" and Shores City Manager Holmquist said that the officials had been "backstabbed" by the delegation.

Shores Councilman Otto Schulze objected to a provision in the proposed special bill creating the study commission which would direct all East Volusia cities to share the expenses of the study, which has a tentative total budget of about \$150,000 in cash and "in kind" services. Schulze said, and many others at the table agreed, that he wouldn't vote for any study which is forced on the cities without their consent.

Holly Hill Mayor Don Wiggins drew a laugh and a few "Amens" when he jokingly suggested that the group favor a "winner take all" referendum which would carve up Daytona Beach in four sections and award them to the four smaller cities.

Another light moment came when Rhodes led three cheers for Ormond Beach Commissioner Nick Fortunato, who attended the meeting. Rhodes thanked the Ormond Beach officials for unanimously passing a resolution opposing any method of consolidation other than the dual referendum.

Fortunato warned the group that they

probably would be wasting their money on an attempt to garner statewide support in the Legislature to oppose the special bill creating the study commission. Such bills routinely are passed without dissent as a courtesy by legislators and it's difficult if not impossible to change that longstanding system, Fortunato explained.

Rhodes and others disagreed, saying there would be support for their stand when other areas are informed of the far reaching implications of this local bill. "It is hoped that there are legislators that aren't as arrogant as ours."

The South Daytona mayor said his city soon will begin publishing a newsletter to alert its citizens to the activities of the protest group. Wiggins said Holly Hill water customers will get an anti-consolidation message with their next water bills.

McCool said after the meeting that one of his suggestions, which will be explored at this morning's meeting of city managers, is the possibility of calling "Town Hall" meetings in each city to discuss the issue and to get some grass roots sentiment on whether the citizens would approve expenditure of large amounts of money in the fight against the study commission.

# Council Opposes a winner-take-all consolidation vote

By Maya Bell

OF THE SENTINEL STAFF

DAYTONA BEACH — The Volusia Council of Governments Wednesday overwhelmingly passed a resolution opposing a winner-take-all referendum on municipal consolidation but conceded the action may be meaningless.

Intended to influence the Volusia County legislative delegation, the resolution's impact already had been deflated Tuesday when legislators refused to promise that they never would consider the winner-take-all vote proposed by Daytona Beach officials.

The resolution passed 11 to 1, with Port Orange Mayor Jim Fisher casting the dissenting vote. No representatives from Daytona Beach or the county council were present.

Despite vehement opposition from smaller cities, the delegation decided at a public hearing Tuesday to appoint a citizen's commission to study the merits and disadvantages of merging the four smallest cities in the Halifax area with the three largest ones.

Daytona Beach officials have proposed merging Holly Hill, South Daytona, Daytona Beach Shores and Ponce Inlet into Daytona Beach, Ormond Beach and Port Orange.

As envisioned by the delegation, the Local Government Study Commission of the Halifax area would be made up of 21 Volusia residents who would make a report by Jan. 15, 1984. Chamber of commerce and elected officials would be excluded from membership.

Legislators said the estimated \$150,000 cost of the study should be financed by all Halifax cities, with each contributing a share based on population and taxable property value.

The legislators — Sen. Ed Dunn, D-Ormond Beach and state Reps. T.K. Wetherell, D-Allandale, Tom Brown, D-Port Orange, and Sam Bell, D-Ormond Beach — promised not to introduce a special bill during the coming session allowing the merger of a smaller city with a larger city on a single referendum.

They refused, however, to commit themselves to that promise in the future — an action officials from the smaller cities viewed as a major defeat.

## VOTE

From 1

"We lost very badly," South Daytona Mayor Gene Rhodes said Wednesday as he moved for adoption of the resolution. "All we wanted was a commitment from the delegation that they wouldn't circumvent state law."

Florida law requires a majority of voters in each city to approve a merger in separate referendums.

the little sentinel, Thursday, March 17, 1983

Rhodes, who proposed the resolution last month, said the smaller cities will re-evaluate their strategy and continue to fight consolidation efforts "that have been crammed down our throats."

"It's not over. We'll carry it on to the virtual death of our cities," he said.

Several mayors criticized the delegation for presenting what they said was a pre-conceived plan at the public hearing.

"If anyone was ever led down a dark path, we were. The whole thing was cut and dried," said Daytona Beach Shores Mayor Ruth Kleiber.

Humana

1000 Mar-Walt Drive  
Fort Walton Beach, Florida  
32548  
904/862-1111

4/6/83

General  
Hospital  
of Fort Walton  
Beach

March 28, 1983

Dear Fellow Resident,

General Hospital will soon initiate a new community service program for assisting terminally ill Okaloosa County residents and their families. The program is entitled Helping Hands of Okaloosa County.

The objective of this free service is to offer person-to-person help and needed emotional and practical support to those individuals and families who have special needs or problems and who are having difficulty coping and managing their illness. This type of service has been informally provided for several years, but because of the increased need, the program will be expanded and formalized.

I will be coordinating the program. Dr. Arthur Lester, Medical Director and the remaining staff will be volunteers. This staff will include professional and lay persons. An Advisory Board will be established.

A training program for working with the terminally ill will be provided. This program will include what community resources are available.

There will be no overlapping of community services. Our goal is to supplement and to refer to the already existing federal, state, and community services to the entitled patient. The services provided to the patient and family will depend on their needs and the availability of services.

Physician referral is necessary for the patient to be accepted into the program. Patients will be assisted by our volunteer staff as inpatients and/or as outpatients.

We, at General, are very excited about this community volunteer "people helping people" program. Many terminally ill individuals have expressed a desire to remain at home for their final days. Should that be their desire, we feel this program will assist them to carry out their wish.

Volunteers from all "walks of life" will be needed for this very worthwhile program.

Please present information about this new program to members of your organization. Anyone desiring to volunteer their services, may sign the attached roster. Upon receipt of this roster, I will contact each individual.

I would be very happy to meet with your group to discuss this program and/or to answer questions or I may be contacted at 863-568 for further information.

Thank you very much for assisting us in this very worthwhile project.

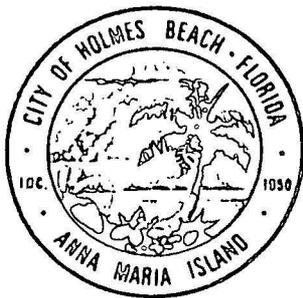
Anxiously, I await your reply.

Sincerely,

*Penny Borio*

Penny Borio, R.N., B.S.N.  
Patient Care Coordinator

PB:mlm



RECEIVED  
4-8-83

# City of Holmes Beach

April 5, 1983

The Honorable Max Usrey, Mayor  
Town of Cinco Bayou  
35 Kelly Avenue  
Ft. Walton Beach, Florida 32548

Dear Mayor Usrey:

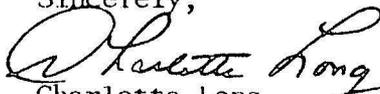
As a follow up to my letter of March 14, 1983 will you please advise if you are interested in participating with the other small resort cities in an effort to effect legislation that is in our best interests. If so, as your "liason representative" I will keep your city on the mailing list for informative material and recommendations as to how we might best serve our collective interests.

Our first and urgent issue for consideration and action is the negotiations with our Counties for an equitable distribution of any gas tax levied by our respective counties. We urge you meet with other cities in your area and your county to consider the alternatives proposed in the Special Issue Datagram recently received from the Florida League of Cities. There is attached for your review copies of letters indicating action taken on the part of the Honorable Dave Brown, Mayor of the City of Cocoa Beach.

We are kept apprised of other issues being considered by the State Legislature. It is imperative we make our concerns and wishes known to our legislative delegations on these individual matters.

Please let me know your decision as to whether or not you care to participate in our efforts.

Sincerely,

  
Charlotte Long  
Mayor

CL:jd

Enc. Brevard County League of Cities (2 letters)



# BREVARD COUNTY LEAGUE OF MUNICIPALITIES

CAPE CANAVERAL  
COCOA BEACH  
COCOA

INDIAN HARBOUR BEACH  
INDIALANTIC  
MALABAR

MELBOURNE  
MELBOURNE BEACH  
MELBOURNE VILLAGE

PALM BAY  
PALM SHORES  
ROCKLEDGE

SATELLITE BEACH  
TITUSVILLE  
WEST MELBOURNE

## "CITIES OF BREVARD WORKING TOGETHER"

March 21, 1983

Representative Marilyn Evans-Jones, Chairman  
East Central Florida Legislative Council  
1495 N. Harbor City Blvd.  
Melbourne, Florida 32935

Dear Marilyn:

In the recent Special Session, the Legislators stacked the local gas tax provisions against the cities. I hope some of our Representatives will try to amend this in the Regular Session.

The local gas tax provisions put the County in full charge, and require that cities representing a majority of municipal population must negotiate with the County.

Fine. If population is the criterion, I can suggest a much better formula for the whole thing:

1. Local governments (county and city) representing a majority of the population of a county must agree to levy a local gasoline tax of one cent, two cents, or no tax.
2. Local governments representing two-thirds of the population of a county must agree to levy a local gasoline tax of three cents, four cents, or no tax.
3. Since it is a sales tax paid by individuals, all revenue shall be divided between county (unincorporated area) and cities according to situs of population; and the cities must utilize the three-part formula adopted by the League of Cities (population, valuation, and point of collection) to achieve an equitable division among themselves.

Marilyn, I am sending this letter and the attached letter to the rest of our Brevard Delegation. I hope you will do the same for the rest of the Legislative Council. Among them, surely there will be some who want justice for the cities.

Dave Brown  
President, Brevard League

DB:vbt  
Attach.  
CC: Brevard Delegation w/attach.



## BREVARD COUNTY LEAGUE OF MUNICIPALITIES

CAPE CANAVERAL  
COCOA BEACH  
COCOA

INDIAN HARBOUR BEACH  
INDIALANTIC  
MALABAH

MELBOURNE  
MELBOURNE BEACH  
MELBOURNE VILLAGE

PALM BAY  
PALM SHORES  
ROCKLEDGE

SATELLITE BEACH  
TITUSVILLE  
WEST MELBOURNE

### "CITIES OF BREVARD WORKING TOGETHER"

March 15, 1983

To: All League Board Members

At our March 14 meeting, the membership named the Board Officers and Directors to serve as the team to make an interlocal agreement with Brevard County in case the County desires to levy a local gasoline tax of one, two, three or four cents.

We need to get our ducks in order as quickly as possible, as a co-ordinated position representing a majority of the municipal population of the County must support any interlocal agreement on division of local gas tax.

If you will study your March 4 Datagram from the Florida League, you will readily spot the jokers in this monstrous woodpile our legislators (but very few Brevardians) have handed us.

All the County has to do is drag its feet until July 16, then write its own ticket. I will take personal responsibility to turn the public spotlight on that.

I will also try to meet as quickly as possible with Central Brevard Board members to examine possible positions for the cities to take.

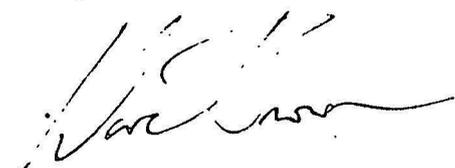
By this letter I am asking Vice President Harry Goode to meet with South Brevard Board members and Past President Joanne Schmidt to meet with North Brevard Board members for the same purpose.

This letter is also going to all City Clerks to reproduce for Council and Commission study.

It seems to me that far-and-away the best position for our cities is the 3-way formula proposed by the Florida League -- population, property valuation and point of collection:

1. Our cities have 62% of the voters, and population should parallel that.
2. Our cities have 62% of valuation.
3. By far most of the gasoline stations and other sales tax collection points will be in the cities.

Bringing the County to accept that 3-point formula is something else. If past experience is any guide, maybe they would rather sink the Graf Spee than let the British have it. The County Commissioners do not have to adopt a local gas tax. But if they do, it is up to our cities to unite and fight tooth and nail for an equitable city share.

  
Dave Brown  
President, Brevard League

TOWN OF CINCO BAYOU EXPENDITURES FOR OCTOBER 1982 THROUGH MARCH 1983

ACCOUNT	TITLE	FYE 83 BUDGET	OCT 82 thru MAR 83
20310	Centel (Repayment)	\$ 3,600.00	\$ 1,800.00
51312	Salaries and Wages	27,000.00	11,904.95
51332	Accounting and Auditing	3,200.00	3,200.00
51431	Professional Services (Legal Counsel)	5,000.00	2,117.00
51931	Professional Services (Other)	2,500.00	-0-
51940	Travel and Per Diem	6,600.00	3,590.51
51941	Communication Services	575.00	236.19
51942	Transportation	240.00	69.73
51943	Utility Services (Town Hall)	1,650.00	898.43
51945	Insurance	3,000.00	2,557.00
51946	Repairs and Maintenance	1,000.00	364.23
51949	Other Current Charges	650.00	262.57
51951	Office Supplies	1,110.00	410.57
51952	Operating Supplies	1,700.00	903.51
51954	Books, Publications, Subscriptions & Memberships	670.00	665.70
51964	Capital Outlay(Tractor-\$3,000.00&Copier-\$965.00)	3,965.00	3,662.68
51982	Aid to Private Organizations	400.00	96.00
52100	Law Enforcement	6,600.00	3,300.00
52210	Fire Control (General Fund)	29,000.00	31,482.39
52220	Fire Control (Federal Revenue Sharing)	3,500.00	3,665.00
52934	Other Contractural Services (Animal Control)	200.00	40.00

## TOWN OF CINCO BAYOU EXPENDITURES FOR OCTOBER 1982 THROUGH MARCH 1983

ACCOUNT	TITLE	FYE 83 BUDGET	OCT 82 thru MAR 83
53534	Sewage Treatment	\$ 2,680.00	\$ 7,140.00
53541	Communication Services - Lift Stations	30.00	70.92
53543	Utility Services - Lift Stations - Elec. & Water	100.00	312.55
53546	Repairs and Maintenance - Sewer System	-0-	-0-
53563	Capital Outlay - Sewer System	-0-	12,948.36
54112	Salaries and Wages (Streets)	1,040.00	668.00
54143	Utility Service	5,000.00	2,327.28
54146	Repairs and Maintenance	4,000.00	320.06
54152	Operating Supplies	500.00	-0-
54153	Road Material and Supplies	1,000.00	33.68
57212	Salaries and Wages (Parks and Recreation)	4,710.00	1,464.00
57243	Utilities (Elec-Water-Garbage)	780.00	377.80
57246	Repairs and Maintenance	1,000.00	178.09
57252	Operating Supplies	1,000.00	209.33
57400	Special Events	500.00	222.88
	TOTAL EXPENDITURES	\$ 124,500.00	\$ 97,499.41

## TOWN OF CINCO BAYOU REVENUES FOR OCTOBER 1982 THROUGH MARCH 1983

ACCOUNT	TITLE	FYE 83 BUDGET	OCT 82 thru MAR 83
311100	Ad valorem Taxes:Current	\$ 31,700.00	\$ 29,075.22
	<u>Gulf Power Company</u>		
313100	Franchise Fee	14,000.00	8,294.36
314100	Utility Service Tax	10,000.00	5,875.13
	<u>Centel</u>		
313200	Franchise Fee	1,600.00	958.64
314200	Utility Service Tax	6,000.00	3,040.10
	<u>Okaloosa Gas District</u>		
313400	Franchise Fee	1,100.00	1,267.97
314400	Utility Service Tax	2,400.00	1,947.69
313900	Warner Cable - Franchise Fee	400.00	-0-
314300	Fort Walton Beach(Water) Utility Service Tax	2,000.00	1,109.37
314800	Southeastern Public Service-Utility Service Tax	-0-	47.62
319000	Sales Tax (Received)	-0-	10.75
321100	Cinco Bayou Occupational Licenses	6,000.00	6,562.00
332100	Federal Revenue Sharing	4,400.00	1,249.00
	<u>State Shared Revenue</u>		
335110	Cigarette Tax	700.00	491.87
335120	Revenue Sharing Proceeds	21,500.00	10,998.00
335140	Mobile Home Licenses	100.00	16.75
335150	Alcoholic Beverage Licenses	500.00	478.80
335170	Local Government and Additional Homestead	-0-	-0-
335180	Local Government - Half-Cent Sales Tax	5,000.00	1,865.78
335190	Other Government - General	-0-	-0-
335410	Rebate Municipal Vehicle Fuel	-0-	16.30
338100	Road and Bridg Tax - Okaloosa County	2,000.00	1,684.46
338200	Occupational Licenses - Okaloosa County	100.00	57.92
351100	Municipal Fines - Okaloosa County	1,500.00	646.00
359000	Other Fines and Forfeitures	-0-	32.50
361110	Barnett Bank (Interest-CD'S, MMA, & Savings)	13,000.00	7,774.28
362000	Rent - Received	-0-	700.00
369000	Other Miscellaneous Revenues	500.00	1,655.00
	<b>TOTAL REVENUES</b>	<b>\$ 124,500.00</b>	<b>\$ 85,855.51</b>