

REGULAR BUSINESS

1. Minutes - March 10, 1994 - Councilwoman Chamberlain made a motion to approve the minutes of March 10, 1994, seconded by Councilman Kendrick. The motion was unanimously approved.

2. Financial Report - March, 1994 - Councilman Kendrick made a motion to approve the financial report of March, 1994, seconded by Councilwoman Chamberlain. The motion was unanimously approved.

3. AMSEC Rate Increase Request - Mr. Staley - Mr. Mose Staley, American Security, informed the Council that AMSEC was requesting a rate increase of \$50.00 per month due to the increase in their liability and worker's compensation insurance. The increase would increase their rates to \$1,350.00 per month for security services for the Town. Councilman Skelly made a motion to accept the rate increase as proposed by American Security of \$50.00 per month, seconded by Councilman Kendrick. During the discussion, Councilman Kendrick stated that he would prefer to have a recommendation from the Town Manager before voting on this issue. Councilman Skelly stated that he would also prefer a recommendation from the Town Manager, however, he felt comfortable allowing his motion to stand. Mr. John Wright asked that the Council obtain the Town Manager's recommendation before approval of the rate increase. Mr. Wright informed the Council that his car had been broken into twice and he expressed his concern about the service received from AMSEC. Mayor Pro-Tem Gage asked if Councilman Skelly would consider tabling this item in response to Mr. Wright's comments and Councilman Skelly answered that he would withdraw his motion. Councilman Skelly then made a motion to table this item, seconded by Councilman Kendrick. The motion was unanimously approved.

4. WPSM Radio - Mr. Thorn - Mr. Terry Thorne, WPSM Radio, addressed the Council and introduced the following people: Mr. Nathaniel Johnson, WPSM Board member; Mr. Ron Toole, engineer for WPSM; Mr. Robinson Harrel, attorney for WPSM; and Mr. Larry Patrick. Mr. Thorne informed the Council that on September 9, 1993, he had requested a variance to Section 17-9, Additional Height and Area Restriction, of the Code of Ordinances for a new WSPM antenna tower at their Kelly Avenue location, the reason being that the station had been granted a license for increased transmission power and the higher antenna would allow the station to reach more of the Florida Panhandle, Alabama, Mississippi & Georgia.. The request for a variance was denied. Since that time, WPSM Radio has decided that it would be safer to build a self-supporting tower, designed to meet any wind resistance factor that the Council required. He stated that he had talked to neighboring residents and businesses and they had no objections to the tower. He also talked to the residents and business owners who had voiced concerns about radio interference and assured them that according to the FCC regulations, WPSM Radio was required to respond to and correct any complaint regarding radio interference. Following Mr. Thorne's presentation, Mayor Pro-Tem Gage informed Mr. Thorne that he would need to reapply for the variance request to the height restriction as the previous request was denied. Mr. Thorne asked Mayor Pro-Tem Gage if he could poll the Council for their opinion regarding the proposed

tower. Councilwoman Chamberlain stated that she had no objections to the tower as long as the building specifications required a 200 mph wind resistance factor. Councilman Broxson stated that he had no objections to the tower. Councilman Skelly stated that he was still concerned about the aesthetics of a 200 foot tower, and also about setting a precedent for allowing the additional height, however, he would consider the request. Councilman Kendrick stated that he was concerned about the structural engineering of the tower and its meeting the 200 mph wind resistance factor, however, he would be inclined to be in favor of the tower. Councilman Gage stated that he had no objections to the tower. Mr. Thorne thanked the Council for their consideration and explained that their FCC permit would expire on April 29, 1994. In order to file for an extension of time, he would need documentation from the Town showing that the permit is under consideration pending approval of the variance from the Planning and Zoning Board. Attorney McInnis advised Mr. Thorne to apply for the variance request and ask the Town Manager to write a letter to the FCC confirming that the variance application has been made.

5. Tree Removal Permit - Mr. Taormina Mr. Sam Taormina, 152 Opp Boulevard, addressed the Council asking for permission to remove a very large pine tree on the front of his property. It appears that the root system from this tree is causing drainage problems and lifting the concrete in the driveway. Engineer King agreed that the tree is causing problems and recommended that Mr. Taormina be granted permission for the removal of the tree if his survey shows that the tree is on his property. If the tree is not on his property, the Town would be responsible for the tree removal. Councilwoman Chamberlain made a motion to approve the tree removal permit if the tree is on Mr. Taormina's property, seconded by Councilman Skelly. Councilman Skelly asked that Mr. Taormina replace the tree and Mr. Taormina agreed that he would replace the tree. The motion was unanimously approved.

6. Captiva Cove Boat Dock Permit There were no objections to the boat dock permit. Councilman Skelly asked that the Town Manager confirm that the neighboring residents were given notification of the proposed boat dock.

7. Curb/Street/Drain Projects - Mr. King, Town Engineer Engineer King submitted the finalized construction plans for the removal of the existing curb and installation of gutter curbing and driveway turnouts along Kidd Street for the Council's review and approval before advertising for construction bids. Mayor Pro-Tem Gage asked if there were any comments from the public. Mr. Gene Earley, representing the Cinco Baptist Church, stated that on September 9, 1993, he submitted a plan for parking on the Kidd Street right-of-way adjacent to the Church. The plan was approved by the Council contingent upon review and approval of the Town Engineer. Mr. Earley asked why the plans he submitted had not been reviewed and why the variance and franchise agreements had not been granted. He stated that a full landscape and drainage plan had been submitted and that he had asked Mr. Borchik for the approval.

Attorney McInnis advised Mr. Earley that the final plans had never been submitted to the Town Manager or the Town Engineer for their review. A lengthy discussion followed concerning the plans initially submitted and the Town's requirement for engineering drawings. There appears to be general confusion as to process and the necessary requirements for approval of this parking area project. Following additional discussion, Councilman Skelly made a motion to bid out for construction according to plans submitted by the Town Engineer tonight, seconded by Councilwoman Chamberlain. Councilman Kendrick stated that he believed it to be grossly unfair to the Church to proceed with this project and also stated that there appeared to be a general breakdown in communications in the chain of events with the parking and curb project. Councilman Kendrick also stated that he believed we have an obligation to anybody, legally and morally, to write somebody, put it in writing to someone and inform them they are in violation of the Code or requirement or whatever and expressed concern for legal action against the Town if proper notice is not given. Councilwoman Chamberlain stated that she believed the March 11, 1994 letter to Reverend Evers was sufficient notice. When questioned concerning the plan submitted that evening, the Town Engineer stated that the plans do not satisfy the requirements of the Land Development Code and cited the areas concerned. Mr. Earley stated that he did what the Town Manager asked him to do. Following another discussion about the requirements for the parking area, Mayor Pro-Tem Gage asked Councilman Skelly to restate his motion. Councilman Skelly stated that his motion was that the drawings submitted by the Town Engineer for the curb and landscaping project on Kidd Street be submitted for bid. Mayor Pro-Tem Gage called for the vote and the motion was approved, 3 to 1 with Councilman Kendrick voting "Nay". Councilman Skelly then made a motion that the bids be properly advertised and opened at the May 12, 1994 Town Council meeting, seconded by Councilwoman Chamberlain. Mr. Earley questioned the closing of the driveway at the basketball court. The Town Engineer advised that it was not considered a driveway since there was a post in the middle of it. As the result of a discussion concerning the post, it was determined that if the post was removed by April 22, 1994, the driveway entrance would be included in the project plans. Councilman Kendrick expressed concern for the precedent being set with the approval of this project and in the way it was conducted.

8. Landscaping Committee Report - Mr. Summerlin Mr. Summerlin was not present and this item was tabled until the May Council meeting.

COUNCILMEMBERS REPORTS/COMMENTS - There were no comments.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME - Mr. John Wright, Kidd Street, asked if the Town was required to pay for pick-up for the recent Town Clean-Up and questioned why the clean-up pick-up was scheduled on regular pick-up days with the same requirements as daily pick-up. He recommended that the Council return to the old clean-up procedure with dumpsters around town as in the past.

COMMITTEE REPORTS

1. Administrative Committee - No report.
2. Finance & Budget Committee - No report.
3. Comprehensive Plan Committee - No report.

CORRESPONDENCE

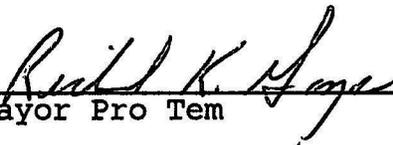
1. Letter, Mayor Trenary, Support for Resolution Request- This item was previously addressed.
2. Letter, FDOT - Wildflowers on ROW - No comment or action.
3. Letter, FDOT - Landscape ROW - No comment or action.
4. Letter, Mr. Leach - Mayor Pro Tem Gage stated that portion of Mr Leach's letter pertaining to parking along Kidd Street had been previously addressed and there were no comments or action on other items in the letter.

Councilman Kendrick questioned the Town Newsletter - Who writes it and why is the Mayor's picture on cover? The present format appears to be a political statement. Requested further publications have headline across the top and show where it comes from, i.e., Mayor, Town Council, Councilmembers, etc. Also request Council review and approve future newsletters prior to distribution. Mayor Pro Tem Gage suggested this item be on next meeting's agenda.

TOWN MANAGER'S REPORT - The Town Manager was not present.

MAYOR'S ANNOUNCEMENTS - Mayor Laginess was not present and Mayor Pro Tem Gage had no announcements.

There being no further business, the meeting adjourned at 7:55 PM.



Mayor Pro Tem

ATTEST:



Town Manager/Clerk

RESOLUTION 94-03

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, OPPOSING THE CONVERSION FROM ENGLISH TO METRIC UNITS OF MEASURE.

WHEREAS, the National Metric Conversion Act of 1975 was amended by Section 5164 of the Omnibus Trade and Competitiveness Act of 1988 (P.L. 1000-418) mandating use of the metric system of measurement for federal government business; and

WHEREAS, in 1991, Executive Order 12770 directed federal agencies to take all appropriate measures to carry out the conversion to the metric system of measurement; and

WHEREAS, the Secretary of the U.S. Department of Transportation approved the Federal Highway Administration plan to convert documents, manuals, and publications by 1994; convert data collection by 1995; and allow only all metric construction jobs to be bid after September 1996; and

WHEREAS, the total cost estimate for a national conversion to metric is \$200 million and the estimate just for changing signs in the State of Florida is \$20 million and these costs do not include the total cost of training professionals and public education; and

WHEREAS, there will be a great amount of confusion resulting from gradual changeover to the metric system because many federal agencies and most state agencies have not filed conversion plans and there is no formal coordination effort underway.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

1. That the Town of Cinco Bayou opposes conversion to the metric system of measurement because of the high public cost at a time when state and federal funds are insufficient to meet increasing transportation capacity needs of the State of Florida and Town of Cinco Bayou;

2. That the Town of Cinco Bayou opposes conversion to the metric system because of the high cost to educate the public and public confusion that will result from changing the system of measurement;

3. If Executive Order 12770 is to be implemented, the United States Congress and United States Department of Transportation shall bear the total cost of converting roadway signs and measurements at all levels of government - federal, state, and local - and delivering the public education program in one coordinated effort.

Adopted this 14th day of April, 1994.

Approved:

Mayor

Attest:

Town Manager/Clerk

RESOLUTION 94-04

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA, SUPPORTING THE AFFORDABLE HOUSING PROGRAM IN THE TOWN OF CINCO BAYOU, OKALOOSA COUNTY, FLORIDA.

WHEREAS, the Cinco Bayou Town Council is aware of the need for affordable housing in the Town and immediate area; and

WHEREAS, the Cinco Bayou Town Council has prepared and adopted procedures concerning site plans, concurrency requirements, drainage and utility plans and plat approval to accommodate affordable housing development within the Town; and

WHEREAS, the Cinco Bayou Town Council has developed a checklist of required information to satisfy the permit application and plans review process for affordable housing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, OKALOOSA COUNTY, FLORIDA, THAT:

1. The Cinco Bayou Town Council fully supports the Affordable Housing Program.

2. The Cinco Bayou Town Council has authorized the preparation of an Affordable Housing Incentive Plan for the Town.

ADOPTED THIS ____ DAY OF _____, 1994

APPROVED:

Mayor

ATTEST:

Town Manager/Clerk

PROCLAMATION

WHEREAS, The Okaloosa County Retired and Senior Volunteer Program (RSVP) has expanded community service opportunities for older adults, age 55 and over, for 1994; and

WHEREAS, more than 750 RSVP volunteers, sponsored by the Okaloosa County Council on Aging, volunteered 83,000 hours of service during 1993, helping out with Meals On Wheels, Sharing & Caring, and other activities; and

WHEREAS, RSVP, as part of the new Corporation for National and Community Service (CNCS), taps the talents of young and old alike to address human needs, education, environmental and public safety issues;

NOW, THEREFORE I, Charles R. Laginess, Mayor of the Town of Cinco Bayou, do hereby proclaim April 20, 1994 as NATIONAL RSVP DAY IN CINCO BAYOU and I ask all citizens, whatever their ages or backgrounds, to join in the National Service movement and volunteer.

ADOPTED this 14th day of April, 1994.

Mayor, Town of Cinco Bayou

Town Manager/Clerk

City of Fort Walton Beach

3/16/94 183
Office of the Mayor

P.O. Box 4009 • Fort Walton Beach, Florida 32549
Telephone (904) 243-3141

March 16, 1994

The Honorable Chuck Laginess
Mayor of Cinco Bayou
10 Yacht Club Drive
Fort Walton Beach, FL 32548

Dear Mayor Laginess:

The City Council of the City of Fort Walton Beach passed the enclosed Resolution 94-6 on March 8, 1994.

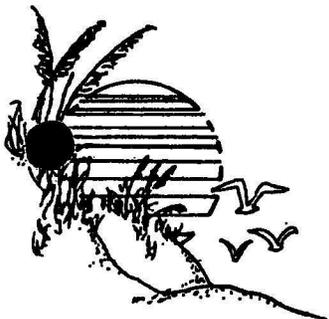
The Resolution encourages the opposition of the conversion from English to Metric units of measure because of the high cost to educate the public and public confusion that will result from changing the system of measurement. I am personally aware of efforts to make this change since 1933.

The resolution is forwarded for your information and to advise that I am sending it to all of our Florida elected representatives and the Florida Department of Transportation. I earnestly request your support.

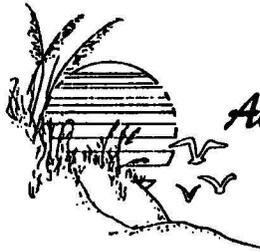
Sincerely,


Larry Brenary
Mayor

T/lve



AMERICA'S MOST BEAUTIFUL BEACHES 



City of Fort Walton Beach
America's Most Beautiful Beaches

Resolution 94-6

A RESOLUTION OF THE CITY OF FORT WALTON BEACH, FLORIDA OPPOSING THE CONVERSION FROM ENGLISH TO METRIC UNITS OF MEASURE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the National Metric Conversion Act of 1975 was amended by Section 5164 of the Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418) mandating use of the metric system of measurement for federal government business; and

WHEREAS, in 1991, Executive Order 12770 directed federal agencies to take all appropriate measures to carry out the conversion to the metric system of measurement; and

WHEREAS, the Secretary of the U.S. Department of Transportation approved the Federal Highway Administration plan to convert documents, manuals, and publications by 1994; convert data collection by 1995; and allow only all metric construction jobs to be bid after September 1996; and

WHEREAS, the total cost estimate for a national conversion to metric is \$200 million and the estimate just for changing signs in the State of Florida is \$20 million and these costs do not include the total cost of training professionals and public education; and

WHEREAS, there will be a great amount of confusion resulting from gradual changeover to the metric system because many federal agencies and most state agencies have not filed conversion plans and there is no formal coordination effort underway.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA:

SECTION I: That the City of Fort Walton Beach opposes conversion to the metric system of measurement because of the high public cost at a time when state and federal funds are insufficient to meet increasing transportation capacity needs of the State of Florida and the City of Fort Walton Beach;

SECTION II: That the City of Fort Walton Beach opposes conversion to the metric system because of the high cost to educate the public and public confusion that will result from changing the system of measurement;

SECTION III: If Executive Order 12770 is to be implemented, the United States Congress and United States Department of Transportation shall bear the total cost of converting roadway signs and measurements at all levels of government - federal, state, and local - and delivering the public education program in one coordinated effort;

SECTION IV: This resolution shall take effect immediately upon approval by Council and signature of the Mayor.

ADOPTED: March 8, 1994

ATTEST:
Helen A. Jensen
CITY CLERK

MAYOR: Narry Jensen

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney.

Jerome Miller
CITY ATTORNEY

DISPOSITION
Rep-FI.
DOT
Governor

DEC 14 1994 MSB



TOWN OF CINCO BAYOU

10 YACHT CLUB DRIVE (CINCO BAYOU)
FT. WALTON BEACH, FLORIDA 32548-4436
904-244-2712

APPLICATION FOR LANDSCAPING PERMIT

THIS PERMIT IS REQUIRED FOR ALL LANDSCAPING ACTIVITIES WITHIN THE TOWN OF CINCO BAYOU IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 10.5, CINCO BAYOU CODE OF ORDINANCES. FEE - \$10.00

APPLICANT: SAM TAORMINA

ADDRESS: 152 OPP BLVD.

LOCATION OF WORK: 152 OPP BLVD.

REASON FOR WORK: TREE REMOVAL, FRONT YARD, (CAUSING INADEQUATE DRAINAGE, DUE TO MASSIVE ROOT STRUCTURE), SERIOUS WATER DRAINAGE PROBLEM! POSSIBLE CONSTRUCTION OF RETENTION POND?

START DATE: ASAP COMPLETION DATE: N/A

INDIVIDUAL/AGENCY DOING THE WORK: SELF

RESPONSIBLE INDIVIDUAL: SAM TAORMINA

PHONE NUMBER: 244-7970

Sam Taormina
APPLICANT

3-23-94
DATE

APPROVED _____

DISAPPROVED _____

FEE PAID _____

TOWN MANAGER/CLERK

DATE

REMARKS: _____

AMERICAN SECURITY

AMSEC, INC.

P.O. BOX 1357 • FORT WALTON BEACH, FLORIDA 32549

Phone (904) 244-2415 or 243-8614



March 5, 1994

Dear Client:

The purpose of this letter is to advise you of a rate increase for our services which will become effective 15 March 1994. This increase is necessary in order to cover the significant increase in liability insurance and operating costs.

As you know, the only rate increases we have passed on to our clients since 1977 have been as a direct result of government mandated changes such as raises in minimum wage, or insurance industry related such as increases in Liability Insurance (\$25,000 from one policy year to the next.) This year in spite of predicted industry wide savings, our liability insurance costs went up by thirty percent. The security industry's rate for liability is among the highest in the industry by virtue of our being in the same rate category as police officers.

An increase of this magnitude makes it impossible for a small business like ours to absorb the additional costs. We have made careful calculations to minimize your cost by applying the increase only to the guard wage and not as a percent of the overall rate charged.

We appreciate the opportunity to serve you and wish you a successful and prosperous year.

Sincerely,

Mose Staley
General Manager

GUARD AND PATROL SERVICES

P S A L M S R A D I O
WPSM 91.1
FM

Ft. Walton Beach, Florida

RECEIVED
3/31/94
168B

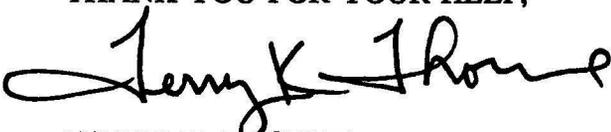
MAYOR LAGINESS
26 NE YACHT CLUB DRIVE
CINCO BAYOU, FLORIDA

MARCH 30, 1994

DEAR MAYOR LAGINESS,

I WOULD LIKE THE OPPORTUNITY TO ADDRESS THE COUNCIL AT YOUR NEXT MEETING ON THURSDAY, APRIL 14. AS YOU KNOW, I AM REQUESTING A VARIANCE ON OUR TOWER HEIGHT OF 120 TO 200 FEET. I BELIEVE I HAVE COME UP WITH SOLUTIONS TO ALL THE CONCERNS THAT THE COUNCIL HAD THE FIRST TIME THAT WE MET. WE ARE NOW PROPOSING A FREE STANDING TOWER INSTEAD OF A GUIDED TOWER, MAKING IT MUCH SAFER FOR THE COMMUNITY. ALSO, THE INTERFERENCE PROBLEMS A FEW OF OUR NEIGHBORS ARE HAVING, I BELIEVE THAT WE CAN SOLVE THESE PROBLEMS. I ALSO HAVE A PLAN TO MAKE THE TOWER AND OUR PROPERTY AT 13 KELLY, ONE THE NICEST LOOKING PIECES OF PROPERTY IN CINCO BAYOU. WE PLAN TO ADD TREES AND LANDSCAPING, AND RENOVATIONS TO OUR BUILDING TO MAKE IT VERY ATTRACTIVE FOR THE COMMUNITY. I REALLY HOPE THAT ALL THESE THINGS WILL BE TAKEN INTO CONSIDERATION BY THE COUNCIL, AND ANY QUESTIONS THAT THEY HAVE, I WILL BE ABLE TO ANSWER THEM.

THANK YOU FOR YOUR HELP,



TERRY K. THORNE
STATION MANAGER
WPSM RADIO



Lawton Chiles
Governor

Florida Department of Environmental Protection

RECEIVED
4/4/94
MS

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

April 1, 1994

Mayor
Town of Cinco Bayou
10 Yacht Club Drive
Ft. Walton Beach, Florida 32548-0443

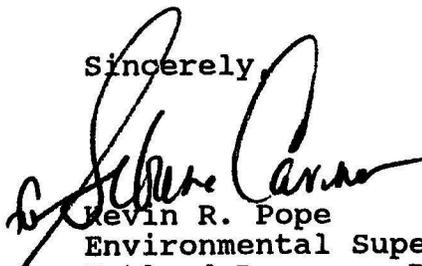
Dear Sirs:

Enclosed is a standard form application (File 462481359, Captiva Development Company, Inc.) which involves dredge and fill activities in waters of the State within the limits of your jurisdiction. Section 403.911, Florida Statutes, as amended by the 1984 session of the Florida Legislature, requires the Department to notify the local government within 10 days of receipt of an application for a dredge and fill permit. The local government has 14 days from the time it receives the notification for a short-form application and 60 days from the time it receives the notification for a standard-form application to file objections to the application. Furthermore, the local government may participate as a party to the procedure and may request a hearing pursuant to Section 120.57, Florida Statutes, within 14 days after receiving notice of the Department's intent. If the local government does not file objections within the designated time period or request an intent letter, the Department will assume that the local government does not wish to receive a notice of intent.

Objections should be mailed to the undersigned at the letterhead address and should reference the file number.

If you have any questions, please contact the Department.

Sincerely,

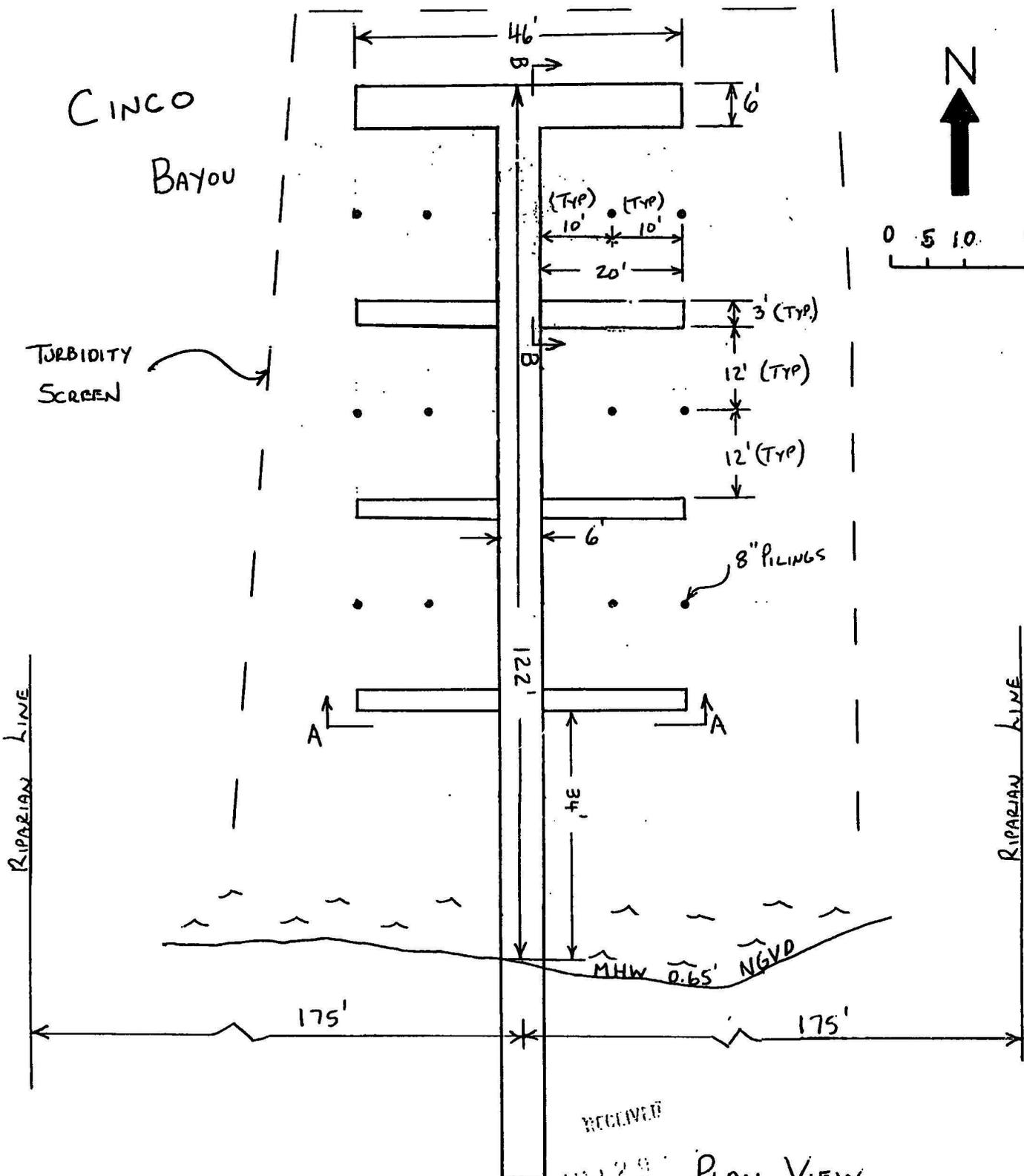
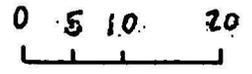


Kevin R. Pope
Environmental Supervisor
Wetland Resource Regulation

KRP/sdc

CINCO BAYOU

TURBIDITY SCREEN



RECEIVED

1/29/94 PLAN VIEW

W.L. [unclear]

Applicant: CAPTIVA DEVELOPMENT Co. Inc
Water Body: CINCO BAYOU
County: OKALOOSA
Datum: NGVD '29

Purpose: BOAT DOCKING FACILITY
Original Work Maintenance
Sheet No.: 2 of 4
Date: JAN. 24, 1994

FLORIDA

LAWTON CHILES
GOVERNOR



DEPARTMENT OF TRANSPORTATION

1/21/94
BWB
BEN G. WATTS
SECRETARY

Post Office Box 607
Chipley, Florida 32428
January 19, 1994

Mr. Al Borchik, Town Manager
Town of Cinco Bayou
Number Ten Yacht Club Drive
Ft. Walton, Florida 32548

Dear Mr. Borchik:

Thank you for your favorable comments concerning "Operation Wildflower." The Department would be most interested in a co-sponsor for a wildflower site along a state highway in your town. Certain criteria such as visibility, safety, soil type and the type of flower desired for such a site must be met. I suggest that we meet to discuss the options and plans for the anticipated site. The planting season for 1994 begins in October and plans should be completed prior to this time.

I am inclosing materials which may be helpful to you. Please call at your convenience to further discuss plans for co-sponsoring wildflowers in Cinco Bayou. If you have any questions, please do not hesitate to call me at 904-638-0250, extension 243.

Sincerely,

Ralph C. Carter
District Vegetative Specialist

RCC:th

Enclosures

FLORIDA

LAWTON CHILES
GOVERNOR



DEPARTMENT OF TRANSPORTATION

BEN G. WATTS
SECRETARY

3/17/94 1283

Post Office Box 607
Chipley, Florida 32428
March 16, 1994

Mr. Al Borchik
Town of Cinco Bayou
10 Yacht Club Drive
Fort Walton Beach, Florida 32548

RE: LANDSCAPING ON FDOT RIGHTS OF WAY

Dear Mr. Borchik:

Enclosed is a copy of the Florida Department of Transportation's Interim Landscape Guide. Plans should be prepared in accordance with these guidelines and submitted to our maintenance office in Fort Walton Beach. A Maintenance Agreement with the Town of Cinco Bayou will also be required before the landscaping project can be approved. Plans should be drawn to scale, however if no trunked plants are to be used, the "Limit of Clear Sight" lines required in Section 5A may be omitted.

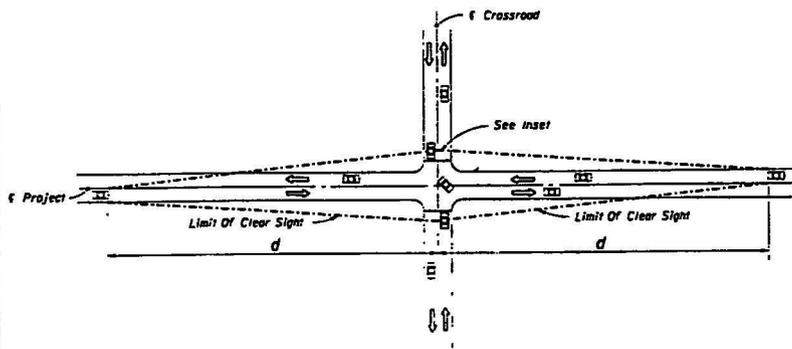
Permit applications may be obtained from our local office in Fort Walton. You may contact Mr. D. C. Johnson, Permit Engineer at phone number (904) 833-9118 to obtain copies of the permit application or if you need assistance in completing the form.

If you have any questions or if I may be of further assistance, please let me know.

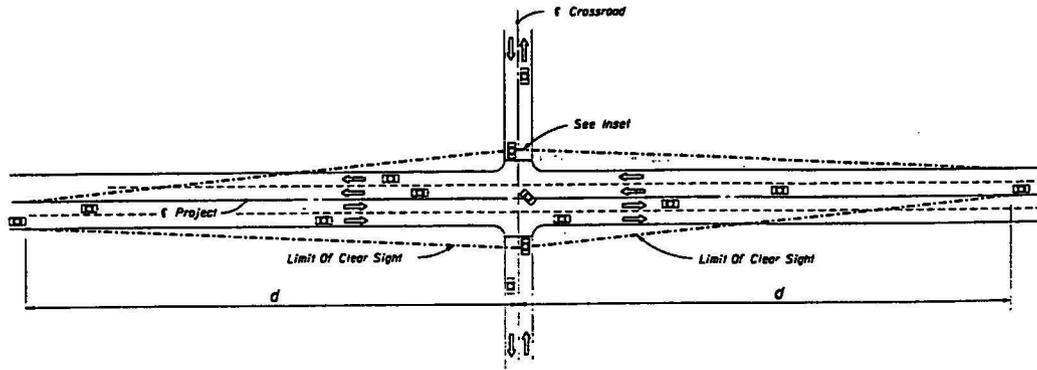
Sincerely,

Preston Toole
District Permits Engineer

cc: Mr. D. C. Johnson



2 LANE UNDIVIDED • SIGNALIZED OR STOP SIGN CONTROLLED



MULTILANE UNDIVIDED • SIGNALIZED OR STOP SIGN CONTROLLED

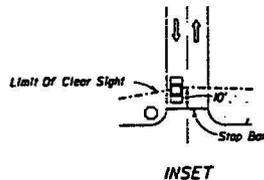
DESIGN NOTES

- The information shown on this index is intended solely for the purpose of landscape development and maintenance, and is not intended to be used to establish geometric design, right of way, speed control, signing, marking, lighting or signalization, or to establish roadway and roadside safety except as related to landscaping.
- Sight distance (d) is measured from the center of the intersection along the major highway.

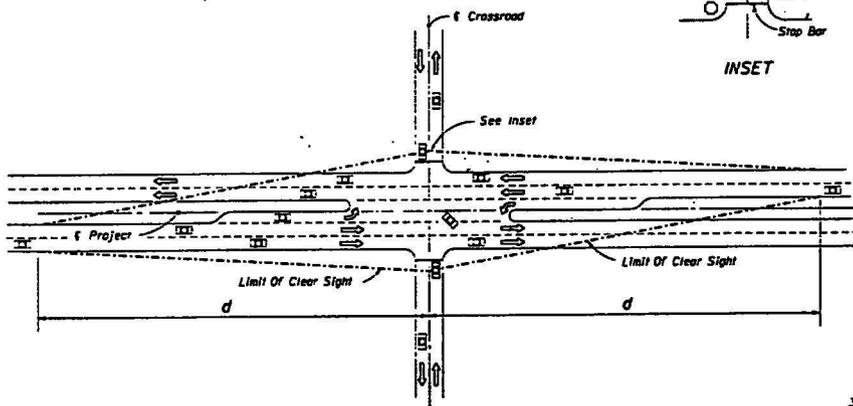
Design Speed MPH	d
55	1450'
45	950'
35	590'

GENERAL NOTES

- Details are based on the AASHTO 'A Policy On Geometric Design Of Highways And Streets', Chapter II, Cases III and IV.
- Details apply to rural and urban highways and streets.
- Details also apply to skewed intersections, and where vertical and/or horizontal curves are present.
- a. The limits of clear sight define a corridor throughout which a clear sight window must be preserved. See WINDOW DETAIL.
b. Clear sight must be provided between vehicles at crossroad stop bars, and vehicles on the project at any point within dimension 'd'.
c. Clear sight is provided by a sight line originating 3.50' above the pavement at the drivers eye level and ending 4' above the pavement of the vehicle observed.
- The corridor defined by the limits of clear sight is a restricted planting area. Drivers of vehicles on the crossroad and vehicles on the project must be able to see each other clearly throughout the limits of 'd'. Plants within the restricted areas are limited to selections as follows:
Ground Covers - Plant selection of low growing vegetation which at maturity does not attain a height greater than 1' (foot) below the sight line datum.
Trees, Palms Or Other Trunked Plants - Plant selection of a mature trunk diameter 4" or less measured at 6" above the ground. Canopy or high barked foliage shall never be lower than 3' (feet) above the sight line datum. These selections shall be spaced no closer than 20 feet.
- If, in the Engineers judgement, landscaping interferes with the line of sight prescribed by these standards the Engineer may rearrange, relocate or eliminate plantings.
- Plants shall never obscure signs or signals.



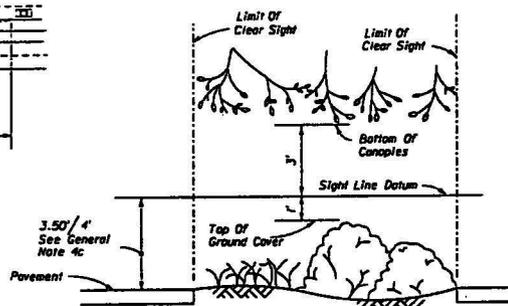
INSET



MULTILANE DIVIDED • SIGNALIZED OR STOP SIGN CONTROLLED

LEGEND

Restricted Planting Areas



The Intent Of This Standard Is To Provide A Window With Vertical Limits 3' Above And 4' Below The Sight Line Datum, And Horizontal Limits Defined By The Limits Of Clear Sight.

WINDOW DETAIL

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
ROAD DESIGN

LANDSCAPING
AT INTERSECTIONS

Designed By	CDP/PLM	G/SB	Approved By	[Signature]
Drawn By	MSB	G/SB	Scale	1/8" = 1'-0"
Checked By	ANG/PLM	G/SB	Sheet No.	546
F.A.S.A. Approved	6/8/98		1 of 1	

RECEIVED
3/23/94

M.B.

23 Mar 94

Tom Leach
254 Kidd Street N.E.
Fort Walton Beach, Fl 32548
664-6559

Mayor of Cinco Bayou and the Members of the Town Council:

On 26 Feb 93 I wrote a letter to all of you asking that something finally be done about Cinco Bayou Baptist Church use of the town's right of way. In addition to my letter you also received a letter from another neighbor concerning safety and the same right of way. In the weeks following I also attended a meeting of the town council where several members of the church attended. It was my understanding following that meeting that some common ground was found between the town and the church and that the problem would be worked out.

Yesterday, 22 Mar 94, I talked with Mr. Borchik at length concerning this right of way. I asked him once again to review the history of the specific problems concerning this issue. For the majority of you on the council this is nothing new as each of you have been members for some time now. The issue goes all the way back to the Mid-80s where the church illegally started using the right of way for parking. They were told it was illegal and what it would take to make it legal. For reasons beyond my comprehension no action was taken by the church to come within the law and no action by the council was ever taken to make them.

Now for over a year the issue has been on your agenda. In reviewing your latest meeting it is my understanding that the church has been given another extension and that any physical change to the problem must be started by 1 May 94 and finished shortly thereafter. However, months back in the Fall of 93 their preliminary idea was approved by the council and I clearly understood as a citizen attending that meeting that the church was to formalize their plans and present them to the town for review by the town engineer. Council members, they did not produce the proper product and each of you have let them slide and slide. How many strikes are allowed in this game? Your lack of applying yourselves to making a decision and sticking by it demonstrate terrible lack of judgment. By your pussy-footing around you have failed to enforce laws already on the books, subjected the public at large to an unsafe area, and added to environmental problems by the run off.

On 17 Dec 93 I also wrote a letter to the Elders of Cinco Bayou Baptist Church asking them for their cooperation. It is my belief that had I not written that letter they may not have even contacted the town again. I have no reason to believe one year later they will act, I only have hope.

My bottom line is I'm a taxpayer. I did not ask the council to act on anything outside of your responsibility. I did not ask you to do anything illegal. On the contrary I asked you to act on something that has been done illegally since the mid 1980s. Any professional person would be ashamed and embarrassed in the same circumstances having taken no action at all. It simply is shirking ones responsibilities. Each of you continues to sit on the town council as a representative of the people. I doubt that any of you will like it but I might suggest "If you are not part of the solution, you are part of the problem". I'm sure each of you as individuals would not accept this type of action on the part of your doctor, plumber, or auto mechanic. I ask, why should I accept it of you?

I anxiously await late May to see the results of your latest communications with the church. I want them to be fruitful. Lastly, the second part of my 23 Feb 93 letter also seems to be at a standstill. Unsightly properties continue to flourish in the town of Cinco Bayou.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Leach". The signature is written in black ink and is positioned below the word "Sincerely,".