

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
May 18, 1978

Town officials in attendance: Council members Irene Balsley, Phil Johnston, Harold Peek, Max Usrey and Ralph Perry; Attorney Rick Powell and Recorder Dee Rouse. Absent: Mayor Jim Kendrick.

Also present were: Peggy Roberts representing Playground Daily News, Mr. & Mrs. James Sumblin, Abbie Tyner, Adelia Robblee, Frank Lane, Ed Hodges, Bessie Yates, Marvin Henley, Joe Etheredge, Marj Crawford, Mr. & Mrs. J. T. Culley, Kevin Brow and Attorney Mike Chesser.

Therefore, a quorum being present, Mayor Pro-Tem Phil Johnston opened the meeting with silent prayer at 7 p.m.

1. MINUTES-REGULAR COUNCIL MEETING-APRIL 20, 1978. Motion by Mr. Peek to accept as printed, seconded by Mrs. Balsley. Motion carried unanimously.
2. FINANCIAL STATEMENT-APRIL 1978. Motion by Mrs. Balsley to approve as presented, seconded by Mr. Perry. Motion carried unanimously.
3. ORDINANCE-FINAL READING-CHANGE ZONING FROM R-1 (RESIDENTIAL) to C-1 (LIMITED COMMERCIAL) - LOTS 2, 3, 4, 14 & 15, BLOCK 11; LOTS 2, 3, 13, 14 & 15, BLOCK 18; AND ALL OF BLOCKS 25 & 26.

Attorney performed final reading by title only. Motion by Mr. Perry to adopt ordinance, seconded by Mr. Peek. Motion carried unanimously. (Clerk's note: This ordinance will be number 64).

4. COMMERCIAL FISHING IN BAYOU-JOE JENUS. Mr. Jenus was not present.
6. SEAWAY BOAT RAMP. Clerk indicated Mr. Burt had negotiated, as directed by Council at the April 20th meeting, with V & F Excavating Inc., LaVerne M. Young, President, of 104 Bayou Drive, Niceville, Florida, in the amount of \$7307.60. As this is above the original grant of \$6536.84, the County has gone back to Tallahassee with a request for an additional \$1400.00, which will also cover the engineering fee. Clerk indicated he and Mr. Burt had agreed to recommend to Council to proceed with Boat Ramp once we had official notification from the State that this \$1400.00 was approved; and that the Attorney be allowed to draw up the contract with this Company and we execute it upon approval of the additional funds. Mr. Peek moved to approve the recommendation, seconded by Mrs. Balsley. Motion carried unanimously.
7. FLOOD INSURANCE. Mr. Usrey informed Council that he had an application and sample ordinance which he received at the May 16th meeting he attended. Application must be filled out and ordinance passed to enable property owners in Cinco Bayou to get flood insurance. It was decided that application would be filled out and an ordinance written up for passage at our next Council meeting.
8. COMPREHENSIVE PLANNING ACT. Clerk reminded Council that this was discussed by Mr. Chip Harper, County Planning and Zoning office, at our last Committee meeting. Each member was furnished a copy of material Mr. Harper gave us and were requested to study the contents and be prepared to make a decision next month.

9. RENEWAL-OKALOOSA INDUSTRIAL DEVELOPMENT COUNCIL-TWO MEMBERSHIPS (\$250 each). After discussion, Mr. Usrey moved we renew our two memberships. Motion died for like of second. Mrs. Balsley moved that we not renew our membership, seconded by Mr. Peek. VOTE: Yeas-Johnston, Perry, Peek and Balsley; Nay-Usrey.

10. PRYOR SUIT-TELEGRAM TO CABINET, FEDERAL AND STATE OFFICIALS-\$64.92. Clerk indicated this was a "Matter of Record" item. Council in Committee meeting agreed to send telegram to above officials urging Cabinet, at their May 16th meeting, to disapprove Mr. Pryor's request for a disclaimer. Mr. Johnston read telegram for Council and audience.

11. TOWN HALL-OUTSIDE CLEANED, SEALED, CAULKED AND PAINTED-#371.70. Clerk indicated this was another "Matter of Record" item.

12. P-2 - GENERAL PARK DISTRICT. Attorney indicated he had not had an opportunity to research this, but would report at next meeting.

5. YACHT BASIN - J. T. CULLEY. Attorney Mike Chesser and J. T. Culley appeared before Council requesting a permit to build a Yacht Basin. After discussion, MOTION by Mr. Usrey to deny issuing a permit to build Yacht Basin, seconded by Mr. Peek. VOTE: Yeas-Usrey and Peek; Nays-Balsley, Johnston, and Perry. After motion failed, MOTION by Mr. Perry to issue a permit to build a Yacht Basin, seconded by Mrs. Balsley. VOTE: Yeas-Balsley, Johnston, and Perry; Nays-Peek and Usrey. Additional discussion followed. Mr. Chesser made reference to page 809 of the Town's Code of Ordinance and requested Council approve the addition of two words "YACHT BASIN" under "uses permitted", and an ordinance be drafted accordingly. Attorney Powell advised Council that the current Zoning Ordinance would have to be amended to allow the "Yacht Basin" in C-2, General Commercial District, as a permitted use. He also indicated that this would require the drafting of an ordinance, two readings and adoption. MOTION by Mr. Johnston to place an addendum to the ordinance permitting a Yacht Basin construction, seconded by Mrs. Balsley. VOTE: Yeas-Balsley, Johnston, Perry; Nay-Usrey; Abstaining-Peek. In further discussion, expressing his opinion, Mr. Frank Lane felt that the ordinance needed amending before given a permit for the Yacht Basin. Mr. Johnston felt it was not necessary. Mr. Peek voiced his opinion that something should be made official that it would not be a Marina but a Yacht Basin. Attorney recalled that when this came up the last time, Mayor Kendrick had him do some research and in drafting an ordinance listing certain restrictions and requirements for the marina, such as fire hydrants within so many feet of a dock and that kind of thing. Further, he indicated Council can take any approach as they wish by either generally describing it as a Yacht Basin or can elaborate as much as they want to. After further discussion, Mr. Chesser told the Council he had drafted a proposed ordinance and explained it. Mr. Peek asked Attorney Powell what he thought about the proposal. He said it depended on which way the Council wanted to go. Other stipulations were discussed to be included in ordinance, such as, no sale of fuel, no repairing, no painting and no hauling out of boats. MOTION by Mrs. Balsley to include in the amending of the ordinance, no sale of fuel, no repairing, no painting and no hauling out of boats, seconded by Mr. Peek. VOTE: Yeas-Balsley, Peek Johnston, Perry; Nay-Usrey. Mr. Chesser asked our Attorney if this could be considered the first reading of the ordinance. He answered that this was not the normal procedure that this Council uses, but he could find no fault with the legality of it. Further, indicated to a question by Mr. Peek, he said there was nothing illegal in a handwritten ordinance, just says you must have it in writing, has to be read by title or totally. He told Mr. Johnston the ordinance needed to be read, if it was going to be read, needs to be approve on first reading. Attorney was asked to read the ordinance, as first reading.

5. YACHT BASIN - J. T. CULLEY, (CONT.). He read as follows: An ordinance to be entitled, an ordinance amending ordinance adopted August 3, 1964, by the Town of Cinco Bayou, Florida, being an ordinance establishing a zoning plan within the Town of Cinco Bayou, Florida; creating three districts, regulating and restricting the location of building, structures and land for trade, industry, residences or other purposes, the height and size of structures, the size of open spaces for light and ventilation; adopting a map of said districts, defining terms used; providing for the adjustment, enforcement and amendment thereof, describing penalties for violations thereof, said amending ordinance amending Section 7, Appendix A by adding the additional permitted use, (13) Yacht Basin; severing invalid portions of said amended ordinance; repealing ordinances inconsistent with said amended ordinance and prescribing an effective date hereof; whereas Section 7, Appendix A, the ordinance of the Town of Cinco Bayou, Florida, may not specifically allow a Yacht Basin, whereas the Town of Bayou has no objections to the existance of a Yacht Basin, though it reserves the right to preclude a Marina, now therefore, be it ordained, Section 1: That Section 7, Appendix A of the Ordinance of the Town of Cinco Bayou, is hereby amended to include Paragraph (13) Yacht Basin. Sub-section A; Hauling, scraping, repairing will not be permitted activities in a Yacht Basin. Subsection B: No sale of fuel will occur in a Yacht Basin. Section 2: That the Town Council specifically declines to include Marina in those permitted functions, at this time. Section 3: This ordinance shall become effective after publication; second reading and signature by the Mayor. MOTION by Mrs. Balsley to accept the first reading, seconded by Mr. Perry. VOTE: Yeas-Balsley, Perry, Johnston, Peek; Nay-Usrey.

13. ADJOURNMENT. Meeting adjourned at 8:12 p.m.

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


JAMES O. GODWIN, SR.
Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES.

2. Financial Statement.
3. Ordinance #64.
5. Ltr-J.T. Culley.
9. Ltr-Chamber of Commerce.
10. Telegram-sent to Cabinet.
Newspaper Clipping-PGDN.
Memorandum of Voting Conflicts,

TOWN OF CINCO BAYOU - JOURNAL OF CHECKS WRITTEN - DEPOSITS MADE

April 1978

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
-- --		Bal Fwd	1	--	4032.62	
27 86	CENDEL	6th Pmt-U/F Taxes	6	300.00		428
	87 Salamander Sec	Patrol - April	6	400.00		401-02
	88 Oka Co W&S Sys	Sewer Trmt-Mar	6	1092.00		415-15
	89 Boyett's	Svs-4/1-5/1/78	6	30.00		401-11
	90 Gatlin L&S	Supplies	6	22.05		404
	91 J.O.Godwin, Sr.	2Wks-3/28-4/10	11	360.00		425
	92 D. Rouse	2Wks-3/28-4/10	11	214.60		425
	93 A. Davis	2Wks-3/28-4/10	11	25.65		427
	94 Lindsey&Pelham	Official Bond	11	200.00		423
	95 Estergren, FA&P	Pryor's Lawsuit	11	579.89		401-02
-- --		See Dep 77/78-18	7	--	1858.00	
	96 J.O.Godwin, Sr.	Reimbursement on Meals & Misc Exp to Clks Conf	14	63.79		427
	97 CENDEL	Town Hall	14	68.05		405-01
-- --		See Dep 77/78-19	14	--	2103.83	
	98 Value Oil Co	Gas-Truck-March	14	16.80		403
	99 Atlas Ext	Svs - April	14	7.00		41-10
28 00	Copy Product Co	Copy Paper	14	87.00		414
	01 Playground News	Legal Ad-Boat Ramp	14	8.80		401-03
	02 City of FWB	Rpr Traf Light	14	23.41		413
	03 City of FWB	Water-Town Hall	14	6.53		405-13
	04 City of FWB	Water-Seaway	14	6.53		405-04
	05 City of FWB	Water-Laguna	14	6.53		405-04
26 06	City of FWB	Water-Francis	14	6.53		405-15
21 07	-- Frm Ck Acct	See DM to New Sav Acct	14	--	-1858.00*	
	07 D. Rouse	Petty Cash	20	25.00		612
25 08	Al's Appliance	Mower Repair	20	9.70		403
	09 Estergren, FA&P	Prep-Zoning Ord	20	35.00		401-12
	10 Gulf Power Co	Town Hall	20	50.24		415-07
	11 Gulf Power Co	Traffic Light	20	21.53		405-08
33 12	Gulf Power Co	L/S-Laguna	20	13.00		405-10
4 13	Gulf Power Co	L/S-Kelly	20	5.75		405-10
15 14	Gulf Power Co	Pump-Laguna	20	3.62		405-11
15 15	Gulf Power Co	Pump-Leyenda	20	13.83		405-12
17 16	Playground News	Legal Ad-Zoning Ord	20	5.20		401-03
22 17	FACC	Clerks Manual	20	7.50		412
31 18	J.O.Godwin, Sr.	2Wks-4/11-4/24	25	360.00		427
31 19	D. Rouse	2Wks-4/11-4/24	25	214.60		427

April 1978

COLUMN - WRITE ©

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
1 28	20 A. Davis	2Wks-4/11-4/24	25	45.60		427
2 21	Oka Gas Dist	Town Hall	25	10.96		405-12
3 22	CENDEL	Loop Lift Sta	25	24.15		405-02
4 23	Gulf Power Co	Street Lights	25	225.56		405-09
5 24	Barnett Bank	P/R Dep - Mar	25	354.80		702
6 25	Board Of Co Com	Voter Reg List	27	10.00		418
7 26	BMS	Acct - April	28	55.00		401-04
8 27	Estergren, FA&P	Ret - April	28	100.00		401-01
9 --	--	See Dep 77/78-20	28	--	4131.42	
10	Total (Cks Wr)			5116.20	8093.25	(Income For April)
11	Bal Fwd 1 Apr 78				4032.62	
12	Total Funds Available				12125.87	
13	*TRF Frm Ck to New Sav Acct				-1858.00	
14	Checks Written				-5116.20	
15	Cash O/H In Bank			30	5151.67	
16	Petty Cash Fund			30	24.55	
17	Cash In Bank & P/C			30	5176.22	
18	CD's			30	10000.00	
19	Savings			30	20214.67	
20	Savings (New-Fed Rev Shar)			30	1858.00	
21	TOTAL				127248.89	
22	TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.					
23						
24	<i>James O. Godwin Sr.</i>					
25	JAMES O. GODWIN, SR.					
26	Town Manager/Clerk					
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ORDINANCE NO. 64

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE AMENDING ORDINANCE ADOPTED AUGUST 3, 1964, BY THE TOWN OF CINCO BAYOU, FLORIDA; BEING AN ORDINANCE ESTABLISHING A ZONING PLAN WITHIN THE TOWN OF CINCO BAYOU, FLORIDA; CREATING THREE DISTRICTS, REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCES OR OTHER PURPOSES, THE HEIGHT AND SIZE OF STRUCTURES, THE SIZE OF OPEN SPACES FOR LIGHT AND VENTILATION; ADOPTING A MAP OF SAID DISTRICTS, DEFINING TERMS USED; PROVIDING FOR THE ADJUSTMENT, ENFORCEMENT AND AMENDMENT THEREOF, DESCRIBING PENALTIES FOR VIOLATIONS THEREOF, SAID AMENDING ORDINANCE CHANGING THE BOUNDARIES OF THE R-1 "MULTIPLE FAMILY DWELLING DISTRICT" WITH RESPECT TO LOTS 2, 3, 4, 14 AND 15, BLOCK 11, LOTS 2, 3, 13, 14 AND 15, BLOCK 18, AND THE ENTIRE BLOCKS 25 AND 26, CINCO BAYOU SUBDIVISION, TO C-1 "LIMITED COMMERCIAL DISTRICT" UPON THE OFFICIAL ZONING MAP ADOPTED AUGUST 3, 1964; SEVERING INVALID PORTIONS OF SAID AMENDED ORDINANCE; REPEALING ORDINANCES INCONSISTENT WITH SAID AMENDED ORDINANCE AND PRESCRIBING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED by the Town Council of the Town of Cinco Bayou, Florida, as follows:

SECTION 1: From and after the effective date of this ordinance, Section 3 of that ordinance adopted August 3, 1964, creating various districts in the Town of Cinco Bayou, Florida, be and it is hereby amended to change the districts designated on this zoning map and accompanying the foregoing ordinance of August 3, 1964, so as to redistrict the following described blocks:

Lots 2, 3, 4, 14 and 15, Block 11; Lots 2, 3, 13, 14 and 15, Block 18; and the entire blocks 25 and 26, Cinco Bayou Subdivision, according to plat thereof on record in the public records of Okaloosa County, Florida,

from an R-1 "Multiple Family Dwelling District" to a C-1 "Limited Commercial District" zoning designation. The boundaries of the district reflected upon the map accompanying the original zoning ordinance dated August 3, 1964, as amended, are hereby changed upon the map accompanying such ordinance and made a part thereof and shall be designated the "Official Zoning Map of the Town of Cinco Bayou, Florida," dated August 3, 1964. Said map and all other notations, references and other information shown thereon are as much a part of this ordinance as if the information set forth thereon were fully described and set out herein.

SECTION 2: Should any section, clause or provision of this ordinance be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of the

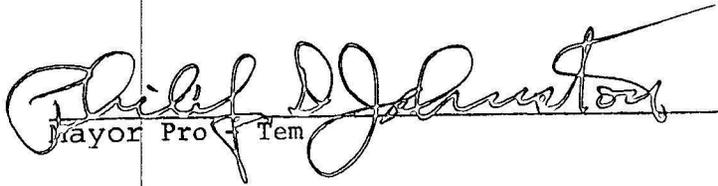
ordinance as a whole or any part thereof, other than the parts so declared to be invalid.

SECTION 3: All ordinances or partial ordinances in conflict herewith by the Town of Cinco Bayou, Florida, are hereby repealed.

SECTION 4: This ordinance shall become effective immediately upon the passage and approval by the Mayor.

ADOPTED the 18th day of may, 1978.

APPROVED:



Mayor Pro Tem

ATTEST:



Town Clerk



J. T. CULLEY YACHTS

259 Eglin Parkway
Fort Walton Beach, FL 32548

(904) 243-2511

May 17, 78

Dear Mr. Godwin,

*I am requesting that I be put
on the agenda for Thursday night
town council meeting, May 18, 1978.*

*Subject for discussion J. T. Culley
yacht basin.*

*Sincerely yours,
John T. Culley*

May, 11, 1978

Mrs. Mayor and Members of Council:
of Town of Cinco Bayou.

I would like to again ask if there is
anything that can be done about clearing
away the debris and undergrowth on the
vacant lot adjoining my property.

When the weather is dry it becomes a
fire hazard.

I requested this about a year ago and
they cleared some on the front of the lot
facing Kelly Ave. the rest of the lot was
never cleared, since that one time it has
all grown up again

Thank you.
Mrs. Abbie Tynes,
Lot 4, Block 21

Lot 5
Block
21

TOWN OF CINCO BAYOU

KELLY AVE.

P.O. DRAWER 1710 - CINCO BAYOU
FORT WALTON BEACH, FLORIDA 32548
904-244-2712 244-2012

May 19, 1978

Mayor:
JIM KENDRICK, III

Mayor Pro-Tem:
IRENE BALSLEY

Council Members:
PHIL JOHNSTON
WILL OVERSTREET
HAROLD PEEK
MAX USREY

Town Manager/Clerk
JAMES O. GODWIN, SR.

Town Attorney:
RICK POWELL

Greater Fort Walton Beach
Chamber of Commerce
34 Miracle Strip Parkway, SE
Fort Walton Beach, Florida 32548

Dear Sir:

The Town Council, in its regular council meeting on May 18, voted not to renew the Town's two memberships in the Okaloosa Industrial Development Council.

Sincerely,


JAMES O. GODWIN, SR.
Town Manager/Clerk

JOG/idr

STATEMENT

GREATER FORT WALTON BEACH
CHAMBER OF COMMERCE

PHONE 243-3723

FORT WALTON BEACH, FLORIDA 32548

May 4, 19 78

Mr. Jim Kendricks
Town of Cinco Bayou
P.O. Box 757
Cinco Bayou
Fort Walton Beach, Fla. 32548

June 1, 1978

Chamber Dues \$ _____

\$ _____

O.I.D.C. Renewal \$ 500.00

Ref CK 2260, 4/28/77 \$500⁰⁰ (Two memberships)

Ref minutes 2/17/77

Item 9.

(minutes, 5/18/78, Item 9.)
Council voted not to
Renew - (Chamber notified 5/19/78)

TELEGRAM TO BE SENT TO FOLLOWING PEOPLE:

Governor Reubin Askew, Tallahassee, Florida
Attorney General Robert L. Shevin, Tallahassee, Florida
Secretary of State Bruce A. Smathers, Tallahassee, Florida
Comptroller Gerald A. Lewis, Tallahassee, Florida
Treasurer Bill Gunter, Tallahassee, Florida
Commissioner of Agriculture Doyle Conner, Tallahassee, Florida
Commissioner of Education Ralph D. Turlington, Tallahassee, Florida

Harmon W. Shields, Executive Director, Department of Natural Resources,
202 Blount Street, Tallahassee, Florida
Senator W. D. Childers, Room 211, SOB, Tallahassee, Florida
Senator Tom Tobiassen, Room 218, SOB, Tallahassee, Florida
Representative Jerry Melvin, Room 322, HOB, Tallahassee, Florida
Representative James G. Ward, Room 232, HOB, Tallahassee, Florida
Representative Edmond M. Fortune, Room 220, HOB, Tallahassee, Florida

Senator Lawton Chiles, 443 Russell Senate Bldg, Washington, D.C.
Senator Richard Stone, 1327 Dirksen Senate Office Bldg, Washington, D.C.
Congressman Bob Sikes, Room 2269 Rayburn House Office Bldg, Washington, D.C.

The Town Council of Cinco Bayou, Florida strongly urges the State of Florida to deny Osborne W. Pryor's request for a disclaimer of Cinco Bayou bottomlands and to protect and assert the prescriptive riparian rights of the citizens of Okaloosa County, Florida, in the waters covering such bottomlands. A careful examination of Mr. Pryor's chain-of-title will reveal that his predecessor in title, Mr. Charles W. Cocke, did not acquire title to bottomlands, only the land adjacent to the waters of Cinco Bayou, which his son Fred E. Cocke subdivided into Cinco Bayou Sub-division. Mr. Pryor is the holder of a wild quit claim deed, and should not be issued a disclaimer. This action will affect and protect the rights of over 100,000 residents of Okaloosa County.

(Signed) JIM KENDRICK, Mayor

RICHARD POWELL, Town Attorney

Telegram authorized by Council action, 5/11/78.


JAMES O. GODWIN, SR.
Town Manager/Clerk

Cinco Okays Yacht Basin

By PEGGY ROBERTS

Daily News Staff Writer

Cinco Bayou councilmen Thursday voted to allow J.T. Culley to build a yacht basin at the foot of Cinco Bridge and had the first reading of an ordinance defining what a yacht basin is.

The ordinance amends Cincos' zoning laws and gives the council the right to decide what classifies as a yacht basin and a marina.

Also included in the ordinance is the stipulation that there will be no scraping, painting, repair of boats or selling of fuel at the basin.

Council members Harold Peek and Max Usrey objected to Culley's yacht basin.

"It's up to the people," Peek said. "At the public hearing we had here, many people were against it."

Peek also said that preparations for the building already violates a city ordinance that prohibits outside storage of merchandise.

Mayor pro tem Phil Johnston argued the point, claiming that no one has said anything about his own trading business and the outside merchandise there.

Peek replied that "he didn't know about that but that is why there are no used-car lots in Cinco Bayou."

The permit was approved with a 3-2 vote, and the ordinance's first reading carried with a 4-1 vote.

FORM 4 MEMORANDUM OF VOTING CONFLICT

DATE ON WHICH VOTE OCCURRED:

May 18, 1978, 1978

PART A

Name: Johnston Dorr Philip Telephone: 243 0180
(LAST) (FIRST) (MIDDLE) (A/C) (NUMBER)
Address: 261 Eglin Parkway, S.E. Ft. Walton Bch. 32548 Okaloosa
(STREET) (CITY) (ZIP CODE) (COUNTY)

PART B

Agency is a unit of [check one]: () State of Florida; (X) County, City or other Political Subdivision

Name of Agency Cinco Bayou (Town)

Position held in Agency: Mayor Pro-tem Councilman (Aldorman)

PART C

MEMORANDUM OF CONFLICT OF INTEREST IN A VOTING SITUATION [Required by Florida Statutes §112.3143 (1975)]

If you have voted in your official capacity upon any measure in which you had a personal, private, or professional interest which inures to your special private gain or the special private gain of any principal by whom you are retained, please disclose the nature of your interest below.

1. Description of the matter upon which you voted in your official capacity: Voted not to give \$500 to a so called group of people calling themselves (Industrial Committee) This tax money was proposed by
me to pay people to go abroad from here and try to induce outside people to come here
and set up some sort of industry. I voted yes to grant a permit for the building of a Yacht
Club and Basin at Cinco Bayou. I own the land and believe that the public needs the Yacht Basin.

2. Description of the personal, private, or professional interest you have in the above matter which inures to your special private gain or the special private gain of any principal by whom you are retained: I own the land with riparian rights, to the
land and water upon the land and water upon which the proposed Yacht Basin is to be built.
Further more for the past thirty two years I have used this land and water as an industrial site
renting boats and motors, servicing and moring boats at my docks as small as 12 feet and as large
as sixty eight feet. If the people who want to invest in the Yacht Basin want to buy the land I
intend to sell it to them. This last fact has absolutely no bearing upon the way I voted in the
above cause although peoply unreasonnable mind might question this .

3. Person or principal to whom the special gain described above will inure:

a. (X) Yourself b. () Principal by whom you are retained: _____
(NAME)

PART D

FILING INSTRUCTIONS

This memorandum must be filed within fifteen (15) days following the meeting during which the voting conflict occurred with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the meeting minutes. This form need not be filed merely to indicate the absence of a voting conflict. Florida law permits but does not require you to abstain from voting when a conflict of interest arises; if you vote, however, the conflict must be disclosed pursuant to the requirements described above.

PART E

Philip Johnston
SIGNATURE OF PERSON DISCLOSING

May 23, 1978
DATE SIGNED

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1975), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.

ITEM 14
CC 5/13/76

Mr. James O. Godwin, Sr.
O.P. Drawer 1710 - Cince Bayou
Ft. Walton Beach, Florida 32548

April 4, 1976

Dear Mr. Godwin:

Thank you for your letter of March 31, 1976. I had two
heart attach with in one year, so I haven't been to Florida.

Please advise what the charges would be to clean this lot.

Thanking you in advance.

Very truly yours,

Howard D. Green

Howard D. Green
3149 Warrington Rd.
Birmingham, Ala. 35223

967-1979

252-~~XXXX~~

P.S.

Sewage- Has the lines been
completed on this section.

*Called hi at 8 30 4/28
about using hi lot
for Park Square the
green ready to build
← He will call me back*

Howard D. Green
3149 Warrington Rd.
Birmingham, Ala. 35223



Mr. James O. Godwin, Sr.
P.O. Box Drawer 1710 - Cinco Bayou
Ft. Walton Beach, Florida 32548