

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
June 27, 1978

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

Also present were: Adelia Robblee, Margie Crawford, Vera Prichard, Julie Glass representing Pensacola News Journal, Peggy Roberts representing Playground Daily News, Susan Marshal representing WFTW and Miller Burt representing Polyengineering.

Therefore, a quorum being present, Mayor Kendrick opened the meeting with a silent prayer at 5:31 p.m.

1. APPROVAL FOR ADVERTISING FOR BIDS FOR FRANCIS PARK SEAWALL. Motion by Mr. Peek to proceed with advertising bids for Francis Park Seawall, seconded by Mr. Usrey. Motion carried unanimously.

2. POLYENGINEERING REQUEST FOR "HOLD HARMLESS" CLAUSE IN THEIR WORK FOR CITY.

Motion by Mrs. Balsley that the Town hold Polyengineering harmless from any activities arising out of Osborne Pryor's claims to the bottom lands of Cinco Bayou, seconded by Mr. Perry. Motion carried unanimously. (Clerk's note: The following letter was written by Attorney Powell to Mr. Miller Burt: "Please be advised that at the special meeting of the Town Council of the Town of Cinco Bayou held on June 27, 1978, the Council voted to hold Polyengineering, Inc., harmless from any claims for which it may be liable arising out of any claim Mr. Osborne W. Pryor may assert concerning ownership of the bottom lands of the waters known as Cinco Bayou. This Hold Harmless provision will only apply to Polyengineering's representation on behalf of the Town in connection with any claims made by Osborne W. Pryor".

3. TOWN HALL ADDITIONS. Mayor Kendrick directed Clerk to get prices on the Town Hall Additions and report at the next Regular Council Meeting.

4. ITEMS FOR INFORMATION ONLY:

A. BOAT RAMP-CONTRACT, JUNE 23. Contract was signed on June 23 with the approval from the Executive Board of the Department of Natural Resources for the additional \$1400.00 for the Seaway Boat Ramp. Boat Ramp to be completed approximately July 10.

B. RESOLUTION-TOM PRYOR-MARY ESTHER. Clerk informed Council that a picnic will be held at Mary Esther Town Hall in honor of Thomas Pryor at 2 p.m., July 1.

C. SPRINKLER SYSTEM-LEYENDA PARK-JULY 5. Clerk informed Council that the Sprinkler systems will be installed in Leyenda Park on July 5. (Total cost for installation of sprinkler system \$1,138.64).

D. BUSINESS REGISTRATION-A-042 and B-009. Clerk informed Council that forty-two businesses has registered in Cinco and nine businesses outside of Cinco.

E. SIGNS-J.M. FIELDS, \$130.00. Clerk informed Council that he had paid the County \$1700.00 for signs. He also informed Council that he had placed four of those signs on J. M. Fields property and billed them for materials and labor for the amount of \$130.00 and had received the money.

4. ITEMS FOR INFORMATION ONLY: (Cont.)

F. TOWN HALL SIGNS. Clerk informed Council that the signs for the Town Hall were placed on the front and back of the building. (Total cost for the signs \$50.00).

G. TOWN LIMIT SIGNS. Clerk informed Council that the Town limit signs were placed at all four ends in Cinco Bayou.

H. TRAFFIC LIGHT-HUGHES AVENUE AND EGLIN PARKWAY. Clerk informed Council that the installation of the traffic light at the intersection of Hughes Avenue and Eglin Parkway is scheduled to begin the next fiscal year in October. Total cost of traffic lights is federal funded.

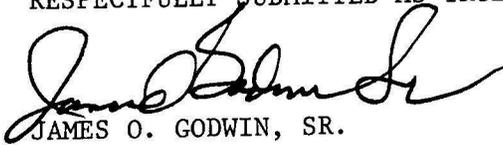
I. DRAINAGE DITCH-HUGHES AVENUE TO OPP BOULEVARD. Clerk informed Council that the drainage ditch starting from Hughes Avenue running to Opp Boulevard is to be cleaned out sometime this week.

J. GLENWOOD PARK-AUDUBON SOCIETY. Clerk informed Council that he and Mrs. Balsley will meet with Mr. Eric R. Lefstad, Chairperson of the Audubon Society to put up a sign designating Glenwood Park as a Park.

5. CHANGE IN MEETINGS TIME. Council approved to hold regular monthly and committee meetings at 5:30 p.m., instead of 7 p.m., beginning July 20.

6. ADJOURNMENT. Meeting adjourned at 5:46 p.m.

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



JAMES O. GODWIN, SR.
Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Ltr-Cinco's Hold Harmless Agreement
On Polyengineering.
2. Ltr-Audubon Society.
3. Resolution 78-12, Honoring Thomas
J. Pryor.
4. Copy of Check from J. M. Fields
for materials and labor on signs.
5. Newspaper Clipping-PGDN.
6. Copy of Ad-Change in Meetings Time.

ESTERGREN, FORTUNE, ANCHORS & POWELL, P. A.

ATTORNEYS AND COUNSELLORS AT LAW

P. O. DRAWER F

243-7184

TELEPHONES 244-2148

AREA CODE 904

F. B. ESTERGREN
JOHNNY A. FORTUNE
C. LEDON ANCHORS
RICHARD H. POWELL

FT. WALTON BEACH, FLORIDA 32548

IN RE: FILE

June 29, 1978

Polyengineering, Inc.
P. O. Box 841
Shalimar, Florida 32579

Attention: Mr. Miller Burt

Re: Town of Cinco Bayou Hold Harmless Agreement.

Dear Mr. Burt:

Please be advised that at the special meeting of the Town Council of the Town of Cinco Bayou held on June 27, 1978, the Council voted to hold Polyengineering, Inc., harmless from any claims for which it may be liable arising out of any claim Mr. Osborne W. Pryor may assert concerning ownership of the bottom lands of the waters known as Cinco Bayou. This Hold Harmless provision will only apply to Polyengineering's representation on behalf of the Town in connection with any claims made by Osborne W. Pryor.

Should you have any questions concerning the Town's position, please do not hesitate to contact me or the Council.

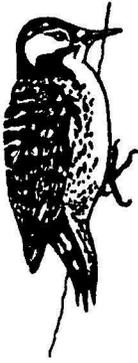
Very truly yours,

ESTERGREN, FORTUNE, ANCHORS & POWELL, P. A.

Richard H. Powell

RHP:rem

cc: James O. Godwin, Sr. ✓
Town of Cinco Bayou



Choctawhatchee Audubon Society

Serving Okaloosa and Walton Counties

P.O. Box 1014, Ft. Walton Beach, Florida 32548

June 27, 1978

Mayor Jim Kendrick
Cinco Bayou, Florida

Dear Mayor Kendrick:

This letter is in response to your request for information concerning the Choctawhatchee Audubon Society's progress in Glenwood Park.

In keeping with your instructions, we have assumed the main point of entry will be on the north side of the park, approximately half-way between the drainage ditch and the eastern boundary of the park.

The sign should, in our opinion, include the name of the park and the fact that it is a natural park or nature area. If you wish to recognize our efforts, we would suggest wording such as, "Nature trail prepared with the help of the Choctawhatchee Audubon Society". The back of the sign should provide a place to post a map of the park, a brief description, a list of significant plants and birds to be seen, and any drawings or photographs.

The exact location of the start of the trail with respect to the parking area is not critical. It is anticipated that the trail will loop toward the east boundary and then back to the edge of the ditch about one-third of the distance through the park.

Much of the trail from the parking area to the edge of the ditch is wet for much of the year and will need to be elevated or floated. A dry ridge will then be followed along the ditch (with opportunities for side trails), then through a wet area to the dry southeast corner of the park. It is anticipated that the trail will then cross the ditch and come back up the west side.

Basically there are two types of trail areas in the park - wet and dry. We estimate 150 yards of wet trail and 350 yards dry trail, plus one or two bridges of about 10 foot span.

We recommend a boardwalk through the wet areas (water 0-9 inches deep), either floating or elevated. The dry trail should have a light layer of oyster shell.

In order to provide diverse habitat in the park, it will be necessary to clear thorny vines and underbrush from some areas.



Choctawhatchee Audubon Society

Serving Okaloosa and Walton Counties

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In nature, this would normally be done by fire, but the undergrowth is now so dense as to preclude controlled burning. This will be mostly hand work, but we may need some support from the town.

We have mapped much of the southern (dry) end of the park and have cut access trails to most areas of the park. Our plans include continued mapping to locate the optimum path for the trail in order to maximize the learning experience and continue identification of habitats, flora, and fauna within the park. In the long range, we plan to include some plantings of natural food plants and erect birdhouses.

It is typical for progress to be slow on a project of this magnitude when done by volunteers with limited time, but we are moving toward our goal. In order to coordinate the society's efforts in the park, a chairperson has been appointed. Please contact Eric Lefstad for questions concerning the society and the park. He may be reached in the evenings at 243-8958 or at work at 862-5111.

The Town of Cinco Bayou is to be commended for its foresight in retaining an area in its natural state as a park. We look forward to a continued association.

Yours truly,

Eric R. Lefstad
Eric R. Lefstad
Nature Trail Chairperson

ERL/lsm

RESOLUTION NO. 78-12

HONORING MAYOR THOMAS J. PRYOR

A RESOLUTION OF THE TOWN OF MARY ESTHER, FLORIDA, PAYING TRIBUTE TO AND HONORING MAYOR THOMAS J. PRYOR; EXPRESSING THE APPRECIATION FOR HIS SERVICE AND LEADERSHIP; PROCLAIMING A TOM PRYOR DAY ON JULY 1, 1978; NAMING AND DEDICATING A PUBLIC PARK IN HIS HONOR; AND PROVIDING OTHER HONORARIUMS AND PROVIDING FOR THE METHODS OF EFFECTUATING THIS RESOLUTION.

THE TOWN OF MARY ESTHER, FLORIDA, DOES HEREBY RESOLVE:

WHEREAS, the family of THOMAS J. PRYOR were pioneer residents of this area having originally settled in the Community of Mary Esther prior to the Civil War, and

WHEREAS said family has continued to reside here in Mary Esther and contribute to the growth and development of this entire area through the years, and

WHEREAS THOMAS J. PRYOR was born in the Community of Mary Esther on March 24, 1903 which was prior to the time that the County of Okaloosa was created, and

WHEREAS THOMAS J. PRYOR has resided continuously in Mary Esther since his birth, and

WHEREAS when the Town of Mary Esther was created in the year 1946, THOMAS J. PRYOR was a member of the first town council, and

WHEREAS in the year 1925 THOMAS J. PRYOR opened a merchantile business, and

WHEREAS THOMAS J. PRYOR has and continues to participate in all civic activities of the community, and

WHEREAS THOMAS J. PRYOR has honorably served in the military service of the United States of America during World War II, and

WHEREAS in July 1958, THOMAS J. PRYOR was elected Mayor of the Town of Mary Esther, and

WHEREAS THOMAS J. PRYOR has ably served in said office continuously with distinction since July of 1958, and

WHEREAS THOMAS J. PRYOR was just re-elected to the Office of Mayor of the Town of Mary Esther without opposition and will commence in July of 1978 his twenty-first year as Mayor of the said Town, and

WHEREAS during his entire live he has devoted his energy and his heart to the welfare, progress, and development of the Town of Mary Esther and the State of Florida, and

WHEREAS under his leadership the Town of Mary Esther has developed and grown from a hamlet of a few families to a very thriving community with modern shopping facilities, schools, police and fire protection, and

WHEREAS the said Town has been operated efficiently, soundly and financially successfully with the best interest of all the people being served;

BE IT NOW RESOLVED that in an effort to thank THOMAS J. PRYOR and express the appreciation of the entire area of Florida, that the following action be and is hereby taken:

1. That July 1, 1978 is hereby declared to be TOM PRYOR DAY, and that a ceremony be held on such day honoring MAYOR THOMAS J. PRYOR.
2. That honored guests be invited to participate in said program and that adequate publicity of such event be given and that a program be arranged for said occasion.
3. That on such day in such program that THOMAS J. PRYOR be sworn in as Mayor to commence his Eleventh term as Mayor of the Town of Mary Esther being the commencement of his Twenty-First year in said capacity and that a copy of this Resolution be officially delivered to him at said time.

(Resolution No. 78-12, Honoring Mayor Thomas J. Pryor)

4. That an area of property adjacent to the City Hall, the legal description of which is attached to this Resolution, be and hereby is designated as THOMAS J. PRYOR PARK for the use and benefit of all the people of the Town of Mary Esther and its visitors and that said Park is hereby named "THOMAS J. PRYOR PARK".
5. That a marker plaque be obtained and be erected in the said park with appropriate wording designating the same as "THOMAS J. PRYOR PARK".
6. That park benches, shrubbery and other beautification acts be accomplished to make the area suitable for said purpose as hereinafter directed by this Council.
7. That this Town Council, on behalf of the residents of MARY ESTHER, FLORIDA, and the people of NORTHWEST FLORIDA, do hereby officially express our deep appreciation to THOMAS J. PRYOR for his life-long contributions to this area and to thank him for being a true and good American.
8. That copies of this Resolution be published and distributed to appropriate State and County Officials.

THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE AND ADOPTION BY THE COUNCIL.

James R. Edwards

JAMES R. EDWARDS, Councilman

Eileen W. Porter

EILEEN W. PORTER, Councilwoman

James R. (Randy) Stokes

JAMES R. (RANDY) STOKES, Councilman

DATE ADOPTED: June 5, 1978

Warren G. Mirshak

WARREN G. MIRSHAK, Councilman

Fred L. Pryor

FRED L. PRYOR, Councilman

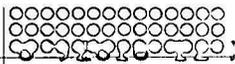
ATTEST:

Joseph A. Sparks

JOSEPH A. SPARKS

Town Clerk

8



VENDOR NO. 92616 VENDOR NAME TOWN OF CINCO BAYOU

LOCATION	INVOICE DATE	INVOICE NO.	GROSS AMOUNT	DEDUCTIONS	ADJ. AMOUNT	CASH DISCOUNT
	05 18 78	000000	130 00		130 00	
DETACH THIS STUB BEFORE DEPOSITING CHECK. RETURN STUB IF INCORRECT.			TOTALS		130 00	

CTRL. NO.

061278

MO. DAY YR.

No. 025071

REMITTANCE
ADVICE

025071

J. M. FIELDS INC.

5-20
110

TO
SHAWMUT BANK OF BOSTON, N.A.
BOSTON, MASS.

AMOUNT OF CHECK

061278
MO. DAY YR.

EXACTLY ***130 DOLLARS 00 CENTS \$*****13000

PAY TO THE ORDER OF

TOWN OF CINCO BAYOU
PO DRAWER 1710 CINCO BAYOU
FT WALTON BEACH FLA 32568



⑈02507⑈ ⑆0880⑆0020⑆ 000 230-5⑆

J. M. FIELDS

**3175 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PENNA. 19104**



At Francis Park

Cinco Seeking Sea Wall Bids

By PEGGY ROBERTS

Daily News Staff Writer

Cinco Bayou council members Tuesday gave Polyengineering of Florida Inc. the go-ahead to advertise for bids on a park sea wall.

The sea wall construction, which is expected to cost at least \$3,000, should begin at Francis Park within the next week if the supplies arrive on time, according to H. Miller Burt, executive vice president of Polyengineering.

Francis Park is located on Cinco Bayou, bordered by Kidd and Lucile Streets.

In a related matter, the council granted Polyengineering's request that the firm be "held harmless" in case suits are brought against it by Osborne Pryor when the sea wall construction begins.

Pryor, a Fort Walton Beach contractor, claims title to the Cinco Bayou bottomland. Burt said Polyengineering is concerned that Pryor might sue the firm for working on "his" land.

In another matter, a contract was signed June 23 for construction to begin on Seaway Boat Ramp. The town has received an additional \$1400 in state funds for the ramp. Both state and county have approved it.

The project is expected to be completed by July 4.

The council also approved of holding regular and committee town meetings at 5:30 p.m. instead of 7 p.m., beginning July 20.

TOWN OF CINCO BAYOU
PUBLIC NOTICE
CHANGE IN MEETINGS
TIME

NOTICE IS HEREBY GIVEN
THAT THE TOWN COUNCIL
OF THE TOWN OF CINCO
BAYOU, OKALOOSA COUNTY,
FLORIDA, WILL EFFECTIVE
WITH THE JULY 1978
MEETINGS, MEET AS
FOLLOWS:

"COUNCIL AS COMMITTEE"
EVERY SECOND THURSDAY
AND "REGULAR MONTHLY
COUNCIL MEETING"
EVERY THIRD THURSDAY
EACH MONTH. MEETINGS
WILL COMMENCE AT 5:30
P.M., AND WILL BE HELD
IN THE TOWN HALL
LOCATED ON KELLY
AVENUE.

BY DIRECTION OF COUNCIL:

JAMES O. GODWIN, SR.
Town Manager/Clerk
5935: July 6, 13, 20, 1978