

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
September 20, 1979

1. MINUTES-SPECIAL COUNCIL MEETING-AUGUST 6, 1979.
2. MINUTES-REGULAR COUNCIL MEETING-AUGUST 16, 1979.
3. FINANCIAL REPORT-AUGUST 1979.
4. CONSIDERATION OF PROPOSAL FOR THE CURRENT FISCAL YEAR AUDIT.
5. SECOND AND FINAL READING OF ORDINANCE #66, REF: CONNECTIONS TO SEWAGE SYSTEM AND ADOPTION OF THE ORDINANCE.
6. ADOPTION OF RESOLUTION RELATIVE TO ELECTION OF MAYOR AND COUNCILMEMBERS.
7. CONSIDERATION OF VARIANCE TO BUILDING ORDINANCE FOR DAX, INC., REPRESENTED BY MR. D. B. PHILLIPS.
8. APPROVAL OF APPRAISER'S RECOMMENDED MILLAGE ON PERSONAL AND REAL PROPERTY.
9. SELECTION OF ORGANIZATION TO FURNISH SECURITY SERVICES.
10. APPROVAL OF FY 79/80 BUDGET.
11. PERSONNEL COMMITTEE REPORT.
12. CLERK'S REPORT.

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
SEPTEMBER 20, 1979

Town officials in attendance: Mayor Jim Kendrick, Council members Irene Balsley, Phil Johnston, Harold Peek and Ralph Perry; Attorney Fred Estergren, Town Clerk Ken Espy, Engineer Miller Burt and Recorder Dee Rouse. Absent: Attorney Rick Powell and Council member Max O. Usrey.

Also present were: Mr. & Mrs. D. B. Phillips, Abbie Tyner, Adelia Robblee, Chris Fuqua-Playground News, Jimmy Messick, Mr. & Mrs. Tom Whitlock, Bill Overstreet, Dick Bixby, Attorney Siegfried Kessler, Robert Hooks and Herb Campbell, Jr.

Therefore, a quorum being present, Mayor Kendrick opened the meeting at 7 p.m., with a silent prayer.

1. MINUTES-SPECIAL COUNCIL MEETING-AUGUST 6, 1979. Motion by Mr. Peek to accept as printed, seconded by Mr. Johnston. Motion carried unanimously.
2. MINUTES-REGULAR COUNCIL MEETING-AUGUST 16, 1979. Motion by Mrs. Balsley to accept as printed, seconded by Mr. Johnston. Motion carried unanimously.
3. FINANCIAL REPORT - AUGUST 1979. Motion by Mr. Peek to accept as presented, seconded by Mr. Johnston. Motion carried unanimously.
4. CONSIDERATION OF PROPOSAL FOR THE CURRENT FISCAL YEAR AUDIT. The Firm of Creel, Bryan & Gallagher, Certified Public Accountants, had submitted a letter proposal to perform a State mandated Audit of the financial records for the Town for the period October 1, 1978 through September 30, 1979. This would include all the Florida Department of Banking and Finance requirements as well as examination of the Federal Revenue Sharing Trust Fund. The range of cost had been proposed as \$2000 to \$2500. This range of cost had been discussed during committee meeting. Mr. Messick represented the Firm to the Council and satisfactorily answered all questions relative to the work and cost. Mr. Peek moved that the proposal as presented be accepted and the Firm be engaged to do the 78/79 Audit, seconded by Mrs. Balsley. Motion carried unanimously. A brief discussion arose relative to the possibility of the Town Clerk and Assistant maintaining financial records and preparing the monthly financial report in order to eliminate the present \$55.00 monthly cost for this service. Mr. Messick advised the Council these persons could do the task and that he would be willing to discuss this possibility further with the Clerk in order to begin the new fiscal year under this system. Mr. Johnston advised that the Council would greatly appreciate him doing that.
5. SECOND AND FINAL READING OF ORDINANCE #66, REF: CONNECTIONS TO SEWAGE SYSTEM AND ADOPTION OF THE ORDINANCE. Attorney Estergren performed the second and final reading of Ordinance #66 by title only. Motion by Mrs. Balsley to accept the second and final reading of Ordinance #66, seconded by Mr. Perry. Motion carried unanimously.
6. ADOPTION OF RESOLUTION RELATIVE TO ELECTION OF MAYOR AND COUNCIL MEMBERS. Attorney Estergren performed the reading of the Resolution declaring the candidates for office upon which a vacancy exists in the Town of Cinco Bayou to be duly elected as they have no opposition and that no necessity exists for an election as only one person qualified as a candidate for each vacancy that exists. Mr. Peek moved to accept the the resolution as read, seconded by Mr. Johnston. Motion carried unanimously. (Resolution to be numbered 79-6).

7. CONSIDERATION OF VARIANCE TO BUILDING ORDINANCE FOR DAX, INC., REPRESENTED BY MR. D. B. PHILLIPS. Mr. D. B. Phillips representing Dax, Inc., who had previously submitted plans for the construction of 13 Townhouses on Lots 13 & 14 of Block 1 of the Town, submitted a letter requesting variances to the existing zoning provisions. The variances would be from the minimum lot width of 50 feet to a minimum width of 18 feet and from the side yard of 5 feet required to "O" side yards. During discussion of this request, it was learned a redesign of the building had reduced their height to 34 feet and that the number of Townhouses proposed had been reduced to 12 due to the release of an easement to the County reducing the width of Lot 13 by 24 feet. Mr. Johnston moved that the request for variances be granted, seconded by Mr. Peek. Motion carried unanimously. In regard to the offer by Mr. Phillips to dedicate the finished driveway and the property between it and the Yacht Club Drive right-of-way to the Town, the Council agreed to withhold any decision until a legal description of the property is available.
8. APPROVED OF APPRAISER'S RECOMMENDED MILLAGE ON PERSONAL AND REAL PROPERTY. After consideration of the County Property Appraiser's explanation of the reduction in the total appraised value of real property in the Town, Mr. Peek moved to approve the recommended millage rate of 4.932 mills to be the rate of assessment for 1979, seconded by Mrs. Balsley. Motion carried unanimously.
9. SELECTION OF ORGANIZATION TO FURNISH SECURITY SERVICES. Both Mr. Hooks of American Security and Mr. Andrews of Salamander Security Systems had appeared before the Council earlier in the evening, each explaining their understanding of the security needs of the Town and how they planned to best serve those needs. Taking these explanations into consideration and the fact that the proposals for these services were "American Security, \$400 per month" and "Salamander Security System, \$500 per month." Mr. Peek moved that the Town contract with American Security for this service beginning October 1, 1979 through September 30, 1980, he then added to his motion that the contract provide for cancellation of these services if the Council is unsatisfied, seconded by Mr. Johnston. Motion carried unanimously.
10. APPROVAL OF FY 79/80 BUDGET. During the final review of the proposed Budget for 1979-80, the Clerk informed Council that the Item "Communication Services" had been increased from \$350 to \$630 and that the Item "Salary & Wages" had been decreased from \$16,480 to \$16,200. He also reminded Council that the Budget included the \$5,500, Federal Revenue Sharing and that this amount had been previously pledged to the cost of Fire Protection for the year. Mr. Peek moved that the 1979-80 Budget in its final amount of \$132,845.00 be adopted as presented, seconded by Mr. Perry. Motion carried unanimously.
11. PERSONNEL COMMITTEE REPORT. In the Personnel Committee Report, Mrs. Balsley informed Council of the Committee's recommendations:
  - (a)-Establishing a six hours day for operation of the Town Hall from 8 a.m., to 3 p.m., the Town Hall will be closed during the lunch hour from 12 to 1.
  - (b)-Accepting the financial responsibility of the Administrative Secretary from the CETA Program and paying the person in this position \$3.50 per hour for the six hours work day.

11. PERSONNEL COMMITTEE REPORT (cont.). Mrs. Balsley then moved that this portion of the report be accepted by the Council and the recommendations be made effective October 1, 1979, seconded by Mr. Johnston. During discussion, Mr. Peek moved that the previous motion be tabled until the Personnel Committee could submit another report. He expressed his feelings that the report was not necessarily a committee report as members of the Council who were not members of the committee had primarily drafted the report overruling members of the committee. His primary concern was the hourly rate of pay to the Secretarial position. Reduction of the number of hours of work caused an actual reduction in weekly pay. This motion died for lack of a second. When the Mayor called for a vote on the original motion, it carried by a vote of three to one, YEAS-Balsley, Johnston and Perry; NAY-Peek. Mrs. Balsley noted the Secretary would go off the CETA pay as of October 1, and the Council was obligated to employ someone for that position as of that date. Mrs. Balsley moved that the Council employ Miss Deloris Rouse (the person currently filling the position under the CETA program) for the Secretarial position at the hourly rate of \$3.50 per hour, six hours per day with the same holidays, annual and sick leave as in the currently Personnel Policy, seconded by Mr. Johnston. Motion carried with a vote of three to one, YEAS-Balsley, Johnston and Perry; NAY-Peek.

12. CLERK'S REPORT:

(A)-FRANCIS PARK-SEAWALL. Clerk informed Council that he and Mr. Campbell checked the wall and had repaired one broken slab. Clerk also informed Council that Mr. Campbell has been checking the wall at least two to three times a month to see the results of his ideas.

(B)-CONSTRUCTION LEVEE IN FRANCIS PARK. Clerk informed Council that he and Mr. Jackson will level the dirt in Francis Park, Friday, September 21 and put up cable wires.

(C)-COLLECTION OF SEWAGE FEES. Clerk informed Council that he had spoken with Charlie Evans, City Clerk of FWB, about the sewage billings and that Mr. Evans explained that he was awaiting the arrival of the Burroughs representative to discuss the best way to add this item to the computer.

(D)-OKALOOSA LEAGUE OF CITIES DINNER. Clerk informed Council that Mary Esther will be host for the Okaloosa League of Cities meeting, Thursday, September 27, at Bacons By The Sea, cocktail at 6:30 p.m., and dinner at 7:30 p.m.

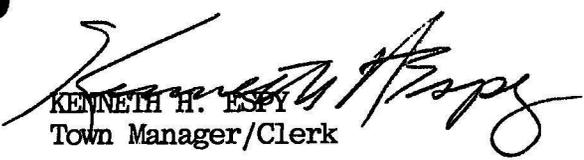
(E)-COMPREHENSIVE PLAN. Clerk pointed out that the Advisory Committee needs to call a meeting as soon as possible to advise Mr. Mark Gill of the revisions to an acceptance of the plan.

(F)-INTERGOVERNMENTAL COUNCIL MEETING. Clerk informed Council that the next Intergovernmental Council meeting will be held September 26, 6:30 p.m., at Shalimar New Conference Room.

(G)-APPROVAL FOR FLORIDA LEAGUE OF CITIES DUES. Motion by Mrs. Balsley to pay the membership dues for Florida League of Cities, seconded by Mr. Johnston. Motion carried unanimously.

13. ADJOURNMENT. Meeting adjourned at 8:10 p.m.

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

  
KENNETH H. ESPY  
Town Manager/Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Financial Report.
2. Ltr-Creel, Bryan & Gallagher.
3. Ordinance #66.
4. Resolution 79-6.
5. Ltr-Dax, Inc.
6. Contract with AMSEC.
7. Copy of Budget 79/80.
8. Newspaper Clippings-PGDN & PNJ.

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

August 1979

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
		Bal Fwd			8,139.98	
35	63 Oka W&S Sys	Sewer Trmt-July	8	1,513.00		53534
	64 Oka Co Sheriff	Svs - August	8	400.00		52100
	65 CENTEL	22nd Pmt-U/F Tax	8	300.00		20310
	66 Gatlin's	Supplies-July	8	13.67		51946
	67 Madaris	Supplies - July	8	16.65		51951
	68 C,B&Gallagher	Convert Acct System	8	350.00		51332
	69 Estergren,FA&P	Ret - July	8	100.00		51431
	70 Boyett's	Svs-8/1-8/31/79	8	30.00		57257
	71 Estergren,FA&P	Ord-Sewage System	14	75.00		51431
		See Dep 78/79-42	13		1,068.78	
	DM Frm Ck Acct	To Fed Sav Acct	13		1,725.00*	
	72 Playground News	Ad-Resolution 79-5	14	7.80		51949
	73 Polyengineering	Ret - August	14	100.00		51931
	74 Atlas Ext	Svs - August	14	7.00		51946
	75 CENTEL	Town Hall	14	26.95		51941
	76 City of FWB	Water-T/Hall	14	30.93		51943 (211.34)
		" -Francis Pk				57243 (46.53)
		" -Laguna Pk				53543 (46.53)
		" -Seaway				53543 (46.53)
	77 K. Espy	2Wks-7/31-8/13	14	250.00		51312
	78 D. Rouse	2Wks-7/31-8/13	14	214.80		51113
	79 W. Taylor	2Wks-7/31-8/13	14	175.40		51312
	80 Barnett Bank	P/R Dep-June & July	15	225.60		21800
		See Dep 78/79-43	17		1,824.05	
	81 J. Vivarttas	Dues-PGDN-August	24	3.90		51954
	82 A-1 Hurricane	Repair Fence in Leyenda Park	24	60.00		57246
	83 CENTEL	Loop Lift Stas	24	24.15		53541
	84 Gulf Pwr Co	Street Lights	24	250.11		54143
	85 Gulf Pwr Co	Traffic Lights	24	162.43		54143 (24.31)
		L/Sta-Laguna				53543 (14.86)
		L/Sta-Kelly				53543 (7.99)
		Pump-Leyenda				57243 (15.49)
		Pump-Laguna				57243 (4.80)
		Town Hall				51943 (494.98)
	86 Playground News	Ad-Pub Hearing-Fed Rev Shar-Entitlement #11	24	2.70		51949
	87 Sears	Calculator	24	81.31		51964

August 1979

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
		See Dep 78/79-44	24	—	2,532.49	
35	88 K. Espy	2Wks-8/14-8/27	28	250.00		51312
	89 D. Rouse	2Wks-8/14-8/27	28	214.80		51113
	90 W. Taylor	2Wks-8/14-8/27	28	124.50		51312
5	91 Stone's Gulf	Gas-Truck&Mower	28	47.76		51952
	92 T. Burke	Dues-PNJ-August	28	4.35		51954
	93 City of Crestview	OLOC Dinner-4/26	31	89.84		51954
	94 C,B&Gallagher	Svs - July	31	55.00		51332
	95 Town of Cinco	Petty Cash	31	15.11		10200
	Total Cks Wr			5,222.76	5,425.32	(Income For August)
	Bal Fwd 1 Aug 79				8,139.98	
	Total Funds Available				13,565.30	
	*TRF Frm Ck Acct to Fed Sav Acct				1,725.00	
	Cks Wr				5,222.76	
	Cash O/H In Bank			31	6,617.54	
	Petty Cash Fund			31	25.00	
	Cash In Bank & P/C			31	6,642.54	
	Sav's #200-004-0			31	1,880.50	
	CD's			31	130,000.00	
	Sav's #200-067-9, 1 Aug 79			2,467.07		
	*TRF Frm Ck Acct			1,725.00		
	Total Savings			31	4,192.07	
	Total Funds Available			31	142,715.11	

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

*Kenneth H. Espy*  
 KENNETH H. ESPY  
 Town Manager/Clerk

CAN WRITE

**CREEL, BRYAN & GALLAGHER**

**CERTIFIED PUBLIC ACCOUNTANTS**

126 N. EGLIN PARKWAY - P. O. BOX 1443

FORT WALTON BEACH, FLORIDA

32548

L. E. CREEL, C.P.A.  
R. BRENTWOOD BRYAN, C.P.A.  
WILLIAM P. GALLAGHER, C.P.A.  
A. WAYNE WILLIAMS, C.P.A.  
J. STEVE JAY, C.P.A.  
JOHN R. HAYNES, C.P.A.  
JIMMY D. MESSICK, C.P.A.  
MARK T. GOFF, C.P.A.

MEMBERS  
FLORIDA INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS

OFFICES  
PENSACOLA, FLORIDA  
FT. WALTON BEACH, FLORIDA

September 19, 1979

To The Honorable Mayor and  
Members of the Town Council  
Town of Cinco Bayou, Florida

Ladies and Gentlemen:

This letter is submitted as our proposal to make an evaluation of the financial statements of the various funds and account groups of the Town of Cinco Bayou, Florida, for the fiscal year ended September 30, 1979, for the purpose of expressing an opinion as to the fairness of presentation of such financial statements in conformity with generally accepted accounting principles.

We shall examine the financial statements of the Town of Cinco Bayou, Florida, as of September 30, 1979, and provide such accounting and auditing services as deemed necessary, including a review of any capital expenditures made during the fiscal year, and the preparation of appropriate year-end adjustments. We will also assist in the preparation of the Annual Financial Report of Units of Local Government to be filed with the Florida Department of Banking and Finance.

Our examination will include the Federal Revenue Sharing Trust Fund, but does not anticipate any extended optional audit procedures nor the preparation of a special audit report for the Office of Revenue Sharing, Washington, D.C.

Our examination of the financial statements will be made in accordance with generally accepted auditing standards and will include such tests of the accounting records and such other procedures as we consider necessary in the circumstances and will be directed to the expression of our opinion on the fairness of presentation of the financial statements taken as a whole in conformity with generally accepted accounting principles.

An examination directed to the expression of an opinion on the financial statements is not primarily or specifically designed, and cannot be relied upon, to disclose defalcations or other similar irregularities should any exist, although their discovery may result.

We will from time to time require the assistance of the Town Clerk and/or your other office personnel to prepare schedules or locate and submit to us invoices,

(Continued)

Town of Cinco Bayou, Florida

-2-

September 19, 1979

vouchers, cancelled checks and other documents and records which we request. This will serve to expedite the completion of our field work and the audit report.

Our fee for the services enumerated above will be primarily dependent upon the time required to complete the engagement. Based upon our experience in auditing prior years for the Town of Cinco Bayou, Florida, and subject to the books and records being up-to-date and maintained in accordance with generally accepted accounting principles, we estimate that our fee will range between \$2,000.00 and \$2,500.00. A number of reasons exist which caused our estimated range to increase from last year. Two of these are inflation which has affected each and all of us and the change in your management personnel, the Town Clerk, during this fiscal year. Generally accepted auditing standards require us to expand our audit program, when there has been a change in management personnel, in order to insure consistency of accounting records with those of previous years. Although we have had to expand our estimated range in order to cover the expanded audit program, we will make every effort to keep our time at a minimum consistent with quality professional services required by the engagement. If, however, we should encounter unexpected problems and it becomes apparent that our bill will exceed the maximum amount of \$2,500.00, we will bring the matter to your attention immediately. Our bill will be due and payable upon receipt.

Assuming the arrangements outlined above are acceptable to you, please so indicate by signing and returning the enclosed copy of this letter.

If you have any questions or comments, please do not hesitate to let us know.

Sincerely,

*Jimmy D. Messick*

CREEL, BRYAN & GALLAGHER  
Certified Public Accountants

JDM:sp  
enc:as stated

Town of Cinco Bayou, Florida

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

ORDINANCE NO. 66

AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REQUIRING CONNECTION TO SEWAGE SYSTEM BY ALL PROPERTY OWNERS AND USERS; ESTABLISHING A CONNECTION FEE; A SERVICE APPLICATION PROCEDURE, AND AN INSPECTION PROCEDURE; PROVIDING FOR MAINTENANCE OF SEWER LATERALS; RESERVING RIGHTS TO IMPOSE SEWER RATES; AND PRESCRIBING AN EFFECTIVE DATE HEREOF.

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

SECTION 1: Compulsory connection to sewer system.

All property owners and property users of developed property where available for connection to the existing sewage collection system shall make application with the town clerk within thirty (30) days from the adoption of this ordinance for connection to such system and shall be required to pay the established tap-on fee and sewage charge as set by the town as enumerated herein.

SECTION 2: Fees for connecting to town sanitary sewer.

(A) Flat fee. A flat fee of Three Hundred and Fifty Dollars (\$350.00) shall be paid for connection of all residential dwellings, including trailers, commercial buildings, and fraternal, religious or charitable organizations. Each unit of an apartment complex, of an office or residential condominium or of a trailer park shall be considered separately and required to pay such fee for connection to the sewer system.

(B) Effective date. The connection fee and extension policy as provided in this section shall become effective throughout the town September 20 1979.

(C) Sewer line extension policy. In addition to the connection fee outlined in subsection (A) above, a developer or customer shall pay all costs of extensions of a sewer main line. The town, in negotiation with the developer or customer, may bear a portion of the extension costs and reduce or waive the connection fee, at its option.

SECTION 3: Application for service; issuance of permits; payment of fees.

The town clerk shall issue a sewage connection permit upon

receipt of an application submitted to the town requesting connection to the town's sewage collection system and upon receipt of the required connection fee. Applications for service in conjunction with new construction shall be made simultaneously with an application for a building permit. The connection fee for such applications shall be paid to the town at the time of issuance of the building permit.

SECTION 4: Inspection of sewer connection.

All sewage system taps shall be inspected by the town inspector prior to back-filling of the sewage connection. No back-filling of a sewage trench shall occur until written approval of a tap-on connection is issued by the inspector. The approval shall be issued in triplicate, one copy each to the customer, the town, and the inspector.

SECTION 5: Maintenance of sewer laterals.

The applicant, user or owner of the property serviced by the town sewer system, shall be responsible for maintaining the sewer pipes between the plumbing fixtures on the property to the property line in good operating condition and free from all internal obstructions.

SECTION 6: Reservation of right to impose sewer charges.

The town reserves the right to impose upon each customer a reasonable charge to be fixed hereafter for service supplied by the town's sewage collection system and to require a service deposit.

SECTION 7: Violations; penalties.

(A) It shall be unlawful for any property owner or user of developed property to fail to connect to the town sewage collection system when available to the property.

(B) It shall be unlawful for any property owner or user of developed property to connect to the town's sewage collection system without first obtaining a sewage connection permit and paying the required connection fee.

(C) Any property owner or property user failing to abide by

the provisions of Section 7(A) or (B) shall be subject to a fine not exceeding Five Hundred Dollars (\$500.00) or ninety (90) days in jail. Each day's violation shall be considered a separate offense.

SECTION 8: Exculpatory clause.

Nothing contained herein shall be construed to require any property owner or user of developed property who was connected to the town's sewage collection system prior to September 20 1979, to pay a sewer connection fee for existing structures.

SECTION 9: Savings clause.

Should any section, clause or provision of this ordinance be declared by a 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 part so declared to be invalid.

SECTION 10: Repeal of conflicting ordinances.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11: Effective date.

This ordinance shall become effective immediately upon its passage and approval by the Mayor.

ADOPTED:

*September 20, 1979*

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

*Kenneth H. Gray*  
\_\_\_\_\_  
Town Clerk

RESOLUTION NO. 79-6

A RESOLUTION DECLARING THE CANDIDATES FOR OFFICES UPON WHICH A VACANCY EXISTS IN THE TOWN OF CINCO BAYOU, FLORIDA, TO BE DULY ELECTED AS THEY HAVE NO OPPOSITION AND DECLARING THAT NO NECESSITY EXISTS FOR AN ELECTION AS ONLY ONE PERSON QUALIFIED AS A CANDIDATE FOR EACH VACANCY THAT EXISTS.

THE TOWN OF CINCO BAYOU, FLORIDA DOES RESOLVE:

SECTION I. THAT the Town of Cinco Bayou, Florida, resolves that JAMES KENDIRCK, III, candidate for Mayor, is hereby duly elected Mayor for a period of one (1) year, beginning November 1, 1979.

That the Town of Cinco Bayou, Florida, resolves that IRENE E. BALSLEY, RALPH J. PERRY AND MAX O. USREY, candidates for the three existing council vacancies, are hereby duly elected council members for a period of two (2) years beginning November 1, 1979.

That such election is to fill the vacancy of Mayor and Councilmen, respectively, of the Town of Cinco Bayou, Florida.

SECTION II. THAT the Town of Cinco Bayou, Florida, does hereby resolve that no necessity exists for formal balloting or election, or only one person qualified as a candidate for each vacancy that exists.

SECTION III. WHEREAS, the date of the Election having been formally announced as October 2, 1979, and whereas the necessity exists, whereby cancellation of said election must be announced, such cancellation and announcement thereof are considered accomplished by adoption of this Resolution.

SECTION IV. THIS Resolution shall take effect immediately upon its passage by the Council and approved by the Mayor.

ADOPTED: September 20, 1979

BY : \_\_\_\_\_

ATTEST:

Kenneth H. Epp  
TOWN MANAGER/CLERK

DAX, INC.  
P. O. BOX 37  
Shalimar, Fl. 32579

September 20, 1979

Town of Cinco Bayou

Cinco Bayou, Okaloosa County, Fl.

Gentlemen:

We respectfully request a lot variance, from 50' to 18' width for townhomes, with no side yard requirements.

It is my understanding, we meet all other zoning requirements.

Your early consideration will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "D. B. Phillips".

DAX, INC.

D. B. Phillips, President

# AMERICAN



# SECURITY

GUARD, PATROL, ESCORT, AND ALARM SERVICES

P. O. Drawer 1347 • Fort Walton Beach, Florida 32548

ROBERT D. HOOK  
PRESIDENT

(904) 244-2415  
(904) 243-8614

## Contract

THE FOLLOWING CONTRACT is entered into by AMERICAN SECURITY (hereinafter referred to as AMSEC) of Fort Walton Beach, Florida and Kenneth H Espy as agent (hereinafter referred to as client) for Town of Cinco Bayou located at Town of Cinco Bayou, 35 Kelley, Ft Walton Beach, FL 32548 on this 25th day of September 1979.

AMSEC, for consideration hereinafter described, agrees to provide security ~~WARRANT~~/PATROL service and supervision for the client on his premises located at Town of Cinco Bayou Florida, for a period of one year \*commencing 1 October 1979. This contract to be automatically renewed upon anniversary date, unless written notification of intention to renegotiate or terminate said contract is submitted 30 days prior to anniversary date by either party thereto. \*EXCEPTION: May be cancelled upon 30 days notice by either party.

### TERMS AND CONSIDERATIONS

A) AMSEC WARRANTS that it is a bonded organization recognized and licensed by the State of Florida to provide security services. AMSEC further warrants that its executives and security officers are trained in a manner commensurate with the services to be provided under this contract.

B) THE CLIENT AGREES that AMSEC, in order to effectively carry out the responsibilities inherent to the contract, is authorized to act as agent in all matters pertaining to security operations and shall exercise this authority in a responsible manner to further the interests of the client. It is further agreed that this authority shall not extend to expenditure of client funds except as may be separately agreed upon.

C) IT IS AGREED that guards provided under this contract shall not bear firearms unless specifically directed and authorized by the client; that such authorization shall apply only within the boundaries of client's property; and that AMSEC shall not be deemed as liable for the negligent or criminal acts of third parties either lawfully or unlawfully on the premises of the client. It is further understood that this agreement shall in no way circumvent applicable Federal, State, County, or local laws as they pertain to the registration of firearms or firearms bearer permits.

D) IT IS AGREED that the property and premises of the client shall not be construed as being within the care, custody, or control of AMERICAN SECURITY during the time that this agreement shall be in effect.

ADDENDUM TO CONTRACT BETWEEN AMERICAN SECURITY (AMSEC, INC.) AND THE TOWN OF CINCO BAYOU

(K) Patrol Service

(1) American Security will patrol Cinco Bayou with an armed security guard in a radio controlled vehicle for a period in excess of two hours at random times (four or more different time increments) each night of the year between the hours of 7:00 p.m. and 6:00 a.m. This patrol will close the gates to the three parks before 9:00 p.m. and reopen the parks by 6:00 a.m. each day. This service will include the nightly patrol of all streets in Cinco Bayou, the visual check of all buildings and parks. Keys and locks to the parks will be furnished by Cinco Bayou.

(2) If any unusual circumstances are discovered, a closer inspection will be performed. If necessary the proper authorities will be requested by radio for assistance such as Sheriff, fire and ambulance. In addition, every effort will be made to locate and notify the property/owner/tenant of the premises. This is not to say that American Security will maintain or be responsible for any listing of emergency contacts for the business or residential buildings within Cinco Bayou. AMSEC patrolmen will prepare a written report of all serious incidents and a copy of that report will be provided to the Cinco Bayou Town Manager.

(3) "Special" requirements within the contracted time frame, such as occasional checks of a given building, will be at no additional charge. Significant events which would increase the time of coverage would be individually negotiated as required.

*Richard L. Hook*  
AGENT, AMERICAN SECURITY  
Sept 25, 1979  
DATE

*Kenneth Henry*  
CLIENT/DESIGNATED AGENT  
Sept 27, 1979  
DATE

ANTICIPATED REVENUES FY OCT 79 SEPT 80

<u>ACCOUNT NO.</u>	<u>SOURCE:</u>	<u>AMOUNT</u>
31110	Ad Valorem Taxes: Current	\$ 39,045.00
	<u>Gulf Power Company</u>	
31310	Franchise Fee	11,500.00
31410	Utility Svs Tax	9,050.00
	<u>CENTEL</u>	
31320	Franchise Fee	1,500.00
31420	Utility Svs Tax	5,800.00
	<u>Okaloosa Co Gas District</u>	
31340	Franchise Fee	975.00
31440	Utility Svs Tax	2,400.00
31390	Warner Cable: Franchise Fee	300.00
31430	FWB (Water): Utility Svs Tax	2,000.00
32100	Oka Co Occup Lic	350.00
32910	Business Registration	400.00
33152	Economic Environment (CETA)	6,000.00
33191	Comprehensive Plan	165.00
33250	Federal Revenue Sharing	5,500.00
	<u>State Shared Rev-General</u>	
33511	Cigarette Tax	1,350.00
33512	Revenue Sharing Proceeds	21,160.00
33514	Mobile Home Licenses	75.00
33515	Alcoholic Bev Licenses	300.00
33517	Local Government & Additional Homestead	1,500.00
33519	Other General Government	100.00
33810	Road & Bridge Tax-Oka County	3,100.00
34350	Sewer & Utility Revenue	--
34355	Other Income	8,800.00
35900	Municipal Fines	1,200.00
36100	Barnett Bank (Interest -CD's & Savings)	8,500.00
36900	Other Miscellaneous Revenues	<u>1,775.00</u>
	TOTAL	\$ 132,845.00

TOWN OF CINCO BAYOU  
ESTIMATED EXPENDITURES  
OCT 79 - SEPT 80

<u>ACCT #</u>	<u>EXPENDITURES</u>	<u>AMOUNT</u>
20310	Repayment to CENTEL  (12 Months @ \$300.00)	\$ 3,600.00
51321	<u>General Governmental Svcs: Financial &amp; Administrative</u> Salaries & Wages  (\$7800-Town Clerk) (\$7000-First Year Assessment @ \$3.50 hrly) (\$1400-Extra Hire)	16,200.00
51332	Accounting & Auditing  (\$2800-Audit); (\$700-Bookkeeping)	3,500.00
51431	<u>Legal Counsel</u> Professional Services  (\$1200-Retainer, \$100 Per Month) (\$3800-Legal Fees)	5,000.00
51931	<u>Other General Governmental Services</u> Professional Services (Engineering, Municipal Code, etc)  (\$1200-Retainer, \$100 Per Month) (\$1700-Polyengineering Svcs) (\$ 300-Coding)	3,200.00
51940	Travel & Per Diem  (800 miles @ .17 = \$136; 4 Days @ 9.50)	175.00
51941	Communication Services (Telephone, etc)-T/Hall  (Telephone & Election Clerks)	630.00
51942	Transportation (Freight, Postage, etc)  (Postage)	105.00
51943	Utility Services-Town Hall  (\$1400-Elec) (\$ 275-Garbage) (\$ 150-Water)	1,800.00

<u>ACCT #</u>	<u>EXPENDITURES</u>	<u>AMOUNT</u>
51945	Insurance (Insurance Normal Increase)	\$ 1,675.00
51946	Repairs & Maint-T/H (Pest Control, Repairs, etc) (Includes funds for changing interior & finishing backroom)	3,500.00
51949	Other Current Charges (Misc, Legal Ad, etc) (\$200-Legal Ad) (\$100-Printing)	300.00
51951	Office Supplies	500.00
51952	Operating Supplies (\$400-Gasoline), (\$ 75-Truck Maintenance) (\$ 50-Mower Maintenance) (\$ 75-Misc)	800.00
51954	Books, Publications, Subscriptions & Memberships (\$150-Chamber of Commerce) (\$300-OIDC) (\$150-FLOC) (\$650-OLOC) (\$200-Misc) (\$ 55-Newspaper) (\$ 35-Notary Renewal) (\$ 40-Building Code)	1,580.00
51964	Capital Outlay - Equipment	400.00
51982	Aids to Private Organizations (\$150-Senior Citizens) (\$150-Other Donations)	300.00
52100	<u>Public Safety</u> <u>Law Enforcement</u> (Salamander Security, \$500 Per Month)	6,000.00
52210	<u>Fire Control</u> <u>General Fund</u> (FWB has in their Revenue Budget \$26,000)	19,600.00
52220	Federal Rev Sharing (FWB has in their Revenue Budget \$26,000)	6,900.00

<u>ACCT #</u>	<u>EXPENDITURES</u>	<u>AMOUNT</u>
52934	<u>Other Public Safety</u> Other Contractual Svcs (Animal Control.)  (Humane Society)	\$ 200.00
53534	<u>Physcial Environment: Sewer Svcs</u> Other Contractual Svcs (Sewer Trmt)  (178 County Users now, 192 soon)	20,240.00
53541	Commication Svcs (Telephone-L/Stas)  (Centel Loop Lift Stations)	350.00
53543	Utility Svcs (Electricity & Water-L/Stas)  (\$375-Water) (\$375-Elec)	750.00
53546	Repairs & Maint (Sewer System)  (Clean Out L/Stas & Other Repairs)	800.00
53560	Capital Outlay (Installation of Opp Extension)	12,000.00
54112	<u>Transportation: Road &amp; Street Facilities</u> Salaries & Wages	--
54143	Utility Svcs  (Traffic Light-\$325) (Street Lights-\$3200)	3,525.00
54126	Repairs & Maint  (\$600-Pot Holes) (\$2000-Signal Repair) (\$2400-Resurface)	5,000.00
54152	Operating Supplies	--
54153	Road Materials & Supplies	--
54164	Capital Outlay-Equipment	--
51113	<u>Economic Environment: Employment Opportunity &amp; Development</u> Other Wages (CETA)  (Employee @ \$3.00 hrly)	6,240.00
57212	<u>Recreational/Culture: Parks &amp; Recreation</u> Salaries & Wages (Work in the Parks @ \$3.00 hrly)	2,600.00

<u>ACCT #</u>	<u>EXPENDITURES</u>	<u>AMOUNT</u>
57243	Utilities (Elect/Water/Garbage) (\$400-Elec) (\$150-Water) (\$ 75-Garbage)	\$ 625.00
57246	Repairs & Maint (Oyster Shell, Fill Dirt, Tables, Resurfacing)	3,400.00
57252	Operating Supplies (Fertilizer & Sprinkler repair)	550.00
57264	Capital Outlay - Equipment	600.00
57400	Special Events - Town Picnic	<u>200.00</u>
	TOTAL	\$132845.00

# Playground Daily News

Sept 29, 1979

Leg. 7509.

ELECTION 1979

RESOLUTION NO. 79-6  
A RESOLUTION DECLARING THE CANDIDATES FOR OFFICES UPON WHICH A VACANCY EXISTS IN THE TOWN OF CINCO BAYOU, FLORIDA, TO BE DULY ELECTED AS THEY HAVE NO OPPOSITION AND DECLARING THAT NO NECESSITY EXISTS FOR AN ELECTION AS ONLY ONE PERSON QUALIFIED AS A CANDIDATE FOR EACH VACANCY THAT EXISTS.

THE TOWN OF CINCO BAYOU, FLORIDA DOES RESOLVE:

SECTION I. THAT the Town of Cinco Bayou, Florida, resolves that James Kendrick, III candidate for Mayor is hereby duly elected Mayor for a period of one (1) year, beginning November 1, 1979.

That the Town of Cinco Bayou, Florida resolves that IRENE E. BALSLEY, RALPH J. PERRY AND MAX O. USREY, candidates for the three existing council vacancies, are hereby duly elected council members for a period of two (2) years beginning November 1, 1979.

That such election is to fill the vacancy of Mayor and Councilman, respectively, of the Town of Cinco Bayou, Florida.

SECTION II. THAT the Town of Cinco Bayou, Florida, does hereby resolve that no necessity exists for formal balloting or election or only one person qualified as a candidate for each vacancy that exists.

SECTION III. WHEREAS, the date of the Election having been formally announced as October 2, 1979, and whereas the necessity exists, where- by cancellation of said election must be announced, such cancellation and announcement thereof are considered accomplished by adoption of this Resolution.

SECTION IV. THIS resolution shall take effect immediately upon its passage by the council and approved by the mayor.

ADOPTED September 20, 1979  
BY: /s/ JIM KENDRICK, III

ATTEST  
/s/ KENNETH H. ESPY  
TOWN MANAGER/CLERK  
September 23, 29, 1979

## Cinco Bayou Raises Millage Rate

Cinco Bayou councilmen Thursday raised the town's tax millage on real and personal property for the 1979-80 fiscal year by .516 mill, which the town clerk said was the maximum the tax could be raised without a public hearing.

The increased millage rate comes after the county tax assessor's reassessment of Cinco Bayou property, which resulted in a \$1.4 million reduction in real and personal property value.

The council, on the tax assessor's recommendation according to City Clerk Kenneth Espy, raised the tax from last year's 4.416 mills to 4.932 mills in order to generate about the same revenues during 1979-80 as were generated this year.

The council also engaged Thursday the services of American Security Systems for the next fiscal year to provide security services to the town. The services will include the daily opening and closing of parks and the patrolling of streets at least four times per night, resulting in two hours of patrol time each night.

American was selected over Salamander Security Systems Inc. after the council questioned representatives from each firm.

Councilmen determined that American offered about the same service as Salamander.

The main difference was in the cost to the city -- Salamander would have charged \$500 per month while American will charge \$400 per month.

The contract between the town and the agency will contain a clause that will allow either party to cancel if either is unsatisfied with the arrangement.

In other business, the council passed a resolution abolishing the election set for Oct. 2 since the mayor's seat and the three council seats were uncontested.

Council members Max Usery, Ralph Perry, and Irene Balsley will serve additional two-year terms, while Mayor Jim Kendrick was reinstated Thursday for another one-year term.

Kendrick's reinstatement comes after he announced last week that he would not seek re-election. But he said Thursday night that he "may later resign" for personal reasons.

Playground News  
Sept 19, 1979

Leg. 7471:  
NOTICE OF PROPOSED ENACTMENT OF ORDINANCE:  
The Town Council of the Town of Cinco Bayou, Florida, proposes to enact an ordinance REQUIRING CONNECTION TO SEWAGE SYSTEM BY ALL PROPERTY OWNERS AND USERS; ESTABLISHING A CONNECTION FEE, A SERVICE APPLICATION PROCEDURE, AND AN INSPECTION PROCEDURE; PROVIDING FOR MAINTENANCE OF SEWER LATERALS; RESERVING RIGHTS TO IMPOSE SEWER RATES; AND PRESCRIBING AN EFFECTIVE DATE FOR ENACTMENT...Such ordinance may be inspected by the public at the Town Hall of the Town of Cinco Bayou, Florida, and it is proposed that the ordinance should be considered for second reading by the Town Council of the Town of Cinco Bayou, Florida, at their regular council meeting to be held at 7:00 p.m., on September 20, 1979 at the Town Hall of the Town of Cinco Bayou, Florida, at which time interested parties may appear and be heard with respect to this proposed ordinance enactment.  
KENNETH H. ESPY  
Town Clerk  
September 15, 18, 1979

# Devalued Stores May Hike Taxes In Cinco Bayou

By JEFF NEWELL  
Journal Staff Writer

CINCO BAYOU — Along with the decreased appraised value of three major pieces of real estate may come an increase in the town's millage rate, Cinco Bayou manager and clerk Ken Espy said Friday.

"We may adopt a 4.9 millage rate to keep our ad valorem revenues constant," said Espy, "but that hasn't been adopted by the town council yet." The present levy is 4.416 mills.

Espy said council members would check with Okaloosa Property Appraiser Howard Hilburn before taking any action on the millage rate to see how the revised figures were derived.

Hilburn said one reason for the lowered valuations, reappraisal of which was mandated by the state, was the redesignation of the building formerly occupied by J.M. Fields from a regional shopping center to a local shopping center.

"It was appraised on the same basis as Santa Rosa Mall," said Hilburn, "but the appraised value dropped with the reclassification."

Hilburn said the building was appraised at \$2,052,372 in 1978, but for 1979 the appraised value dropped to \$1,632,261.

A two-story structure occupied by the Abundant Life Fellowship, he said, was appraised at \$154,093 during 1978 because the church used only the top floor for services and leased the bottom floor.

"They applied for a church exemp-

tion in 1978 but didn't get it," Hilburn said. "But the exemption was granted for 1979 because more than 50 percent of the building is now being used for church operations."

The exemption was made possible by a "predominant use" clause in state tax laws, he said, which requires the use of more than 50 percent of the building for religious purposes.

Another building, Vesta Lumber Supply, was assessed in 1978 at \$246,365 and again in 1979 at \$159,212.

Even with an increased millage rate the proposed budget for the upcoming fiscal year is expected to drop by about \$7,000, Espy said.

"We don't expect to spend as much on streets and parks next year," he said. "For example we renovated the Town Hall last year and that's finished, so that's one area we won't have to spend for."

For reasons such as this, he said, the town's budget is expected to drop from the 1978 figure of \$139,070 to a projected \$132,845.

Although ad valorem taxes are the town's largest single source of revenue, Espy said, the \$37,954 tax revenue estimated for 1978 is supplanted by numerous other categories of state and federal revenue sharing.

Hilburn said the 1978 non-exempt tax base of \$7,068,375 for real estate, with a

See TAXES, Page 4C

## Taxes

personal property figure of \$1,166,473 resulted in an initial base of \$8,234,848.

A state-mandated drop in assessment from 25 to 10 percent of fair market value, Hilburn said, combined with a \$50,000 senior citizens exemption and a \$13,500 disability exemption resulted in a state rebate to the town which brought the total non-exempt tax base to \$8,594,691 in 1978.

It was this figure, with the current levy applied to it, which yielded the \$37,954 revenue estimate.

Looking ahead to the upcoming fiscal year, Hilburn said real estate for the town was appraised at \$6,415,861. Personal property, such as office furnishings and store fixtures, has been appraised at \$1,317,832.

The state rebate for senior citizens

and disability exemptions has remained constant, he said.

Dropping a building under construction appraised at \$20,254 from the rolls as required by state law, he said, yielded a final tax base figure of \$8,078,314 for 1979 taxes.

The final figure, he said, reflects the state rebate for taxes lost due to the mandatory 15 percent drop in assessment.

"To collect the same amount of ad valorem taxes for 1979 as they did in 1978 would require a millage rate of 4.698, Hilburn said. "But if the town council wants to, the law allows them to increase that figure by 5 percent without a referendum. That would result in a new rate of 4.932 mills."

Chinlow

From Page 1C

PGDN, September 14, 1979

## Cinco Bayou Stands To Lose \$1.4 Million in Tax Revenues

The Cinco Bayou Town Council learned Thursday night that the revenues from taxes on the value of real property will decrease \$1.4 million for the 1979-1980 fiscal year. Kenneth Espy, town manager and clerk, said the decrease is a result of reassessment of property, mainly the J.M. Fields building.

The council, meeting as a committee, instructed Espy to have the county tax assessor submit in writing the reasons for the reduction of taxes on the reassessed property.

Council members also learned from Mayor Jim Kendrick that he will not seek re-election in the Oct. 2 town elections; However, Councilmen Max Usery and Ralph Perry, and Councilwoman Irene Balsley will run for re-election.

Persons wishing to run for office may obtain the necessary forms from the Cinco Bayou Town Hall.

The council also decided to meet next Thursday with representatives of Salamander Security Systems Inc. and American Security, the two security agencies being considered for town security during 1979-1980. The Okaloosa County Sheriff's Department was mentioned only once at the meeting when Balsley said, "They (the sheriff's department) aren't doing a thing for their money." The sheriff's department currently is responsible for town security (opening and closing parks, and patrolling).

The council wants to meet with the private security representatives to determine which company offers more services for the money. The council will meet with the representatives at 6 p.m. on Sept. 20, one hour before the regular meeting. A decision is expected during the regular meeting.

Playground News  
Sept 14, 1979

pg. 7434  
TOWN OF CINCO BAYOU  
BUDGET HEARING  
NOTICE IS HEREBY GIVEN that the Town Council of the Town of Cinco Bayou will hold a public hearing in the Town Hall, 35 Kelly Avenue at 7:00 p.m., September 20, 1979, to consider the Proposed Budget for Fiscal Year 1979,80. All interested parties will be afforded an opportunity to provide written and oral comments concerning the proposed budget and relationship of Federal Revenue Sharing Funds to the rest of the Budget.  
Benneth H. Espy  
Town Manager/Clerk  
September 7, 14, 1979

Playground News  
September 12, 1979

Public Notices

TOWN OF CINCO BAYOU  
NOTICE OF ELECTION

In accordance with the ordinance made and provided, an election will be held on Tuesday, October 2, 1979, in the Town of Cinco Bayou, Florida, to elect a Mayor for the term of one year, and three Council members for the term of two years. Such election shall be held at the permanent Town Hall located on Kelly Avenue, Cinco Bayou, Florida from 7 a.m. to 7 p.m.

All persons desiring to vote in this election must be registered on the voter registration books maintained by the County Supervisor of Elections. These books will close for registration for this election, September 1, 1979.

Nominating petitions for candidates desiring to appear on the ballot must be filed with the Town Clerk during the period of September 4 through September 18, 1979, at 12 noon.

Kenneth Espy  
Town Manager Clerk  
August 27 September 3, 12, 25, 1979.