

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
September 21, 1977

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

Also present were: Herb Tinsley representing First Federal Savings and Loan Association of Okaloosa County; Dick Emmons and Winston G. Walker representing City of Fort Walton Beach; Honey Reeves representing Playground Daily News; Mr. & Mrs. Lowell Taylor.

Therefore, a quorum being present, Mayor Kendrick opened the meeting at 5:04 p.m.

1. FORT WALTON'S REQUEST FOR PERMANENT EASEMENT FOR 16" WATER LINE. After lengthy discussion, Mr. Peek moved to grant a permanent easement to the City of Fort Walton Beach, for the purpose of installing a 16" water line along the requested route from Cinco Bayou Bridge south to Lucile Street, west on Lucile to Kidd Street, then south on Kidd and Luverne Streets to Hughes Avenue. Also, reduction of premium rate to Cinco Bayou water users from 37½% to 25% on our current franchise which expires in 1981; with the option to renew franchise for an additional 15 years at the 25% premium rate, seconded by Mr. Johnston. Motion carried unanimously.
2. ADJOURNMENT. Meeting adjourned at 5:43 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:

1. Letter-City of Fort Walton Beach, September 20, 1977
2. Map of Proposed Route
3. Newspaper Report-PGDN

City of Fort Walton Beach

P. O. Box 1449 • Fort Walton Beach, Florida 32548

Telephone (904) 243-3141

September 20, 1977

The Honorable Jim Kendrick, Mayor
Town of Cinco Bayou

Dear Jim:

The Fort Walton Beach City Council at the special meeting of Monday, September 19, voted to negotiate a new 15 year water franchise with the Town of Cinco Bayou at a water premium rate reduced from 37½% to 25%. This will amount to a savings of approximately \$200.00 per month for your citizens and place the Cinco Bayou Water Franchise in alignment with the Eglin Highway Subdivision Franchise.

Should the new 15 year franchise not fit with your planning to re-negotiate your county sewer arrangement in 1981, I will go back to the Fort Walton Beach City Council and ask for changes that will fit with your intentions.

I appreciate your having granted Fort Walton Beach easements for the scheduled water transmission lines from the Golf Course to the Hughes Avenue well site on Cinco Bayou streets, however, the City is planning to spend approximately \$600,000.00 in the movement of this water from the golf course area to the Hughes Avenue location and cannot go forward with this particular plan with easements lasting only until 1981. I would appreciate your considering the granting of permanent easements for this 16" transmission line.

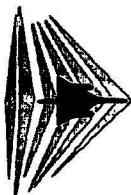
The City of Fort Walton Beach will assume responsibility for the conduct of this job and any damage to your existing underground utilities and existing paving. After the transmission line is constructed through Cinco Bayou, five fire hydrants will be provided along the water main. The City will provide you with approximate starting and completion dates on the project. If I can provide additional information, please do not hesitate to call.

I join the Mayor and Council in expressing the appreciation of the citizens of Fort Walton Beach.

Sincerely,


WINSTON G. WALKER
City Manager





HOME OF THE

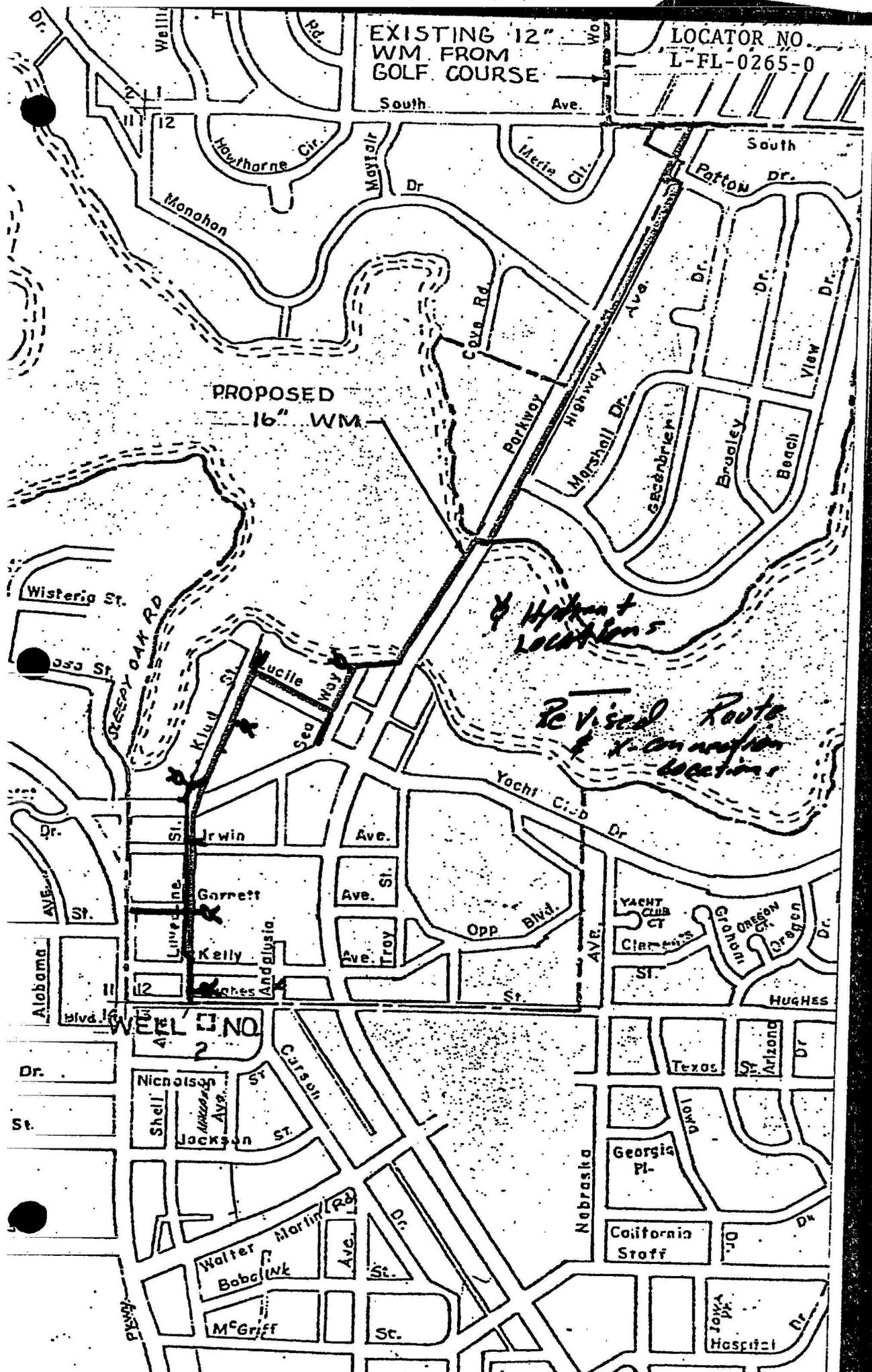
EXISTING 12" WM FROM GOLF COURSE

LOCATOR NO. L-FL-0265-0

PROPOSED 16" WM

Hydrant Locations

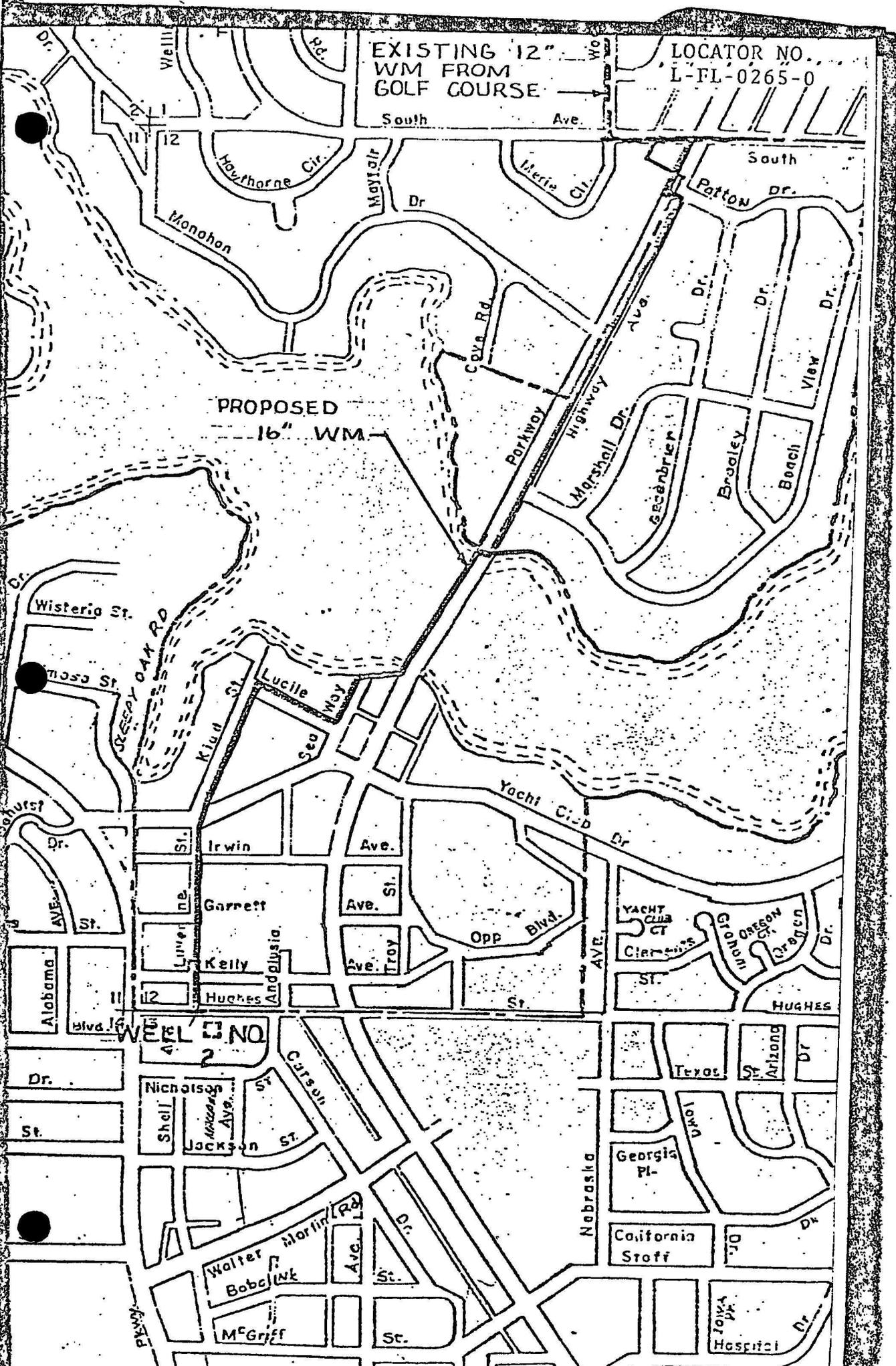
Revised Route & Hydrant Locations



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City of Fort Walton Beach

R

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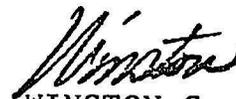
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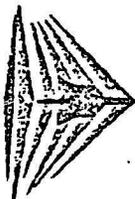
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LOCATOR NO. L-FL-0265-0

South Ave.

South

Monahan

Hawthorne Cir.

Mayfair Dr.

Merle Cir.

Patton Dr.

Cova Rd.

Parthway

Highway

Marshall Dr.

Secanbrler

Bradley

Bonch

View Dr.

PROPOSED 16" WM

Wisteria St.

St. Cecilia

STEADY OAK RD

Kiwi St.

Lucile

Sea Way

Yacht Club Dr.

Irwin St.

Ave.

Garrett

Ave. St.

Opp Blvd.

YACHT CLUB CT

Clam St.

Gordon

Oregon

Dragon

Dr.

Alabama

Lincoln

Kelly

Hughes

Andrusia

Ave. Troy

St.

AVE.

St.

HUGHES

WATER NO. 4

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Carson

Texas

Arizona

Dr.

Nichols

Shell

Jackson

St.

St.

St.

Nebraska

Georgia Pl.

California

Stoff

Dr.

Dr.

Dr.

Dr.

Walter Martin

Bob

McGriff

Ave.

St.

St.

St.

St.

Dr.

Dr.

Dr.

Dr.

City of Fort Walton Beach

R

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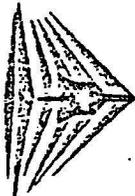
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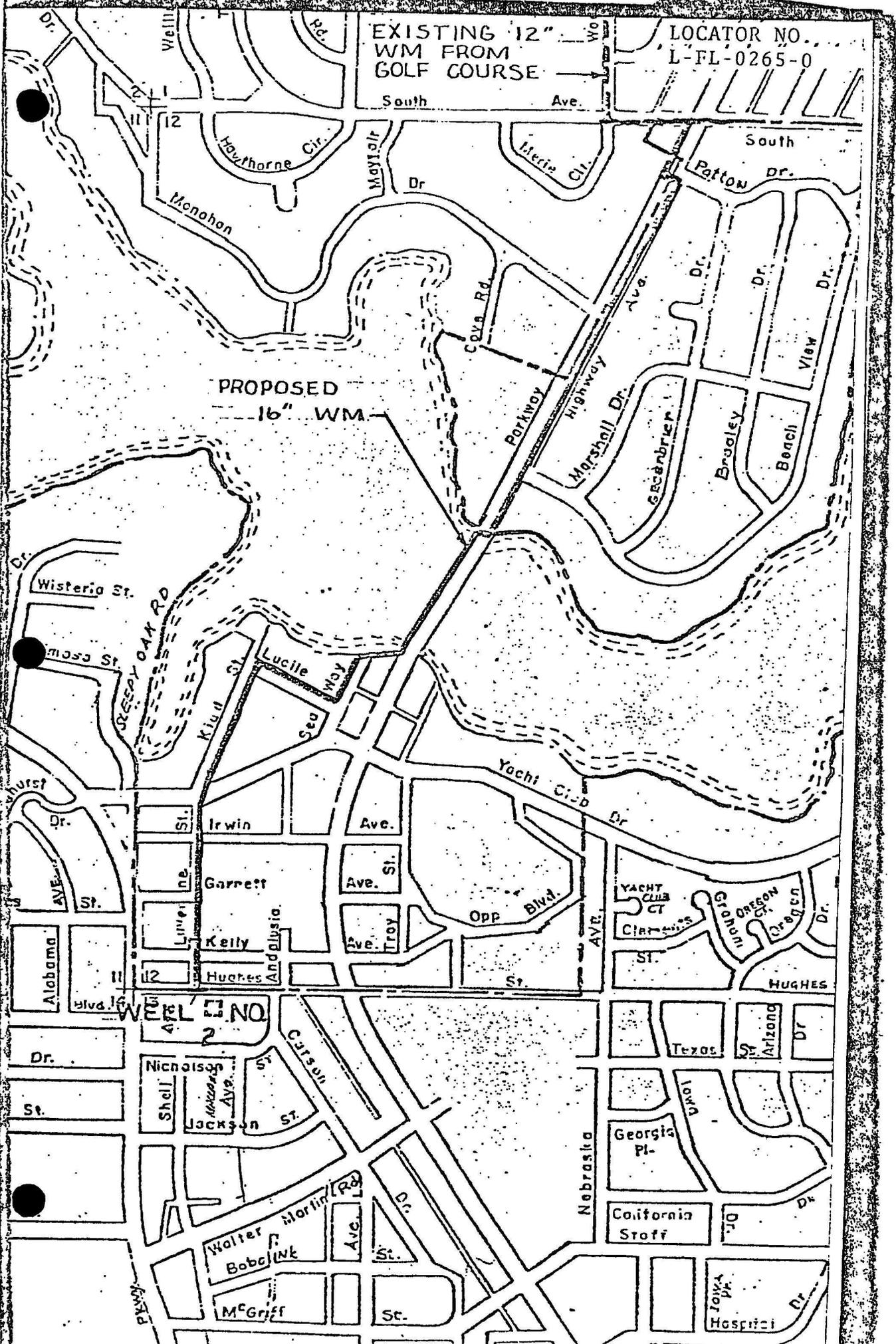


HOME OF THE

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LOCATOR NO. L-FL-0265-0

PROPOSED 16" WM



South Ave.

South

Hawthorne Cir.

Mayfair Dr.

Merle Cir.

Patton Dr.

Monahan

Cova Rd.

Parkway

Highway

Marshall Dr.

Secanbrier

Broaley

Beach

View Dr.

Wisteria St.

Moss St.

Steeple Oak Rd.

Lucile

Seu way

Yacht Club Dr.

Irwin

Ave.

Garrett

Ave. St.

Kelly

Ave. Troy

Hughes

St.

Alabama Ave.

St.

Lincoln

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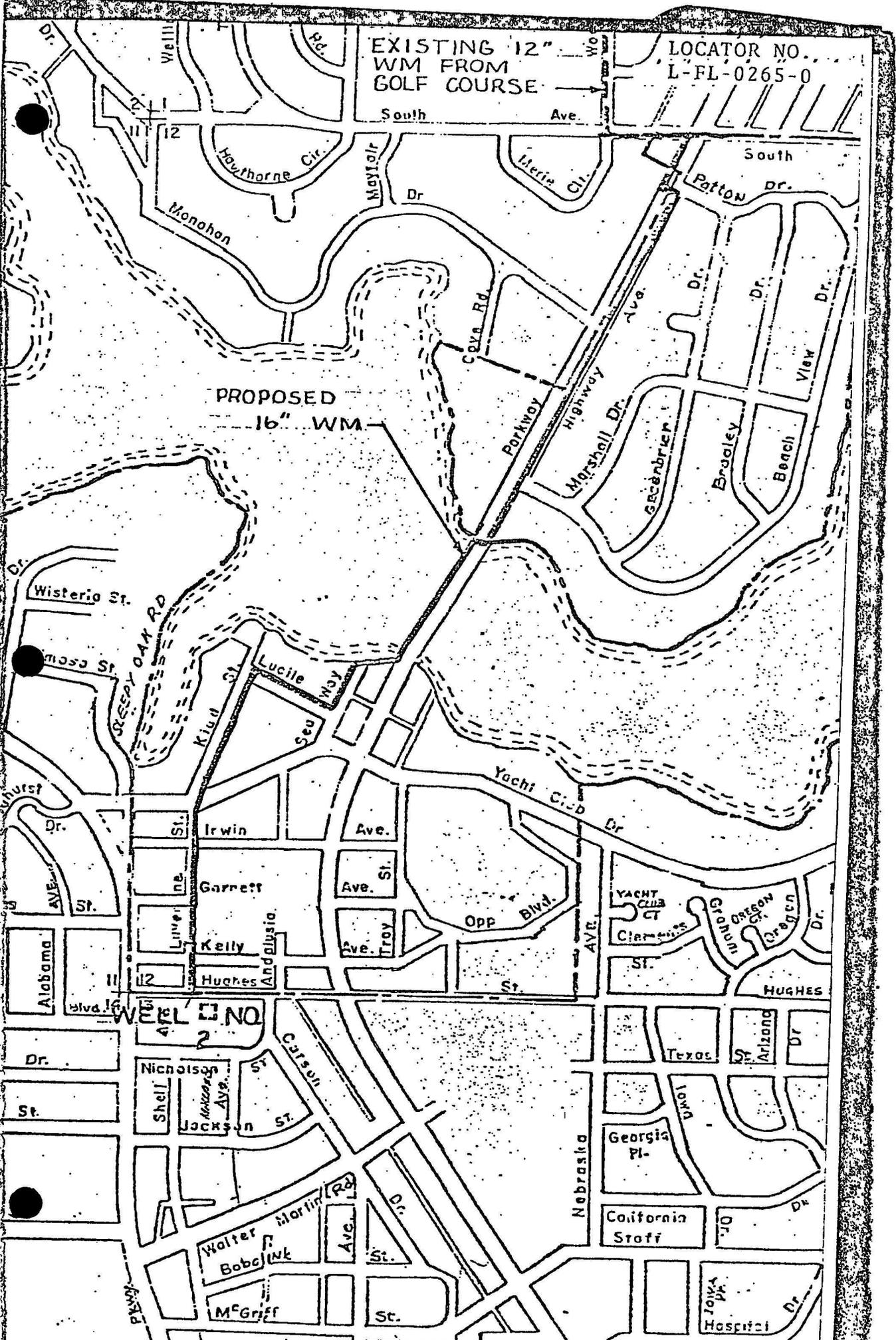
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EXISTING 12" WM FROM GOLF COURSE

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APL NO 2

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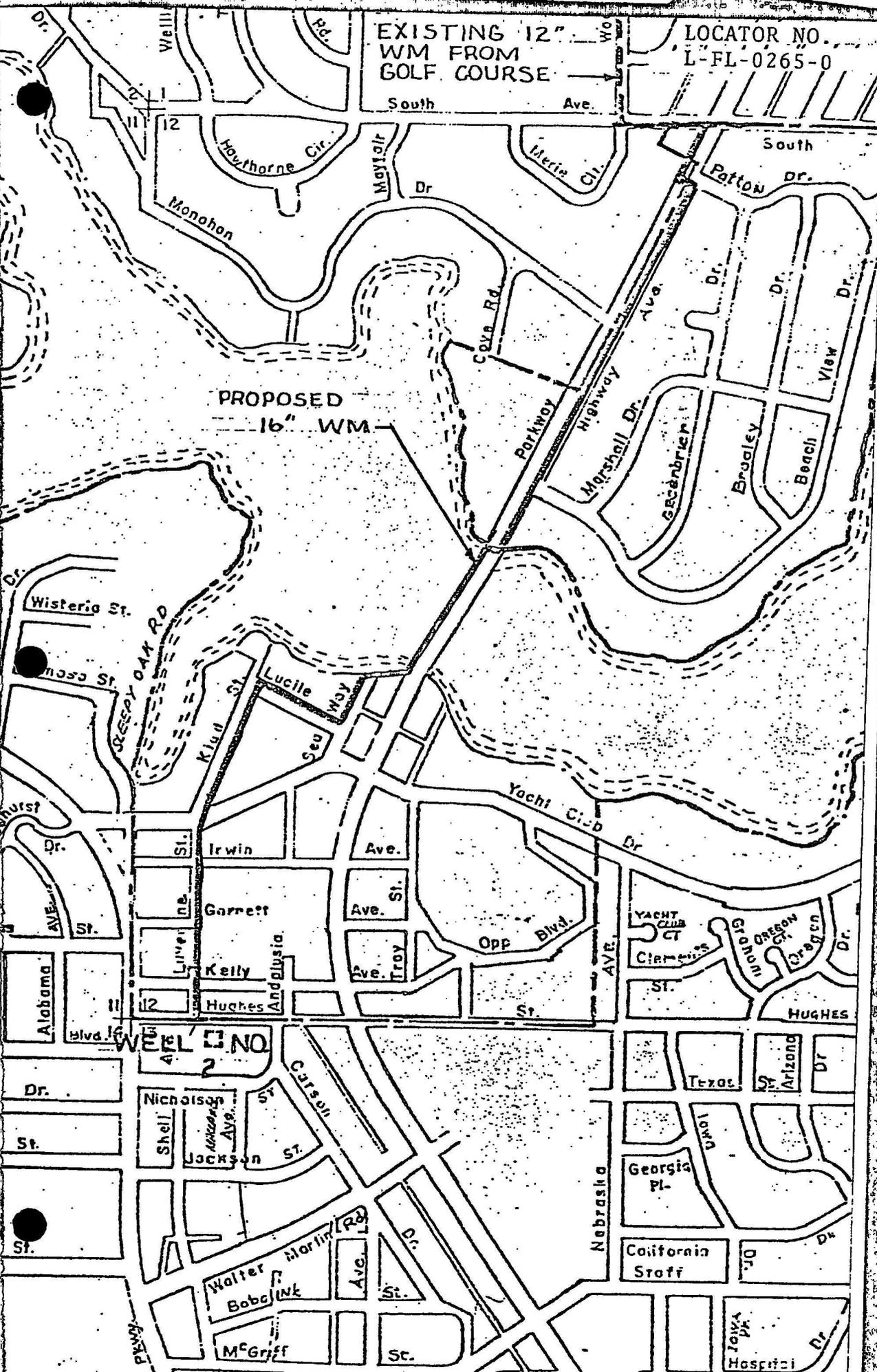
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Seu Way

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Garnett Ave.

St. Ave.

Opp Blvd.

YACHT CLUB CT

Clemens St.

Granum St.

OREGON CT

Dragen Dr.

Kelly Ave.

Andalusia Ave.

Troy Ave.

Hughes St.

St.

St.

HUGHES

WATER LINDA AVE

Nichols St.

Shell Ave.

Jackson St.

Carson Rd

Texas St.

Arizona Dr.

Walter Bobbink Rd

Morlin Ave.

St.

Georgia Pl.

California St.

St.

McGriff St.

St.

Hospital Dr.

Mills' Fight With DOR Goes to Federal Court

By CATHY PALMER
Daily News Staff Writer

Navarre resident Ocie Mills, who has waged a year-long fight with state en-

vironmental agencies over a drainage ditch on his property, moved the battleground to federal court Wednesday. Mills filed suit against the Department

of Environmental Regulation and the Division of Administrative Hearing, claiming both agencies "practice extortion under color of the law," and can trespass at will without a property owner's consent.

The suit revolves around an incident in early 1976, when Mills, who later waged an unsuccessful state legislative campaign, tried unsuccessfully to bar DER agents from his land.

The Navarre businessman had reopened a drainage ditch running across his East Bay property to allow water to flow from his land into the Bay.

State agents said Mills needed a permit to reopen the ditch. Mills, in turn, said the agents were required to have a search warrant to enter his property.

After exchanging words, Mills displayed a gun and ordered the two agents off his property.

The agents then filed battery charges against Mills.

Several months later, Mills was acquitted of the charges.

In his Wednesday suit, Mills claims the DER is continuing to "harrass, embarrass and extort or deprive his liberty and property rights."

The suit asks for an injunction halting state environmental agents from engaging in similar activities statewide.

He has scheduled a hearing on the restraining order request at 2 p.m. Tuesday in Pensacola U.S. District Court.

Okays Permanent Easements

Cinco Balks at Request To Extend Water Services

By HONEY REEVES
Daily News Staff Writer

Cinco Bayou Council members Wednesday accepted Fort Walton Beach's offer to slash a water franchise fee in exchange for permanent easements to install a potable water line through the town. But council refused to accept a new contract that would bind the town to the city's water services until 1992.

Cinco officials balked at accepting the

proposed 15-year contract with the city because their current water contract expires at the same time as a sewer system agreement with Okaloosa county.

When the contract expires in 1981, the county has the first option to pick up the town's water franchise and take over the sewer system. The system is owned by Cinco, but maintained by the county.

Fort Walton Beach's proposed contract, which drops the franchise rate by 12.5 percent, was drafted Monday in an effort to speed up Cinco's cooperation with the water line construction.

Cinco now has both the county and the city seeking easements through the town. The county needs to install a sewer line to Okaloosa Island and the city officials need the larger line to reach deep wells at the Fort Walton Beach city limits.

Cinco's counterproposal to the city during the special session will set a ceiling on rates charged for water services to the town, and leaves Cinco the option of renewing the contract with the city or obtaining a package deal for both water and sewer service from the county.

City Manager Winston Walker told the council he felt Fort Walton Beach would be willing to negotiate handling Cinco's sewer treatment once a plant large enough to handle the problem is built.

The city expects to receive a grant for construction of their treatment facility, Walker said. A mid-1979 completion date is expected for the project.

Walker told the council that if Cinco decides to accept the county option to take over the water franchise, the city and county could negotiate for the water lines that now serve the town.

Shalimar Annex Grant Approved For \$270,000

Formal approval of nearly \$270,000 in Public Works funds to expand the Shalimar Courthouse annex was received by Okaloosa County Wednesday.

Circuit Court Clerk Newman "Buddy" Brackin said he was notified Wednesday that the grant has been approved, and written confirmation should arrive within the next few days.

Public Works money to fund construction of new facilities to house the School of Hope, as well as money to build a permanent dependent children's shelter in Okaloosa County, have also been formally approved within the past two days.

The addition to Okaloosa County's one-year-old annex is expected to house offices for the public defender, state attorney, county sheriff and Board of Commissioners.

East Niceville Lights Go Out

The eastern sector of Niceville was without power for over an hour Wednesday night when a main electrical line went down at Palm and Valparaiso Boulevards.

According to Gulf Power Company officials, the outage affected the region extending from Palm Boulevard all the way to Rocky Bayou Bridge. The area paralleling Palm Boulevard from Valparaiso Boulevard northward to College Road was also affected.

The outage was reported at 9:41 p.m. and Gulf Power crews restored power at 10:50 p.m., officials said.

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business south to the gas line, according to Teel's recommendations.

His recommendations also will alter the P.J. Adams lumber mill site and the Okaloosa wood yard to industrial designa-

Cinco to Meet On Water Line Request Today

The Cinco Bayou council will meet in special session at 5 p.m. today to approve a request from Fort Walton Beach to place a water line through the town.

The city has requested easements along Cinco's secondary streets for the 16-inch pipe that extends from the deep wells at the Municipal Golf Course to the water tank located behind Cinco's town hall.

In an effort to protect the town from liability during the construction work, councilman Max Usrey last week drew up a list of stipulations to be presented to Fort Walton Beach.

Before Cinco could present the list, the city countered the proposal with an offer Monday night to renegotiate the town's water franchise agreement with the city.

The proposed 15-year contract is designed to lure the town into a speedy agreement to the water line by dropping the franchise fee by 12.5 percent. Fort Walton Beach must start construction on the pipeline before 90 days or the EDA public works grant will be suspended.

At present, the city furnishes Cinco with water at a premium rate of 37.5 percent and also fire protection at nearly 4 mills a year.

Restrictions Set On Mobile Signs

Okaloosa Planning and Zoning board Tuesday voted to include mobile signs in the county's advertising sign restrictions.

The recommendation also encompasses both Hobbay and Okaloosa Islands, which were formerly governed only by restrictive covenants and not included in the county's ordinance.

The seven-member planning board decided to include the controversial portable flashing signs to eliminate further placement of the signs on county rights-of-way.

Tuesday's decision requires all signs meet established set-back lines contained in the present ordinance.