

**TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING MINUTES  
OCTOBER 9, 1997**

Mayor Drabczuk called the Regular Town Council meeting to order at 6:00 PM. Following the silent prayer and the Pledge of Allegiance to the Flag, roll call was taken.

**PRESENT:** Mayor Drabczuk  
Councilman Beard  
Councilman Kendrick  
Councilman Payne  
Councilman Skelly (Arrived at 6:10)

**ABSENT:** Councilwoman Leach

**ALSO PRESENT:** Town Manager Borchik, Attorney McInnis, Secretary Payne, Mr. Staley, (American Security) Lee Forst (Daily News) Ed Connors .

**1. COUNCIL APPROVAL OF AGENDA** - Manager Borchik asked that item 3A be deleted (at the request of the Tree Board) and an item, 3D, American Security Contract, be added. Councilman Beard made a motion to approve the agenda, seconded by Councilman Payne. The motion was unanimously approved.

**2 CONSENT AGENDA**

- A. Minutes, regular Council Meeting, September 11, 1997
- B. Minutes, Special Council Meeting, September 23, 1997
- C. Financial Report -September, 1997
- D. List of Deposits and Checks, September, 1997

Councilman Kendrick made a motion to approve the consent agenda, seconded by Councilman Payne. The motion was unanimously approved.

**3. ACTION ITEMS**

B. Fall Town Cleanup - Mayor Drabczuk expressed his desire that the Town put forth a little extra effort in the Fall Cleanup with increased emphasis on resident and business participation. Councilman Payne made a motion to have a fall cleanup with the date to be determined by the Town Manager, seconded by Councilman Kendrick. Councilman Payne suggested that the Town request Okaloosa County to provide county prisoners to assist in cleaning the streets and parks. The motion was unanimously approved.

C. Town Manager Contract - Councilman Payne advised the Mayor and Council that he would abstain from any discussion or vote on this matter as Mr. Borchik is his Father-in-Law. He will submit a form 8B. Following a short discussion, Councilman Kendrick made a motion to approve the employment contract for Town Manager Borchik as written, seconded by Councilman Beard. Attorney McInnis then requested that the Council delay the vote until Councilman Skelly arrived. Councilman Skelly arrived at this time. Attorney McInnis explained the requirement to present the contract to the Council for their review prior to it being signed. Mayor Drabczuk called for the vote and the motion to approve the contract was unanimously approved.

D. American Security Contract - Manager Borchik advised the Council that the current American Security contract was a month to month contract. A rate increase to \$1,440.00 per month was effective October 1, 1997 and was due to the increase in the minimum wage. Attorney McInnis advised the Council that the Town should use a fully written contract. Following a short discussion, Councilman Payne made a motion to have Attorney McInnis prepare the contract with American Security, that the contract be on an annual basis and at the current rate of \$1, 440.00 per month, seconded by Councilman Kendrick. The motion was unanimously approved.

4. Engineer's Report - Engineer Griswold presented his recommendation and proposal for paving the Town streets east of Eglin Parkway. Mr. Griswold suggested having an annual contract with a paving contractor would reduce unnecessary paperwork and associated engineering fees and hence, save the Town time and money for the paving projects. Following a short discussion, the Council requested the Engineer to secure the cost estimates and different options for the total paving project and present them at the November 13th Town Council meeting.

5. Attorney's Report - Attorney McInnis advised the Council that there had been a request from Mr. Bell through his Attorney, Mr. Pinkerton, for payment of four (4) weeks of accrued annual leave authorized under the terms of his contract during his employment with the Town. The Town Manager stated that there are no official records concerning Mr. Bell's accrued leave as he maintained his own records. Following a discussion concerning the length of Mr. Bell's employment and the policy concerning accruing annual leave, Councilman Skelly asked that Mr. Bell's request for compensation be tabled until any official records were located or Mr. Bell could provide such records to the Council. Attorney McInnis was directed to advise Mr. Pinkerton of the Council's action.

#### 6. Town Manager Report

1. Contacted a contractor to get an estimate on removing the sidewalk around the tree in back of Town Hall and put in "Grassy Pavers".

2. Advised that Mr. Bruns, Landscape Architect, requested the balance owed on his contract. It appears that Mr. Bruns has not completed the final landscaping plan and therefore is not due payment at this time.

3. The final development order for Laguna Landing has not been issued as we are still waiting for final plans, documents and DOT permits.

4. Notified Mrs. Barnes of the fine imposed for cutting down the protected tree in her yard. She has advised that she will appeal the fine.

5. Delivered sign ordinance violation notices to the businesses that had temporary signs posted at their businesses.

6. The Florida Wildlife Commission provided the names of authorized trappers to trap our Glenwood Park beavers. They will begin trapping this weekend.

7. Mr. Ed Connors, Town Maintenance person, presently has medical insurance coverage through his wife's medical insurance plan and hence is not covered by the Town's medical insurance plan. Mr. Connors has requested that he be compensated for not receiving this insurance benefit with a wage increase. The cost of the medical insurance package equals \$1.31/hour and would increase his hourly wage to \$10.06/hour. The cost for the insurance is in the FY98 Budget. Councilman Kendrick made a motion to grant the increase, seconded by Councilman Skelly. The motion was unanimously approved.

7. Public requests/Comments - None

8. Councilmember Reports/Comments

A. Councilman Kendrick expressed his concern with the parking on Yacht Club Drive during a recent estate sale. He asked if there was an ordinance covering that kind of activity and asked the Attorney to review ordinances concerning parking. Councilman Kendrick also said his recycle bins keep disappearing and asked the Town to secure additional bins.

B. Councilman Skelly commended Engineer Griswold for his idea's for saving the Town money. He reminded everyone that he liked the idea of the Council "walking" the Town every quarter.

9. Correspondence

A. The Disabled American Veterans is requesting a Town representative to attend the Veterans day Ceremonies at Beal Memorial Cemetery on Tuesday, 11 November 1997. Councilman Payne said he would be happy to attend.

B. The Northwest Florida Symphony Orchestra at Okaloosa Walton Community College has requested funding of \$250.00, however, \$50.00 has been allocated in the budget. Following Council discussion, it was decided to advise them that the Town can only fund the amount budgeted for this year.

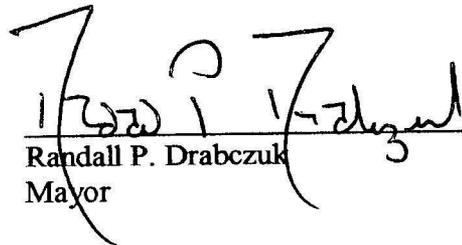
10. Mayor's Comments/Announcements

A. Mayor Drabczuk presented a Certificate of Completion to Councilman Payne for attending the Elected Officials Orientation Course held in Orlando this spring.

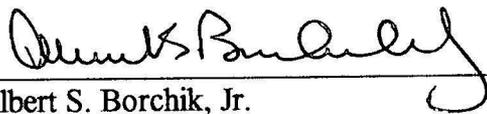
B. Reminded every one of the Chili Potluck supper on Tuesday, October 21, 1997, at 6:30 PM.

C. Read a Thank You card from the Borchik Family thanking everyone for their kind thoughts and flowers for the recent death of Mr. Borchik's mother. Mr. Borchik also thanked everyone for their kind thoughts and the flowers - they were greatly appreciated.

There being no further business, Mayor Drabczuk adjourned the meeting at 6:57 PM.

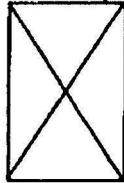
  
\_\_\_\_\_  
Randall P. Drabczuk  
Mayor

Attest:

  
\_\_\_\_\_  
Albert S. Borchik, Jr.  
Town Manager/Clerk

# Directions to the Defuniak Springs Community Center (1997 Fall Dinner)

Defuniak Springs  
Community Center



Baseball/  
Softball  
Fields

Fire

Police

Burdick St.

Hwy 83

To Crestview

Hwy 90

To Chipley

To Pensacola

Hwy 331

To Tallahassee

I-10 Exit 14  
Defuniak Springs

**DISABLED AMERICAN VETERANS  
PLAYGROUND CHAPTER 72, INC.**

P.O. BOX 2275  
FT. WALTON BEACH, FL 32549  
TELEPHONE: (850) 862-9215



15 September 1997

Dear Sir/Madam:

The Disabled American Veterans, Playground Chapter 72, will host the annual Veterans Day ceremonies at Beal Memorial Cemetery on Tuesday, 11 November 1997.

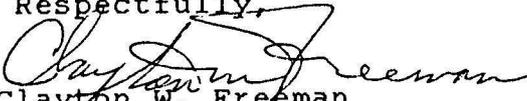
We cordially extend to you, your organization, and families an invitation to participate with us in these ceremonies honoring all veterans who have unselfishly given themselves in service to our great nation.

In order that appropriate homage be paid to the deceased veterans who were members of your organization, we respectfully request that, at your earliest convenience, you forward to us a "ROLL CALL" listing the names of those veterans who have expired since Memorial Day 1997, our last ceremony. Our cut-off date of the deceased will be 15 days before the ceremony takes place.

As in the past, it is customary at these ceremonies for the organizations to place a floral wreath at the memorial. If your organization desires to participate in this function, please indicate accordingly. It should be noted that the persons designated by you to place the wreath should be in place no later than 10:45 a.m. All others should arrive prior to 11:00 a.m.

In order to establish our agenda and listing of participating persons and organizations, please return the attached form no later than 27 October 1997 to indicate your desires and intentions.

Respectfully,

  
Clayton W. Freeman  
Commander

Telephone: 862-9215

\*RSVP



# Okaloosa-Walton Community College

100 College Boulevard • Niceville, FL 32578 -1294 • (850) 678-5111

URGENT  
9-8-97

1183 177

August 26, 1997

Mr. Al Borchek, Town Manager  
Town of Cinco Bayou  
26 Yacht Club Drive, NE  
Fort Walton Beach, FL 32548

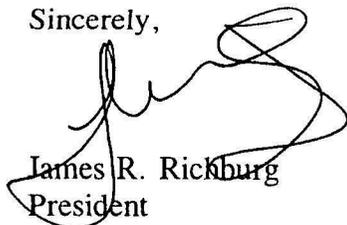
Dear Mr. Borchek:

The Northwest Florida Symphony Orchestra at Okaloosa-Walton Community College will begin its regular season in October. As the Arts Center hosts its first full year of NFSO concerts, residents of the entire Emerald Coast have a marvelous facility in which to be entertained.

The nine-concert NFSO performance season is a community partnership that must be underwritten by season ticket subscriptions and public/private contributions. Your assistance in the past has enabled the NFSO to attract renowned guest artists, to host the annual Concerto Competition for young musicians in the area, and to improve the cultural life of the community.

The NFSO and the entire college community appreciate your funding designated to assist these endeavors. We respectfully request Cinco Bayou's continued financial support.

Sincerely,



James R. Rickburg  
President

JRR:bt

enclosures

NORTHWEST FLORIDA  
SYMPHONY ORCHESTRA



OF OKALOOSA-WALTON COMMUNITY COLLEGE  
100 College Boulevard  
Niceville, Florida 32578

**PROJECTED  
1997-1998 NORTHWEST FLORIDA SYMPHONY ORCHESTRA**

**REVENUE**

Donations . . . . . \$28,700.00

**EXPENDITURES**

Training Programs - Public Schools . . . . . \$8,600.00  
Travel Honorariums . . . . . \$18,000.00  
Music Rental/Costuming . . . . . \$3,000.00

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Revenue \$28,700.00  
Expenditures \$29,600.00

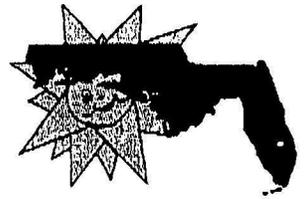
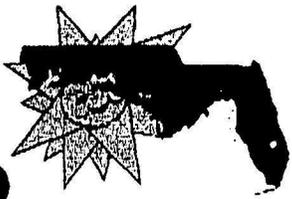
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-\$900.00

***REQUEST FOR FUNDING***

**To:** *Town of Cinco Bayou  
26 Yacht Club Drive, NE  
Fort Walton Beach, FL 32548*

**Amount:** *\$250.00*

**Purpose:** *Northwest Florida Symphony Orchestra*



SPECIAL INVITATION  
TO THE  
PANHANDLE LEAGUE OF CITIES  
1997 FALL DINNER

The 1997 Fall Dinner will be held Thursday, October 16 at the Defuniak Springs Community Center.



Charles Pattison, Director of the Department of Community Affairs Division of Resource Planning and Management, will be the featured speaker.



THE DRAFT COPY OF THE REVISED BY-LAWS OF THE PANHANDLE LEAGUE OF CITIES WILL BE PRESENTED TO THE MEMBERSHIP FOR APPROVAL. This is a very important event, as the by-laws determine how your league will operate. Please come and participate!

SCHEDULE

5:00 - Board Meeting  
6:00 - Reception  
7:00 - Dinner

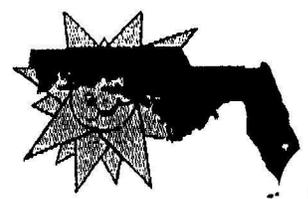
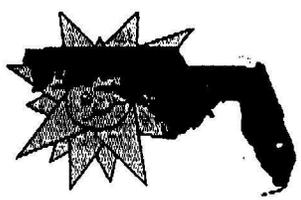
COST

\$5.00 per person

MENU

Roast Beef  
Baked Chicken  
Mashed Potatoes  
Vegetables  
Homemade Rolls  
Banana Pudding  
Tea/Coffee

Pre-registration is requested. Please return the attached response form no later than Monday, October 13, 1997. All pre-registrants as of this date will be billed.



# RESPONSE FORM FOR THE PANHANDLE LEAGUE OF CITIES 1997 FALL DINNER

CITY/FIRM: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

THE FOLLOWING PEOPLE WILL BE IN ATTENDANCE (PLEASE INCLUDE SPOUSES, GUESTS):

NAME

TITLE

NAME	TITLE

(Please make additional copies of this form if necessary. Thank you!)

PLEASE RETURN THIS FORM NO LATER THAN MONDAY OCTOBER 13.

ALL PRE-REGISTRANTS AS OF THIS DATE WILL BE BILLED.

FAX FORM TO:

CLINT FUHRMAN

FAX: (850) 487-0041

PHONE: (850) 487-1870

**CITIZENS FOR CONSTITUTIONAL  
PROPERTY RIGHTS, INC.**

P. O. Box 757, Crestview, Florida 32536  
Telephone (850) 682-6156  
FAX (850) 689-3637

9-30-97

11/17/97

Mayor and City Council  
Town of Cinco Bayou  
10 NE Yacht Club Drive  
Fort Walton Beach, Fl 32548

September 29, 1997

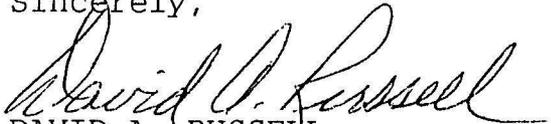
Dear Mayor and Council Members:

The Okaloosa Chapter of Citizens for Constitutional Property Rights (CCPR) will be holding its annual meeting October 18th at the Agriculture Building on Old Bethel Road in Crestview. There will be a free barbecue lunch served about 1 P.M. The gathering will begin at 10 A.M. with some films and other information. Then at noon we will have some welcoming remarks and just good eating after that.

We would like to extend an invitation to you and the members of the council to join us for this occasion. If you can attend, please let us know by October 13th how many will be joining us so we can prepare food accordingly.

We hope you can attend and look forward to seeing you.

Sincerely,

  
DAVID A. RUSSELL,  
President



## Memorandum

TO: Mayors, City Managers and City Clerks

FROM: Sharon G. Berrian, Director of Public Information

DATE: September 19, 1997

RE: City Government Week & Model Booklet

This year's Florida City Government Week is October 19-25, 1997.

Florida City Government Week is a very special time to recognize the important role played by city government in our lives. And, most importantly, this week is a time to spread the word to all citizens of Florida that they are an integral part of the government that is closest to the people.

For this year's Florida City Government Week we are sending you a packet of information which includes numerous ideas for celebrating this special week. One of the suggestions is a project entitled, "*My City...I'm Part of It, I'm Proud of It*". We have enclosed the project booklet which provides city staff and teachers with step-by-step instructions on how to carry out a mock city election and mock city council meeting, during which students will solve a city-related land use problem.

For those cities and schools who choose not to conduct the "My City.." project we have sent a list of other suggested ideas. We encourage you to celebrate this important week in some way. And remember, you can conduct the "*My City...I'm Part of It, I'm Proud of It*" project anytime during the school year. It's a great city-school partnership program.

The "*My City...I'm Part of It, I'm Proud of It*" project guides are available free of charge, and have also been distributed by the League to Florida's public and non-public schools, K-12, one copy per school. If you know of a school in your area that has not received a booklet and would like to get one, please let us know. We have also enclosed buttons and bumper stickers for your use.

In planning your city's celebration of Florida City Government Week, be sure to keep the League informed. I am available to answer questions and to offer recommendations about the project. Please send me copies of resolutions, photos public relations materials and information on your activities, as these ideas may be used in future League publications. They may also be compiled and shared for future celebrations. A summary sheet is included to assist you in reporting on your city's activities.

If you have any questions regarding this program please feel free to contact me at the League (1-800-342-8112). Thank you.

Enclosure

# Sample Resolution

## Florida City Government Week

A RESOLUTION OF THE CITY OF \_\_\_\_\_ RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 19-25, 1997, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

WHEREAS, city government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Florida City Government Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Florida that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Florida City Government Week offers an important opportunity to convey to all the citizens of Florida that they can shape and influence government through their civic involvement.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF \_\_\_\_\_ AS FOLLOWS:

Section 1. That the City of \_\_\_\_\_ does encourage all citizens, city government officials and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

Section 2. That the City of \_\_\_\_\_ does encourage educational partnerships between city government and schools.

Section 3. That the City of \_\_\_\_\_ does support and encourage all city governments to actively promote and sponsor "Florida City Government Week."

PASSED AND ADOPTED by the City of \_\_\_\_\_.

# Florida City Government Week

## October 19-25, 1997

*Florida City Government Week*--a very special time to recognize the important role played by city government in our lives. And, most importantly, this week is a time to spread the word to all citizens of Florida that they are an integral part of the government that is closest to the people.

Florida City Government Week embraces the belief that all Floridians can shape and influence their municipal governments. It is hoped that Floridians will think seriously about active citizenship and their possible role in city government.

For this year's Florida City Government Week we are sending you a packet of information which includes numerous ideas for celebrating this special week. One of the suggestions is a project entitled, "*My City...I'm Part of It, I'm Proud of It.*" We have enclosed the project booklet which provides city staff and teachers with step-by-step instructions on how to carry out a mock city election and mock city council meeting, during which students will solve a city-related land use problem.

For those cities and schools who choose not to conduct the "My City..." project we have sent a list of other suggested ideas. We encourage you to celebrate this important week in some way. And remember, you can conduct the "*My City...I'm Part of It, I'm Proud of It*" project anytime during the school year.

*My City...I'm Part of It, I'm Proud of It* is designed to help students understand how important their active participation is to the future of their city. It is the perfect city-school partnership program. It lets our students understand what it is like to make those difficult decisions that city officials make everyday.

These project guides are available free of charge, and are being distributed by the League to public and non-public schools, K-12, one copy per school. If you know of a school in your area that would like to receive a guide, please let us know.

To help you prepare to celebrate Florida City Government Week, this packet contains the "*My City...*" project guide, a sample resolution, a sample news release, ad slicks, a listing of suggested ways to celebrate the week (some of which can be ongoing activities), a current listing of tapes available in the League's video library and Media and PR "Tips."

In planning your city's celebration of Florida City Government Week, be sure to keep the League informed. Sharon Berrian of the League staff is available to answer questions and to offer recommendations about the project. Please send Mrs. Berrian copies of resolutions, public relations materials and information on your activities, as these ideas may be used in future League publications. They may also be compiled and shared for future celebrations. A summary sheet is enclosed to assist you in reporting on your city's activities. Florida City Government Week is an annual event recognized in October.

**Florida City Government Week contact:**  
Sharon Berrian, Director of Public Information  
Florida League of Cities, Inc.  
Post Office Box 1757  
Tallahassee, FL 32302-1757  
(850) 222-9684  
Suncom 278-5331

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>PAYNE VIRGIL E</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>CINCO BAYOU TOWN COUNCIL</b>	
MAILING ADDRESS <b>34 OPP BLVD</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY COUNTY <b>F.W.B. OKLA</b>		<input checked="" type="radio"/> CITY <input type="radio"/> COUNTY <input type="radio"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>9 OCT</b>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="radio"/> ELECTIVE <input type="radio"/> APPOINTEE	

Original document is skewed

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

### ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, NIRGILE PAYNE, hereby disclose that on 09 OCT, 19 97

(a) A measure came or will come before my agency which (check one)

Inured to my special private gain; or

Inured to the special gain of \_\_\_\_\_, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

DURING TOWN COUNCIL MEET 09 OCT 97 CONTRACT FOR TOWN MANAGER CAME BEFORE THE TOWN COUNCIL, AT WHICH TIME I ABSTAINED FROM ALL CONVERSATION AND VOTING DUE TO MR. ALBERT BORCHIK BEING MY FATHER-IN-LAW

16 OCT 1997  
Date Filed

Nirgile Payne  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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.