

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
October 19, 1978

1. MINUTES-REGULAR COUNCIL MEETING-SEPTEMBER 21, 1978.
2. MINUTES-SPECIAL COUNCIL MEETING-SEPTEMBER 28, 1978.
3. FINANCIAL STATEMENT-SEPTEMBER 1978.
4. CLEAN-UP WEEK-OCTOBER 30 THRU NOVEMBER 4-SANITATION SERVICES. (Harold Hudson)
5. APPROVAL OF TERMINATION PAY FOR JAMES GODWIN. (Clerk)
6. HIRING OF NEW CITY CLERK - MR. KENNETH ESPY. (Clerk)
7. BUSINESS REGISTRATION ASSESSMENT-KELLY APARTMENTS. (Mayor)
8. AMENDING ORDINANCE #51, SECTION 1. (Mayor)
9. LETTER-MR. CLAIR PRATT-CLEARING OF VACANT LOT AT THE INTERSECTION OF IRWIN AVENUE AND EGLIN PARKWAY. (Clerk)
10. TOWN HALL PURCHASES: (Clerk)
 - a. Outdoor Nylon State Flag, 4' x 6', \$39.93.
 - b. Outdoor Nylon U.S. Flag, 4' x 6', \$27.30.
 - c. Gasoline Chain Saw, \$160 up to \$200.
 - d. Clerk's Desk-Northwest Florida Supply, \$358.00; Sears, \$179.99.
 - e. Lawn Mower.
11. DRAWING & PLANS FOR CITY HALL. (Mayor)
12. REPORT ON TRAFFIC LIGHT AT HUGHES AVENUE AND EGLIN PARKWAY. (Clerk)
13. REPORT ON BOAT RAMP. (Clerk)
14. OATH OF OFFICE FOR MAYOR AND COUNCIL MEMBERS. (Attorney)
15. PARK SIGNS.

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
October 19, 1978

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

Also present were: Adelia Robblee, Abbie Tyner, Allen Davis, Ron Goetsch representing Playground Daily News, Harold Hudson representing Sanitation Services, Margie Crawford, Fred Sahlin, Miller Burt representing Polyengineering, Joseph Gagnon, Dick Bixby and Dave Fish.

Therefore, a quorum being present, Mayor Kendrick opened the meeting at 5:30 p.m., with silent prayer.

1. MINUTES-REGULAR COUNCIL MEETING-SEPTEMBER 21, 1978. Motion by Mr. Peek to accept as printed, seconded by Mrs. Balsley. Motion carried unanimously.
2. MINUTES-SPECIAL COUNCIL MEETING-SEPTEMBER 28, 1978. Motion by Mr. Usrey to accept as printed, seconded by Mrs. Balsley. Motion carried unanimously.
3. FINANCIAL STATEMENT-SEPTEMBER 1978. Motion by Mr. Peek to approve as presented, seconded by Mr. Usrey. Motion carried unanimously.
4. CLEAN-UP WEEK-OCTOBER 30 THROUGH NOVEMBER 4-SANITATION SERVICES. Motion by Mr. Peek to proceed with clean-up week on October 30 through November 4, seconded by Mr. Perry. Motion carried unanimously.
5. APPROVAL OF TERMINATION PAY FOR JAMES GODWIN. Motion by Mr. Peek to approve James Godwin termination pay of \$486.40 for 44 hours of annual leave and 32 hours for the remaining of the month in September, seconded by Mr. Usrey. In discussion, Mrs. Balsley said she was instructed by the Attorney, in order to clear up this matter, the Council and James Godwin could meet in his office, because there are other things that the Attorney has to present to Mr. Godwin that was in the file which needs to be assured before giving Mr. Godwin his termination pay.
6. HIRING OF NEW CITY CLERK-MR. KENNETH ESPY. Motion by Mr. Peek, upon the Committee's recommendation, to hire Kenneth Espy as City Clerk with an annually salary of \$7800 a year (\$5.00 hourly for six hours daily, Monday through Friday and \$3.00 hourly for any hours thereafter) and that he be granted leave as the previous employee, seconded by Mrs. Balsley. Motion carried unanimously. Mayor Kendrick appointed Mrs. Balsley, Mr. Johnston and Mr. Usrey as a Committee to re-study the personnel policy and present to Council with recommendations.
7. BUSINESS REGISTRATION ASSESSMENT-KELLEY'S APARTMENTS. Motion by Mr. Johnston to grant Kelley's Apartments relief from the penalty of \$50.00 for failing to register their business, seconded by Mr. Peek. Motion carried unanimously.
8. AMENDING ORDINANCE # 51, SECTION #1. Mayor Kendrick appointed Mr. Johnston and Mr. Perry to get with Attorney Powell and Mrs. Balsley to change the wordings of the ordinance, so that the ordinance reads that any business selling alcoholic beverages be 500 feet to comply with the state law, instead of the 2500 feet distance from a public school or church now enforced.

9. LETTER-MR. CLAIR PRATT-CLEARING OF VACANT LOT AT THE INTERSECTION OF IRWIN AVENUE AND EGLIN PARKWAY.

Mayor Kendrick directed Clerk to notify owner of property on this matter.

10. TOWN HALL PURCHASES:

- a. Outdoor Nylon State Flag, 4' x 6', \$39.93.
- b. Outdoor Nylon U.S. Flag, 4' x 6', \$27.30.
- c. Gasoline Chain Saw, \$160 up to \$200.
- d. Clerk's Desk-Sears, \$179.99.
- e. Lawn Mower.

Motion by Mr. Johnston to purchase Items A-E, seconded by Mr. Perry. Motion carried unanimously.

11. REPORT ON TRAFFIC LIGHT AT HUGHES AVENUE AND EGLIN PARKWAY. Clerk informed Council that she called Grady Wood in DeFuniak of the Department of Transportation. He informed her that the traffic light had been advertised for bids and it should be installed within 60 days.

12. REPORT ON BOAT RAMP. Clerk presented to Council a copy of the blue print on the restriping and placement for the traffic delineators at the Boat Ramp. Clerk informed Council that Mr. Tidwell of First Federal Savings & Loan Association will restripe and make new signs for the Boat Ramp for Cinco at no cost. Clerk also presented to Council the traffic delineator recommended by Mr. Burt to be used at Boat Ramp to separate the launching ramps.

13. OATH OF OFFICE FOR MAYOR AND COUNCIL MEMBERS. Clerk will call a special meeting for new members to take oath before November 1.

14. PARK SIGNS. Mayor Kendrick presented to Council a sketch drawing of the signs which will be placed in Francis, Laguna and Leyenda Park. Motion by Mr. Peek to purchase signs for parks, seconded by Mrs. Balsley. Motion carried unanimously.

15. ADJOURNMENT. Meeting adjourned at 6:42 p.m.

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

Irene E. Balsley
IRENE E. BALSLEY
Acting Town Clerk

ATTACHMENTS TO RECORD SET OF MINUTES:

1. Financial Statement.
2. Copy of Termination Pay for J. Godwin.
3. Ltr-Kelley's Apts.
4. Ltr-Clearing of Vacant Lot.
5. Sketch drawing of Park Signs.
6. Newspaper Clippings-PGDN.

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

September 1978

Check Number	To Whom	Purpose	Date	Amount Of Check	Bank Bal Fwd And Deposits	ACCOUNTING CODES
1	-- --	Bal Fwd	1	--	3659.42	
30	47 Oka Sheriff Dept	Svs - Sept	1	400.00		401-08
	48 Polyengineering	Ret - Sept	1	100.00		401-06
	49 Oka W&S Sys	Sewer Trmt-Aug	1	1092.00		405-15
	50 Boyett's	Svs-9/1-9/30	1	30.00		401-11
	51 Estergren,FA&P	Ret - Aug	1	100.00		401-01
	52 CENTEL	11th Pmt-U/F Tax	1	300.00		705
	53 Stone's Gulf	Gas-Mower&Truck	1	54.54		403
	54 Taylor Parts	Oil	1	27.45		404
	55 Sprinkler & Irrig	Parts	1	7.80		404
	56 W.T.Mckinnie	2nd Payment-T/H	1	1000.00		651
		Addition				
	57 The Paint Center	Paint	7	37.11		404
	58 Humane Society	Svs - August	7	16.00		401-09
	59 Gatlin L&S Co	Supplies	7	8.37		404
	60 Northwest Fla Off	Supplies	7	42.21		414
	61 MunicipalCodeCorp	Supplement #2	7	853.03		401-07
	62 MunicipalCodeCorp	Binders & Tabs	7	126.98		414
	DM Frm Saving Acct	To Ck Acct	7	--	5000.00*	
	63 D. Rouse	Petty Cash	8	25.00		603
	64 Madaris Off Sup	Supplies	8	69.65		414 32.75 650 36.90
	65 Howard Bros #24	Rake & Shovel	8	10.94		404
	66 Atlas Ext	Svs - Sept	8	7.00		401-10
	CM Frm CD#3316,3317, 3456, 3569	To Sav Acct	11	--	8200.00**	
	DM Frm Sav Acct	For CD#4668	11	--	10000.00***	
	67 J.O.Godwin,Sr.	2Wks-8/29-9/11	13	360.00		427
	68 D. Rouse	2Wks-8/29-9/11	13	214.60		427
	69 A. Davis	2Wks-8/29-9/11	13	85.50		427
	70 Paul Coates	Contract Labor	13	185.00		403
	71 Estergren,FA&P	Pryor Suit-F/Pk	13	74.16		401-02
	72 PDQ Print	Off Supplies	13	16.12		414
	73 Estergren,FA&P	Culley's Suit	13	216.65		401-02
	74 Barnett Bank	P/R Dep - Aug	13	535.80		702
	75 J.M.Fields, Inc.	Supplies	13	6.48		414
	76 CENTEL	Town Hall	13	87.19		405-01
	77 City of FWB	Town Hall - Water	13	13.48		405-03
	78 City of FWB	Francis - Water	13	6.53		405-05
	79 City of FWB	Seaway - Water	13	6.53		405-04
	80 W.T.Mckinnie	Final Pmt On T/H	13	898.90		651
		Addition				

September 1978

Check Number	To Whom	Purpose	Date	Amount	Bank Bal	Of Fwd And	ACCOUNTING CODES
				Check		Deposits	
30	81 Estergren, FA&P	Ord-Reg Lic Fee	19	35.00			401-02
	82 City of FWB	Water-Laguna	19	6.53			405-04
	83 Copy Products Co	One Roll Paper	19	23.40			414
	84 Moore-Handley	Supplies	19	3.85			404
	85 Florida LOC	Annual Mbrshp	19	120.00			412
	86 Gulf Power Co	Town Hall	19	88.16			405-07
	87 Gulf Power Co	Traffic Lights	19	24.34			405-08
	88 Gulf Power Co	L/S-Laguna	19	13.95			405-10
	89 Gulf Power Co	L/S-Kelly	19	7.36			405-10
	90 Gulf Power Co	Pump-Laguna	19	11.61			405-11
	91 Gulf Power Co	Pump-Leyenda	19	24.30			405-12
	-- --	See Dep 77/78-38	21	--	3340.47		
	92 FtWaltonAcoustial ^o	Susp. Ceiling	21	735.00			651
	93 Bd Of Co Com	Voter Reg List	21	10.00			412
	94 Oka W&S Sys	Cleaning L/Sta	21	69.32			403
	95 Gulf Power Co	Street Lights	21	250.37			405-09
	96 CENTEL	Lift Station	25	5.40			405-02
	97 CENTEL	Lift Stations	25	18.75			405-02
	98 Hurricane Fence	Fencing in Francis & Leyenda Parks	25	464.35			652
	99 Paul Coates	Contract Labor	25	235.00			403
31	00 J.O.Godwin, Sr.	2Wks-9/12-9/25	26	360.00			427
	01 D. Rouse	2Wks-9/12-9/25	26	214.60			427
	02 A. Davis	2Wks-9/12-9/25	26	61.27			427
	03 Ernest Rouse Jr.	2Wks-9/12-9/25	26	31.80			427
	04 Scotty's	Supplies F/Addition	28	99.89			651
	05 J&L Electric Co	Partial Pmt on T/H Addition	28	1653.71			651
	06 Tyner's Plumbing	Final Pmt on T/H Addition	28	410.65			651
	07 Sadie Robblee	Cake for Picnic	29	15.00			410
	08 Surplus&Salvage	Tiles for Addition	29	54.90			651
	09 Estergren, FA&P	Mtg, 9/14/78 & Consultation with Max Usrey	29	75.00			401-02
	10 Sears	Supplies F/Addition	29	127.88			651
	11 Air Con Engineers	Air & Heating	29	1593.00			651
	12 BMS	Actg - Sept	29	55.00			401-14
	13 Gatlin L&S Sup	Supplies for T/H Addition	29	111.84			404 651
	-- --	See Dep 77/78-39	29	--	1897.69		56.65 55.19

September 1978

Check Number	To Whom	Purpose	Date	Amount	Bank Bal	Of Fwd And	ACCOUNTING CODES
				Check	Deposits		
	DM Frm Sav Acct	To Ck Acct	29	--	2200.00		****
	INT Barnett Bank	On Sav's Acct	30	--	266.64		*****
	INT Barnett Bank	On Fed Rev Shar	30	--	44.81		*****
	Total (Cks Wr)			14026.25	5549.61		(Income For Sept)
	Bal Fwd 1 Sept 78				3659.42		
	****TRF Frm Sav to Ck Acct				7200.00		
	Total Funds Available				16409.03		
	Cks Written				-14026.25		
	*****Qtrly Int on Sav Acct				-266.64		
	*****Qtrly Int on Fed Sav Acct				-44.81		
	Cash O/H In Bank		30		2071.33		
	Petty Cash Funds		30		12.71		
	Cash In Bank & P/C		30		2084.04		
	Cert of Dep 1 Sept 78			101700.00			
	**CD's Cashed			-8200.00			
	***CD's Purchased			10000.00			
	Total CD's		30		103500.00		
	#200-067-9 Fed Rev Shar Sav Acct 1 Sept 78			3735.71			
	*****Qtrly Int			44.81			
	Total Savings		30		3780.52		
	#200-004-0 Sav Acct 1 Sept 78			28019.18			
	*DM Frm Sav to Ck Acct			-5000.00			
	**CM to Sav Frm CD #3316, 3317, 3456 & 3569			8200.00			
	***DM For CD #4668			-10000.00			
	****DM To Ck Acct			-2200.00			
	*****Qtrly Int			266.64			
	Total Savings				19285.82		
	TOTAL FUNDS AVAILABLE		30		128650.38		
	TRUE AND CORRECT TO BEST OF MY ACKNOWLEDGE.						
	<i>Irene Balsley</i>						
	IRENE BALSLEY						
	Acting Town Clerk						

TERMINATION PAY

YEARLY VACATION	80 hrs	
TIME TAKEN: JUN 28	8 hrs	
" 29	8 hrs	
" 30	8 hrs	
JUL 3	8 hrs	
" 4	HOLIDAY	
" 5	<u>4 hrs</u>	
TOTAL	36 hrs	
REIMBURSED FOR REMAINING VACATION PAY	44 hrs, \$6.40@	\$281.60
REMAINDER OF MONTH AFTER PAY PERIOD SEPT 26 THRU SEPT 29	32 hrs, \$6.40@	<u>204.80</u>
TOTAL PAYMENT:		\$486.40

CINCO BAYOU CLEAN-UP WEEK
OCTOBER 30 - NOVEMBER 4

THE SANITATION SERVICES WILL PICK-UP ALL DEBRIS, TREE TRIMMINGS, REFRIGERATORS, STOVES, OR ANYTHING NORMALLY NOT PICKED UP ON REGULAR PICK-UP DAYS. NOVEMBER 4, STARTING AT 10 A.M. UNTIL 2 P.M., PLACE DEBRIS NEAR THE CURB ON THE TOWN'S RIGHT-OF-WAY.

WE, THE MAYOR, COUNCIL MEMBERS, AND CITY CLERK HOPE THAT YOU WILL GIVE US YOUR COOPERATION BY CLEANING AROUND YOUR RESIDENCE AND VACANT LOTS IN MAKING CINCO BAYOU A CLEAN, ATTRACTIVE AND A NEAT TOWN.

REPLACE YOUR TRASH CANS OFF THE STREET AFTER EACH REGULAR PICK-UP.

YOU MAY EVEN DECIDE TO PAINT TO BEAUTIFY YOUR HOME.

WE ARE HAPPY TO EXTEND THIS OPPORTUNITY. LET'S MAKE IT A SUCCESS THIS YEAR. IF YOU HAVE ANY QUESTIONS CONCERNING THIS PROJECT, CALL THE TOWN HALL, AT 244-2712 BETWEEN 8 A.M. AND 5 P.M., MONDAY THROUGH FRIDAY.

THANK YOU,

Irene E. Balsley
IRENE E. BALSLEY
ACTING TOWN CLERK

Jim Kendrick, III
JIM KENDRICK, III
MAYOR

September 6, 1978

TO: The Town Council of Cinco Bayou

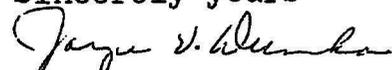
SUBJECT: Failure to register Kelley's Apartments before the July 30th deadline.

As the manager of Kelley's Apartments I shall have to assume the full responsibility for these apartments not being registered. I would like to ask the Council to reconsider the \$50.00 assessment on the grounds that there were extenuating circumstances.

Ms. Rouse called me at the store (Kelley's IGA) in June to remind me of the registration, I thanked her and assured her that it would be taken care of. I had every intention of doing just that, but Mr Wiggins an old and valued employee was very ill and we were all real busy filling his job as well as our own in the hopes that he would one day return to work. During this period, Mr Dyer another of our critical employees, found his wife dead. This left us all completely stunned with yet another job to fill here at the store. Mr wiggins did not recover and he was buried on the Fourth of July. The following week it suddenly occurred to me that the store had not been registered. I was not concerned about the apartments at this point because I recalled a conversation with Mrs. Kelley in which she told me she had the Apt. license and would bring it to me. At this time I literally hauled one of our store employees into the office handed him a dollar and asked him to run down to the Town Hall and register the store. I could have given him \$2.00 and had the apts registered at the same time, which as it turned out I should have done, because the license was the State Hotel-Motel license and had nothing to do with Cinco Bayou.

Just as ^{from} things were getting organized around the store I received word my/family in New York State that my 85 year old father was seriously ill and I left here immediately. Needless to say I will try to never let this happen again if you can see your way clear to grant me a bit of clemency for this year. Thank you for listening.

Sincerely yours



JOYCE V. DUMKA
Manager-Kelley's Apts

TOWN OF CINCO BAYOU

KELLY AVE.

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

Mayor:
JIM KENDRICK, III

Mayor Pro-Tem:
IRENE BALSLEY

Council Members:
PHIL JOHNSTON
WILL OVERSTREET
HAROLD PEEK
MAX USREY

Town Manager/Clerk:
JAMES O. GODWIN, SR.

Town Attorney:
RICK POWELL

August 29, 1978

Mrs. Joyce Dumka
Kelley's Apartments
27 Yacht Club Drive
Fort Walton Beach, Florida 32548

Dear Mrs. Dumka:

On June 12, 1975, Council adopt Ordinance #52 requiring the registration of all persons engaging in or managing any business, occupation or profession within the limits of Cinco Bayou. The registration date began June 1, 1978 through June 30, 1978.

A penalty of \$50.00 is assessed in the event a business, occupation or profession is not registered within thirty (30) days from the date of the registration deadline, effected from August 1 through December 31. A Penalty of \$100.00 is assessed and effected between January 1 and June 30.

In our file, it shows that your business has not been registered. I am, therefore, billing you for failing to registered your business in the amount of \$50.00.

Any questions concerning the above information, come to the Town Hall. We're opened Monday through Friday, 8 a.m. to 12'noon and 1 p.m. to 5 p.m., telephone 244-2712 or 2012.

Sincerely,


JAMES O. GODWIN, SR.
Town Manager/Clerk

JOG/idr

CC: Mr. Howard J. Kelley

233 N. Eglin Pkwy.
Ft. Walton Beach, FL 32548
October 16, 1978

Town of Cinco Bayou
Kelly Ave.
Ft. Walton Beach, FL 32548

To Whom It May Concern:

At the intersection of Irwin Ave. and Eglin Pkwy., there is a vacant lot which is overgrown with dense vegetation. There is a curve on Eglin Pkwy. where Irwin Ave. intersects, and the view of a driver coming out of Irwin is obstructed by the vegetation making this intersection extremely dangerous.

I feel that the owner should maintain his property; if not, the town government should take some action.

All I ask is that approximately 10 feet or so be cleared so that oncoming traffic can be seen.

Thanks in advance for your prompt attention to this matter.

Sincerely,



Clair A. Pratt

TOWN OF CINCO BAYOU

KELLY AVE.

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

Mayor:
JIM ESDRICK, III

Mayor Pro-Tem:
IRENE BALSLEY

Council Members
P.L. JOHNSTON
WILL OVERSTREET
GAROLD PEEK
MAX USREY

Town Manager/Clerk:
JAMES O. GODWIN, SR.

Town Attorney
BILL POWELL

November 2, 1978

Mrs. Aris Corpousis
2801 Wisconsin Avenue, N.W.
Washington, D. C. 20008

Dear Mrs. Corpousis:

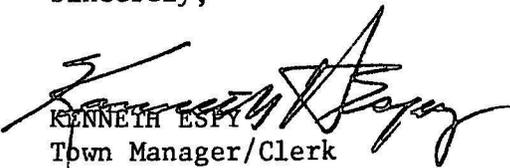
In reference to your property located in Cinco Bayou, Lots 6 and 7, Block 11, at Irwin Avenue and Eglin Parkway. These lots are overgrown with dense vegetation making it extremely dangerous coming out of Irwin Avenue onto Eglin Parkway.

If it is not convenient for you to engage someone to clear this property, we will hire someone to clear the lots and bill you for payment.

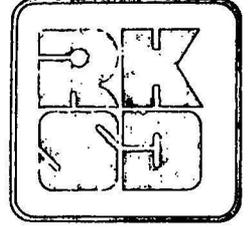
Please read attached letter of complaint.

We will appreciate a prompt reply directing us your desires of handling this matter.

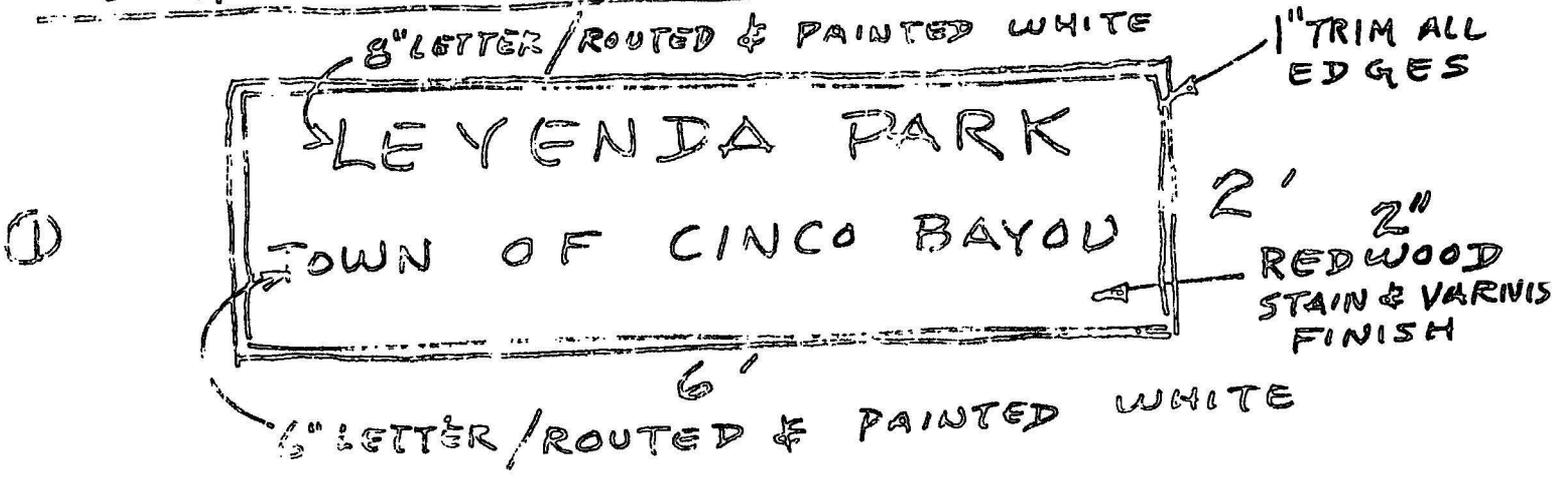
Sincerely,


KENNETH ESFY
Town Manager/Clerk

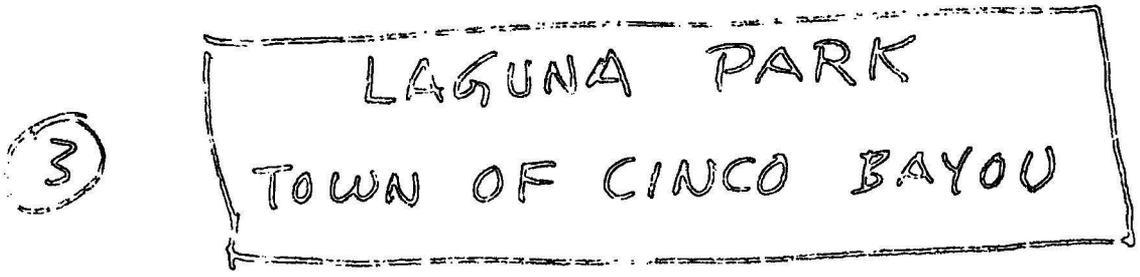
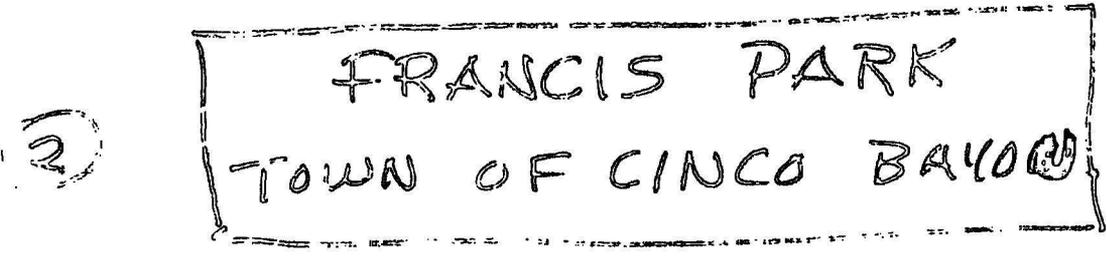
KE/idr



SIGNS FOR CINCO BAYOU :



TYPICAL SIGN



October
20,
1978

Cinco Bayou Hires Espy as Town Clerk

By **RON GOETSCH**
Daily News Staff Writer

Cinco Bayou councilmen Thursday hired a retired Fort Walton Beach man as town clerk, effective Nov. 1, at a yearly salary of \$7,800.

Kenneth Espy will replace temporary town clerk Irene Balsley, who's held that position since veteran town clerk Jim Godwin was fired last month.

Espy's hours will be 8 a.m. to 2 p.m., Monday through Friday.

The council settled upon Espy, who was recommended by a personnel committee, after interviewing 30 applicants. Councilman Harold Peek said most of those applying wanted the job as a "sideline" or on a part-time basis.

"This person (Espy) fits both of our needs, inside and outside," Peek said.

In a related matter, the council voted to pay former clerk Jim Godwin \$486.40 in severance compensation for 36 hours in accumulated leave and 32 hours in weekly salary. Before the motion was unanimously passed, Councilman Phil Johnston asked Godwin — who was present at the meeting — if the amount was acceptable.

"No, this isn't satisfactory," Godwin said, "because I should get my full annual leave."

The council decided on 36 hours for accumulated leave after subtracting the 44 hours Godwin allegedly used this year from the 80 hours in annual leave allowed by the town's personnel policy.

Godwin maintains he has accumulated 102 hours in annual leave.

"There was no stipulation about leave time being cut off if not used in a year's time," Godwin said.

The council argued that any leave not used within one year could not be carried over to the next.

Godwin, Balsley, and Town Attorney Dick Powell said they'll meet "later on" to settle the matter.

In other business, the council:

- Accepted the offer of Sanitation Services of Fort Walton Beach to sponsor a "cleanup week" from Oct. 30 to Nov. 4. The company will pick up all trash on Cinco Bayou curbs from 10 a.m. to 2 p.m. Saturday, Nov. 4.

- Approved placing a street light at the corner of Hughes Avenue and Eglin Parkway within 90 days.

Cinco Bayou Okays Ramp Improvements

BY GRAHAM HEATH

Daily News Staff Writer

Cinco Bayou council members Thursday gave the go-ahead for improvements of boat ramps at the end of Seaway Street and discussed employment guidelines for a yet-to-be-hired town clerk.

Miller Burt, executive vice president of Polyengineering of Florida, received the committee-of-the-whole's approval to paint lines on the boat ramps leading down to Cinco Bayou to aid boat-launchers. He will also erect signs around the area advising users the town is not liable for any accidents.

The committee has been concerned that the town might be held liable for scratches on vehicles that use the facility, located on the west side of Cinco Bridge.

In another matter, council members Thursday agreed to ask their finance committee for recommendations on the town clerk's position.

Veteran Town Clerk Jim Godwin was abruptly fired Sept. 21. Councilman Irene Balsley currently is acting town clerk while a replacement for Godwin is being sought.

Town officials are considering hiring a full-time secretary, reducing the clerk's hours from 40 to 30 per week and paying the clerk an hourly rate of \$2.85. Godwin's salary was \$13,312.

Cinco Park to Stay Under Court Order

October 11, 1978

BY SHEILA WELSH

Daily News Staff Writer

A restraining order prohibiting Cinco Bayou officials from improving a town park claimed by local contractor Osborne Pryor will remain in effect until the case is settled, a circuit judge ruled Monday.

Judge Jere Tolton ordered that the temporary restraining order issued Aug. 22 be allowed to stand until the completion of a final hearing, now scheduled for Dec. 20.

The restraining order was issued at the request of Pryor's attorney, who argued that any improvements made to Glenwood Park would destroy "crucial" evidence in Pryor's pending court battle

over the park's ownership.

Pryor sued the town in late July, claiming he holds legal title to the park and saying a 1955 resolution in which the town accepted the park was based on a plat that didn't include the eight-acre parcel.

Pryor's attorney, Robison Harrell, claims that not only was the park never legally conveyed to Cinco Bayou, it was never used or improved by the town.

Only after town officials learned of Pryor's claim to the land in 1976 did they begin efforts to develop and use the park, Harrell told Tolton Monday.

If the town is not stopped by the court, Harrell argued, it will so alter the park's existing natural state that Pryor will be unable to prove in later hearings that the land has been virtually untouched over the past 25 years.

Harrell said it is "crucial" that a judge and-or jury view the park "firsthand" before a decision in the case is rendered.

Cinco Bayou attorney Rick Powell argued that because Pryor's claim to the land is invalid, the town should not be kept from making improvements he said were planned long before Pryor's claim.

Circuit Judge Charles Wade, who issued the initial restraining order, has recused himself from further involvement in the dispute because he previously presided over litigation in which Pryor was involved.

Tolton, now assigned to the case, also ruled Monday that Pryor will not be required to post a bond with the court treasury that could be collected by the town as "damages" if Pryor loses the case.

Tolton said his decision was based on sworn testimony from Pryor that he has only \$16 in the bank and no personal property that could be used to secure money for the bond.

"Everything I have is either tied up, or about to be tied up, in litigation," Pryor told the court.

Cinco Bayou Election Set Today

By **RON GOETSCH**
Daily News Staff Writer

Today's election in Cinco Bayou is...well, different. It's the first one since 1965 in which there are more candidates than there are offices to fill.

Frank Lane, one of the three men running for the town's two open council seats, says that's one of the reasons he's in the race: "That's what democracy is all about."

Lane is a political newcomer. Councilmen Phil Johnson and Harold Peek both are seeing re-election. The two who receive the most votes will win the council seats.

Lane says he wants to give the 124 voters of Cinco Bayou a choice. License fees for businesses and being the people's advocate at town council meeting are, according to Lane, the primary concerns of Cinco Bayou town councilmen.

Phil Johnson is a 33-year resident of Cinco Bayou and, as owner of the Sundown Motel and Cottages, a pioneer in local business.

"I came here during the War in 1942," Johnson recalls. "I liked what I saw here so I returned in 1946." He has been active in Cinco Bayou government since then and sees it as the job of each councilman to keep taxes low for the town's 80 businesses.

Harold Peek has lived in the Cinco Bayou area for almost 37 years. "There are a lot of people who have lived in Cinco Bayou for a long time," he says. "It's my job to see that the town is run with their interests in mind."

He says the town was organized for residential purposes and should be kept that way.

The Cinco Bayou Town Hall will be closed for business today but will be open for voting between 7 a.m. and 7 p.m.

The Town Hall will be closed again for Thursday's state-wide runoff election.