

CINCO BAYOU COUNCIL MEETING

"AGENDA"

November 18, 1976

1. PRESENTATION TO KEN SMITH.
2. MINUTES-REGULAR COUNCIL MEETING-OCTOBER 21, 1976.
3. FINANCIAL STATEMENT-OCTOBER 1976.
4. CINCO BAPTIST CHURCH-USE OF LEYENDA PARK FOR PARKING.
5. BIDS-PAVING IRWIN AVE(BETWEEN BEAL & EGLIN PARKWAY).
6. MILLAGE CERTIFICATION.
7. DOUBLE TAXATION.

Cinco Bayou Council
Playground News 11/19/76
Retains 6-Mill Levy

By HONEY REEVES

Ad valorem taxes for Cinco Bayou property owners will continue to be levied at 6 mills this year.

Town Clerk Jim Godwin told the council in their Wednesday night meeting, that although the tax appraiser's office had suggested raising the property assessments to 6.2 mills he felt the council should retain the 6 mills from the previous year.

In continuing work to up-grade the town, the council agreed with a proposal from the Cinco Baptist Church to cut a 12-foot roadway through the Leyenda Park. The proposed roadway is to be used for church parking for a 15 year period with the church taking on the responsibility of paving the road and placing driveways onto Yacht Club Drive and Kidd Street.

The proposal also allows for the church to dig a well and install a pump and an underground sprinkler system within the park bounds.

Mayor Jim Kendrick directed Town Attorney Rick Powell to draft an ordinance granting the church license to use the property for a 15-year period. Although the ordinance will not be finalized until January, the council assured Rev. H. Talmadge Smith and church spokesman Barney Parker that use of the property could start immediately.

In other council matters, Kendrick appointed Irene Balsley as mayor pro tem for the coming year and set up a rotation system for other council members taking their turn at the post for a one-year period.

Kendrick also appointed each council member as heads of committees to oversee ongoing town projects, including streets, utilities, finance, parks and beautification, health, bayou and waterfront.

TOWN OF CINCO BAYOU
REGULAR COUNCIL MEETING
November 18, 1976

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

Also present were: Reverend Talmadge Smith and Barney Parker representing Cinco Baptist Church and Honey Reeves representing Playground Daily News.

Therefore, a quorum being present, Mayor Kendrick opened the meeting with a silent prayer at 7:30 p.m.

1. PRESENTATION TO KEN SMITH. Mr. Smith did not attend the meeting to receive his gavel and tray. Mayor Kendrick stated the gavel and tray will be presented to the former Mayor at the next council meeting. (CLERK'S NOTE: Mr. Smith died at his residence, 4 Lucille, on November 22, 1976. Gavel and tray was presented to Mrs. Joyce Smith on November 30, 1976).
2. MINUTES-REGULAR COUNCIL MEETING-OCTOBER 21, 1976. Motion by Mr. Peek to approve as printed, seconded by Mr. Usrey. Motion carried unanimously.
3. FINANCIAL STATEMENT-OCTOBER 1976. Motion by Mrs. Balsley to approve as presented, seconded by Mr. Usrey. Motion carried unanimously.
4. CINCO BAPTIST CHURCH-USE OF LEYANDA PARK FOR PARKING. Reverend H. Talmadge Smith and Barney Parker presented to Council a resolution from Cinco Bayou Church proposing the use of Leyanda Park for parking of vehicles at all church activities. (See attached Resolution for complete proposal). After discussion, Mayor Kendrick suggested Attorney Powell write an ordinance covering this matter. Motion by Mr. Overstreet for Attorney to draft an ordinance, seconded by Mr. Peek. Motion carried unanimously. Mayor Kendrick appointed Mr. Overstreet and Mrs. Balsley to work with Attorney on this ordinance.
5. BIDS-PAVING IRWIN AVENUE (BETWEEN BEAL AND EGLIN PARKWAY). Mr. Overstreet indicated to Council that it will take Miller Burt another week to get specifications ready.
6. MILLAGE CERTIFICATION. Clerk informed Council that he had talked with Mrs. Coker in the Property Appraiser's office pertaining to our millage for this year. They were suggesting 6.2 mills for the Town to receive approximately the same amount of money as last year. Clerk recommended to Council that the millage be certified at same amount as last year, 6.0 mills. Mr. Johnston moved that 6.0 mills be certified, seconded by Mrs. Balsley. Motion carried unanimously.
7. DOUBLE TAXATION. Mr. Overstreet briefed Council on the League of Cities meeting he attended pertaining to double taxation.
8. APPOINTMENT OF MAYOR PRO-TEM. Mayor Kendrick appointed Mrs. Balsley as Mayor Pro Tem for the coming year.

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9. COMMITTEE CHAIRMAN APPOINTMENTS. Mayor Kendrick made the following appointments:

Mr. Overstreet	-	Streets
Mr. Usrey	-	Utilities
Mr. Peek	-	Finance
Mrs. Balsley	-	Parks, Recreation, Environment & Beautification
Mr. Johnston	-	Health, Waterfront and Bayou

He further indicated each chairman would be asked for a report monthly at the "Council as Committee" meeting.

10. ADJOURNMENT. Meeting adjourned at 8:08 p.m.

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


JAMES O. GODWIN, SR.
Town Clerk

John

Item 4
CM 11/18/76

RESOLUTION

At a meeting of the Board of Directors of CINCO BAPTIST CHURCH OF FORT WALTON BEACH, INC., hereinafter referred to as the Church, the following resolution was adopted:

WHEREAS, the Church is in need of additional parking spaces for church members, visitors and guests; and

WHEREAS, the Town of Cinco Bayou, a municipal corporation hereinafter referred to as the Town owns and maintains a public park known as Leyenda Park; and

WHEREAS, Leyenda Park is located in close proximity to the Church; and

WHEREAS, the council members of the Town have indicated a willingness to allow regulated parking on the premises of Leyenda Park.

NOW, THEREFORE, BE IT RESOLVED, that the Church hereby makes the following proposal to the town for the use of Leyenda Park for parking of motor vehicles at all church activities:

1. The Church in accordance with the drawings attached hereto and marked Exhibit "A" agrees to cut a road or lane through the Park having a width of ¹²~~10~~ feet and to asphalt said road after applying an adequate clay base.

2. The Church agrees to cut and put in driveways on Yacht Club Drive and Kidd Street.

3. The Church will dig a shallow well, install a pump and underground sprinkler system and provide the water to adequately irrigate the areas used for Church parking.

4. The Church further agrees to keep the premises in a clean and sanitary condition.

The aforesaid proposal is contingent upon the Town agreeing to allow parking for church members, guests and visitors on Leyenda Park within the areas designated in Exhibit "A" during all church programs and activities for a period of 15 years.

This proposal is also conditioned upon the Town continuing to maintain the park area including areas used for parking by the Church, except for the watering of grass.

AND FURTHER RESOLVED, that the Church officers be and hereby are authorized to execute an agreement with the Town incorporating the provisions of the foregoing proposal.

IN WITNESS WHEREOF, I have hereby affixed my name as Secretary this _____ day of _____, 1976.

Secretary

YACHT CLUB

KIDD ST.

42'±

SIDEWALK 166'±

PROPOSED 10ft WIDE ROADWAY

58'±

188'

50 TO 60
CARS ANGLE
PARKED BETWEEN
EXISTING TREES

210'±

LEYENDA PARK

KIDD BAYOU



1" = 30'

plained that the CEBA targets its resources on persons who have problems in obtaining or retaining employment which provides an above poverty level income.

Washington County Commissioners Lenzy Corbin, who attended the meeting in an unofficial capacity, asked Smith to meet with the Washington County Board to discuss problems and priorities.

vendors.

"It is a mess, it is a crisis," Don Howard, county finance office said. With only a trickle of money coming in from non-tax sources, Howard is scraping the bottom of the county coffers to find the \$125,000 payroll due every two weeks and close to \$200,000 owed local suppliers and vendors.

County Commissioners. "We have got \$200,000 worth of lease equipment, and the money has got to come from somewhere."

Cities, as well as the county, depend on ad valorem tax dollars. Also critical is knowing how much money cities can expect so they can plan their budgets.

Item 7.
Cm 11/18/76

PENSACOLA NEWS JOURNAL 11/18/76

Mayors Agree to Seek Audit of County Funds

By OTIS GOSSMAN
Journal Staff Writer

SHALIMAR — Representatives of five of the county's eight municipalities fired the first shot here Wednesday night in what may become a war to end double taxation — the system under which city taxpayers funnel money to the county for services they say they don't need or don't get.

In a nutshell, the representatives are to confer with their various councils to seek permission to hire an auditing firm to go over county spending to determine how much city tax money paid to the county is spent on projects and services which don't benefit the city.

After such figures are accumulated, the municipalities plan to approach the county commissioners for some sort of relief, and if that fails, legal action against the county would be the next step.

Shalimar Mayor Tom Maulden named C. H. (Bull) Rigdon of Fort Walton Beach and Tom Werner from Niceville as two members of a three-man committee to start the ball rolling. Maulden said the third member of the committee will be selected from the north county, probably Crestview.

Rigdon, a member of the League of Municipalities and a Fort Walton Beach city councilman, has been at the forefront of the move to bring about an end to what the cities say is double taxation.

Other representatives attending the session of the executive board of the League of Cities, which is made up of the various mayors in the county, were Gerald Kendall of Valparaiso, Bill Overstreet of Cinco Bayou and Tom Pryor of Mary Esther.

Maulden said he believes state laws eventually will be passed which will correct the inequity "but meanwhile we just can't sit still." He said Shalimar has already, on the advice of an attorney, stopped paying its share of the \$192,000 county mosquito control budget.

Kendall said Valparaiso is paying \$12,000 out of its own pocket above and beyond the county charge for mosquito control services.

Each of the representatives had his own

tale to tell of where his city paid funds into the county coffers for services they either didn't get or couldn't use.

Rigdon cited a number of examples where he says Fort Walton Beach is caught in the double taxation web, the major area being taxes paid to the sheriff's department although the city maintains its own police force.

He also cited the 1975 county budget into which the city paid \$74,000 to the electrical and mechanical inspection department although Fort Walton has its own department to handle those chores.

Rigdon said Fort Walton Beach pays the county \$6.76 per \$1,000 of assessed valuation "and it would be very easy to drop taxes to 4.76 mills and let the people outside the city pick up the extra 2 mills."

Rigdon also said the city pays tax money to help the county library system although Fort Walton has its own library. The same situation applies in Mary Esther.

He added, "If our figures are right, the county probably owes us about \$25,000 on the roads and bridges." Rigdon estimated cities make up about 80 per cent of the

See MAYORS, 3B



FUND-RAISING BY PHONE
livan; right, executive director
Fund, discusses fund-raising plan
Connor, chairman of the Fort Walt

Childers Not Planning

By BILL KACZOR
Gannett News Service

TALLAHASSEE — Sen. W. D. Childers, D-Pensacola, said Wednesday he has no plans now to run for Senate president, but did not exclude the possibility.

His West Florida colleague, Rep. Edmond Fortune, D-Pace, meanwhile, continued to be confident about his bid for the House speakership, the lower house's equivalent to the presidency of the Senate.

"At this point I don't have any intention to act, but you can't exclude anything," Childers said in an interview.

Six other senators are in the running to succeed Senate President Lew Brantley, D-Jacksonville, who took office for a two-year term Tuesday.

Childers' close ties to Brantley and to outgoing

Senate President Dempsey Barron make him an obvious target of speculation.

Brantley, who served as chairman of the Calendar Committee, and Childers remain chairman of the Commerce in concert with Barron last legislative session to control the Senate.

"I don't think the time is proper for running in the first term of Senate president," Childers said.

Childers said he has not pledged to support any of the six candidates and predicted he will not either.

"I'd advise those who are running to be careful," Childers said.

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Irregulars. 100% cotton size towels. Assorted colors and prints.

\$3.00

BED PILLOWS

Standard size foam filled bed pillows. Assorted cotton ticking.

2 \$3.00 FOR

SHREDDED

DAM

67¢ BAG

RS ONLY!

WITE FAMILY CENTER
venue at Creighton Road

Sunday
11-6

Patrol lieutenant has filed a complaint against a superior, charging a campaign to smear him stripped him of authority and embarrassed him in front of his men.

The grievance was brought by Lt. William A. Smythe, district commander in Pinellas Park, against troop commander Capt. S. L. Clements, who is responsible for patrol operations in seven west central counties.

Smythe charged that Clements continually gave orders to a sergeant in his office without going through him. He claimed Clements treated him "unjustly and inequitably and has further hindered me as an effective leader by failing to recognize me as the district commander and continually engaged in conduct that embarrassed me in front of the men."

through Sgt. J. A. Marsh.

The complaint was aired Tuesday before the patrol's Employment Improvement Committee. The committee has no authority to determine guilt or innocence. It has 10 days to make a recommendation to the patrol director to resolve whatever problems are discovered.

Smythe said that when he reported to Clements in September 1974 he was told to check with Marsh "on anything I did...on several occasions, Capt. Clements stood in the Pinellas Park station and discussed district business with Sgt. Marsh, ignoring me as if I wasn't present," he said.

Clements and Marsh both denied the charges.

Hillsborough Schools to Allow Bibles

TAMPA (AP) — Reversing its month-old ruling, the Hillsborough County School Board has decided to allow the Gideons to give away free Bibles in the public schools.

The board voted 4-3 Tuesday night to allow the Gideons to leave pocket-sized editions of the King James version of the New Testament in school buildings for fifth graders to help themselves.

That is, if the Gideons want to initiate the practice again.

Last month, the board voted a 3-3 tie on the issue, which in effect, banned the

traditional give-away. School officials said they had been advised by their attorney that they were opening themselves up for a law suit by parents who opposed the practice.

One board member was on vacation when the first vote was taken and a new member was seated last week. Both helped swing the tide in favor of distribution.

Rejecting the argument that they were inviting similar requests from other religious groups, proponents maintained that the Bible is a piece of great literature.

Mayors

From 1B

county's population and the tax inequities are becoming more and more painful.

He also suggested that since the complexion of the county commission had changed as a result of the election, "We should go before them and tell them what we're going to do."

Overstreet at one point suggested getting an injunction against the commissioners "and putting the burden on them." Kendall replied that he thought such a move would be unwise "until we have all our facts and figures and know just exactly what we're talking about."

He added that if the commissioners take no action when confronted with the figures, "then we should go into litigation."

If the move to hire an accountant to probe county books gets off its feet, it would be paid for on a pro-rate basis by the eight municipalities. Maulden said two representatives of cities not present had told him they would be willing to go along with whatever plan the group Wednesday night elected to pursue.

Earlier in the meeting, Maulden cited

Broward County as a place where some relief had been given to the cities, by giving the cities a 3-mill tax break in areas of county service which did not affect them.

Last spring the Florida Supreme Court got into the double taxation act but left a loophole in its ruling which said that "property . . . within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit or the property or residents in unincorporated areas."

The loophole is use of the term "exclusively." The sheriff's department, for instance, does provide services within Fort Walton Beach — serving summons and the like plus housing city prisoners at times in the county jail.

Shalimar also has its own police department, as does Crestview. Fort Walton Beach pays 1.8 mills per \$1,000 assessed valuation into the sheriff's department kitty, which is included in the 3.08 general revenue millage the city pays to the county.