

MINUTES OF REGULAR MEETING
TOWN COUNCIL

DECEMBER 15, 1980

The Regular meeting of the Town of Cinco Bayou Town Council was called to order by Mayor Balsley at 7:00 P.M.

ROLL CALL: Present: Councilwoman Kelley Councilman Davis
Councilman Usrey Councilman Perry
Councilman Peek

Also Present: Town Clerk Borchik Town Engineer Burt
Town Attorney Powell Adelia Robblee
Town Recorder Hembree

SILENT PRAYER

1. MINUTES. Councilman Usrey moved to accept the minutes of the November 5th, 10th and 17th meetings, seconded by Councilwoman Kelley. The motion carried unanimously.
2. FINANCIAL STATEMENT. Councilman Peek moved to accept the financial statement as presented, seconded by Councilman Usrey. The motion carried unanimously.
3. SECOND READING OF ORDINANCE - AMENDING ZONING ORDINANCE, APPENDIX A, SECTION 6 (16), PRIVATE CLUBS AND LODGES. Town Attorney Powell read the ordinance by title only. Councilwoman Kelley moved to approve the second reading and adopt the ordinance, seconded by Councilman Usrey. The motion carried unanimously.
4. FIRE PROTECTION. Mayor Balsley informed the Council that the cost of fire protection for Cinco Bayou would be \$ 24,769.67. The estimated figure in the budget was \$ 27,000.00. Councilman Davis moved to pay the City of Fort Walton Beach the \$ 24,769.67 for fire protection, seconded by Councilman Usrey. The motion carried unanimously.
5. INSURANCE. As directed in the Council as Committee Meeting, the Clerk requested Mr. Pelham (Pelham & Lindsey Insurance Agency) provide the Council with a premium quote on Errors and Omissions insurance coverage for the Town. To date Mr. Pelham has been unable to provide a premium quote as his company does not provide the desired coverage. He is continuing to attempt to secure a quote and will keep the Town advised. The current liability policy expires in February, 1981 so there is still time before a decision is necessary. The Clerk also stated that the premium on the floater for the tractor is due and will be paid tomorrow. Councilman Peek moved to authorize the Clerk to secure the additional insurance, seconded by Councilman Davis. The motion carried unanimously.

6. REFERENDUM ON TAX CUT FOR INDUSTRY. Support from the Okaloosa County Industrial Recruiter, Mr. Vic Andrews was solicited for the referendum that will provide new industries a tax cut and rate adjustment. The referendum will be put to the County voters on February 3, 1981. Mr. Andrews has requested Council support for the tax cut. After a brief discussion, Councilman Usrey moved to send a letter indorsing the referendum for the tax cut, seconded by Councilwoman Kelley. The motion carried unanimously.

7. CHRISTMAS BONUS FOR EMPLOYEES. Following a brief discussion, Councilman Peek moved to give a \$50 bonus to the Town Clerk, a \$25 bonus to the Town Secretary and \$15 each to the part time maintenance men, seconded by Councilman Perry. The motion carried unanimously. The Clerk informed Council that Mr. Emmett Phillips has accepted the job of maintenance man for the Town of Cinco Bayou.

8. ATTORNEY'S REPORT - ORDINANCE LIMITING NON-TAXABLE LAND USE. Attorney Powell informed the Council that the Town has three basic options in limiting non-taxable land use within the Town limits. The Council could revise the zoning ordinance and remove all permitted uses that are now allowed and result in limited taxation, or, it could be approached through the zoning districts, or, an ordinance could be enacted limiting the percentage of land that could be used for tax exempt purposes. At this time, 10.19% of the taxable property in Cinco Bayou is tax exempt. This does not consider those properties that pay no taxes because their appraisal is less than \$ 15,000.00 or the Town owned properties. If you consider these properties, the percentage increases to 10.95%. After a lengthy discussion, Councilman Perry moved to have the Attorney proceed with a draft limiting the percentage of tax exempt land use, seconded by Councilman Davis. The motion carried unanimously.

9. ENGINEER'S REPORT - BOAT RAMP. Town Engineer Burt explained the problem with the boat ramp to the Council. To eliminate the problem, he suggested that treated posts be placed to prevent people from using one slab of one ramp and one slab of the adjacent ramp. The ramps are not the same length and this could cause personal or property damage is a trailer was allowed to back off the shorter ramp. Signs need to be placed at the site. A sign should also be erected warning boaters to reduce power used approaching or leaving the ramp, as this would reduce the wave and erosion action. Councilman Perry moved to proceed with the Engineer's plan of installing two treated posts at the site, seconded by Councilman Peek. The motion carried unanimously.

10. COMMITTEE REPORTS. Mayor Balsley restated the committee appointments effective as of this meeting.

Streets/Sidewalks - Councilman Davis
Finance - Councilman Peek
Health/Waterfront/Bayou - Councilman Perry
Parks/Beautification/Environment - Councilwoman Kelley
Utilities - Councilman Usrey

The Mayor also announced that effective immediately, Councilman Perry would be the new Mayor Pro Tem.

11. CLERK'S REPORT.

Christmas Decorations - Clerk informed Council that all the Christmas Decorations are working except the one by the bridge. He will do more checking in the morning to find the problem.

At this point, Councilman Peek moved to pay Mrs. Robblee \$25 for her part in the Thanksgiving Day Dinner, seconded by Councilman Usrey. The motion carried unanimously.

Personnel Policy #1 - A revision to the personnel policy stating that a maximum of 80 hours of annual leave and 80 hours of sick leave may be accrued was discussed. Councilman Perry moved to approve the amended Personnel Policy, seconded by Councilman Peek. The motion carried unanimously.

12. MAYOR'S ANNOUNCEMENTS.

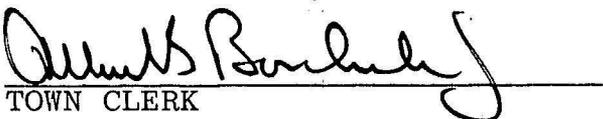
Christmas Party - Mayor Balsley announced that the Town Christmas party would be December 16, 1980.

Scout Project for Leyenda Park - Mayor Balsley informed Council that Chuck Stewart is working on his Eagle Scout badge for the Boy Scouts. He must complete a community service and would like to build a slide for Leyenda Park. The slide would be made of wooden posts in a circular arrangement. There was Council discussion on insurance liability and the Attorney stated that if the slide was properly maintained, the Town would not be held liable for accidents. Councilman Davis moved to not allow Playground equipment in the parks, seconded by Councilman Usrey. The vote was 3 - 2 against this motion with Councilmembers Peek, Kelley and Perry voting against. Councilman Peek then moved to accept the offer to build the project and directed the Clerk to see if the structure would be safe, seconded by Councilwoman Kelley. The vote passed 3 - 2 with Councilmen Davis and Usrey voting against.

13. ADJOURNMENT. The meeting adjourned at approximately 8:10 P.M. on Monday, December 15, 1980.


MAYOR

ATTEST:


TOWN CLERK

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part and is on file in the office of the Town Clerk.

Cinco To Limit Non-Taxable Land

By STEVE CHEW

Daily News Staff Writer

Expecting less ad valorem tax revenue because of higher homestead exemptions, Cinco Bayou council members on Monday told their attorney to draw up a legal document limiting non-taxable lands in the town.

According to an analysis of Cinco Bayou's taxable property prepared by Town Clerk Al Borchick, 10.19 percent of the land that could produce tax revenues currently is tax-exempt.

That 10.19 percent is owned by Cinco Baptist Church at 26 Yacht Club Drive and Abundant Life Fellowship, 13 Kelly Ave.

Borchik's report said the 10.19 percent does not include properties that pay no taxes because their appraisal is less than \$15,000 or because they're town-owned. If those properties were considered, the percentage of tax-exempt land in the town would be 10.95 percent.

Borchik told council members that for the past fiscal year, three parcels of residential property were tax-exempt because of the allowable \$15,000 tax exemption.

But the allowable exemption is to be incrementally raised to \$25,000, and Borchik said the number of tax-exempt properties could "rise significantly."

Borchik's report showed that Cinco Baptist Church controls \$733,097 of possible taxable land and Abundant Life Fellowship controls \$157,851, for a total of \$890,948 in possible taxable land.

Borchik said the land, if taxed, would provide an additional

\$3,985 for the town's coffers.

The report said that after tax exemptions, the town has \$7,425,200 in taxable property. Before any exemption, the town has \$8,739,575.

Town Attorney Rick Powell offered several ways of limiting the amount of tax-exempt property in the town and said he didn't think it would violate any constitutional rights.

"As long as we show it is reasonable and necessary, I think it can stand up to a court test," Powell said. Although he had no concrete plan, Powell said a document limiting the percentage of tax-exempt property in the town would satisfy the council's request.

In other action Monday night, council members approved in its final reading an ordinance prohibiting private clubs and lodges in the town.

The ordinance specifically deletes Subsection A, Paragraph 16, Section 6 of an Aug. 3, 1964, ordinance pertaining to C-1 limited commercial zoning and permitted uses under that designation. Subsection A of Paragraph 16 had permitted the operation of private clubs and lodges in the town.

The ordinance also says there are no private clubs or lodges now operating within the town.

In an unrelated matter, council members approved the payment of \$24,769.67 to the city of Fort Walton Beach for fire protection in the town.

The council had budgeted \$27,000 for that purpose, according to Mayor Irene Balsley.

PLAYGROUND
Daily News
"A Florida Freedom Newspaper"

Published Daily

Fort Walton Beach, Florida

State of Florida

County of Okaloosa

Before the undersigned authorized personally appeared _____

Dorothy Buffington

_____, who on oath says that (s)he

is Secretary of the Playground Daily News, a daily

newspaper published at Fort Walton Beach, in Okaloosa County, Florida; that

the attached copy of advertisement, being a _____
Legal

in the matter of _____

Notice of Proposed Enactment Of Ordinance

in the _____

Court, was published in said newspaper in the issues of _____

Nov 24, Dec 1, 8, 15, 1980

Affiant further says that the said Playground Daily News is a newspaper published at Fort Walton Beach, in said Okaloosa County, Florida, and that the said newspaper has heretofore been continuously published in said Okaloosa County, Florida, each day, and has been entered as second class mail matter at the post office in Fort Walton Beach, in said Okaloosa County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Dorothy Buffington

Sworn to and subscribed before me this _____ 15th _____ day of

December

80

_____, A. D. 19_____

Mary Reggett

Notary Public, State of Florida at Large

My Commission Expires MAY 9, 1984

Leg. 9884

NOTICE
OF PROPOSED ENACTMENT OF ORDINANCE

The Town Council of the Town of Cinco Bayou, Florida proposes to enact an ordinance amending Appendix A, Section 6 (Zoning C-1 Limited Commercial District) to further define the classification "Private Clubs and Lodges". 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 shall be considered for first reading by the Town council at a special meeting to be held at 7:00 P.M. on December 8, 1980, at the Town Hall of the Town of Cinco Bayou, Florida, and shall be considered for second reading and enactment by the Town Council at the Regular council meeting to be held at 7:00 P.M. on December 15, 1980, at the Town Hall of the Town of Cinco Bayou, Florida. Interested parties may appear at each council meeting and be heard with respect to the proposed ordinance.

ALBERT S. BORCHIK, JR.
TOWN CLERK

Nov. 24, Dec. 1, 8, 15, 1980