

TOWN OF CINCO BAYOU  
REGULAR MEETING  
DECEMBER 16, 1985

The Regular Meeting of the Town of Cinco Bayou Town Council was called to order by Mayor Pro Tem Laginess at 6:03 P.M.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Pro Tem Laginess requested the Clerk call the roll.

ROLL CALL

Present: Councilman Davis  
Councilman Gage  
Councilman Laginess  
Councilman Plaster

Absent: Mayor Perry  
Councilwoman Balsley

Also Present: Attorney Gontarek      Helen Wren  
Fred C. Cooke                      Josie Jackson  
Mr. A. Carey                        Bill Overstreet  
Mrs. A. Carey                       Clerk Borchik  
Gene Barker                         Secretary Knox

MINUTES - Councilman Davis moved to accept the minutes of November 18, and November 25, 1985 Town Council Meetings as written, seconded by Councilman Gage. The motion was unanimously approved.

FINANCIAL REPORT - Councilman Gage moved to accept the financial report for November, 1985, seconded by Councilman Davis. The motion was unanimously approved.

REGULAR BUSINESS

1. FYE 1985 Audit - Mrs. M. Cummins - Mr. Gene Barker, Creel, Bryan & Gallagher was present to answer any questions concerning the audit. Councilman Gage made a motion to accept the FYE 1985 Audit and approve payment of the Auditor's fee, \$3,700, seconded by Councilman Davis. The motion carried unanimously on a roll call vote.
2. Building Permit - Mr. L. Patrick - No action was taken on this item as complete plans and specifications were not available for Council's review.
3. Building Permit - Mr. A. Carey - Mr. Carey was present and presented plans for a drive-thru fast food restaurant to be constructed at 79 Beal Parkway. A discussion followed concerning the setback requirements and type of construction. Councilman Plaster made a motion that a

letter be issued, stating that the proposed building meets the setback requirements and zoning of the Town, and authorizing the County to issue a building permit subject to inspection by the County, seconded by Councilman Gage. The motion carried unanimously on a roll call vote.

4. Building Permit - Barnett Bank - Mayor Pro Tem Laginess advised the Council that Barnett Bank had requested a building permit for the remodeling of the interior of the bank at 189 N. Eglin Parkway. Councilman Plaster made a motion that a letter be issued to the County authorizing a building permit, subject to inspection of the plans and approval by the County, seconded by Councilman Gage. The motion carried unanimously on a roll call vote.

5. Laguna Landing - Mr. A. Talley - At the Council's request, Mr. Talley had been invited to attend the Council meeting and explain his current plans for Laguna Street and the remainder of the project. Mr. Talley asked that he be allowed to wait until January as there were several areas that were still being reviewed and possibly would be revised. He anticipated that plans would be more firm by the January meeting.

6. Double Taxation Issue - League of Cities - Following a discussion concerning the double taxation issue, Councilman Gage made a motion to table the item, seconded by Councilman Plaster. The motion carried unanimously on a roll call vote.

7. Resolution - Utilities Authority - The Clerk advised the Council that Councilwoman Balsley had attended the meeting concerning the proposed formation of a Utilities Authority and had recommended that the Council adopt a resolution supporting the formation of a utilities commission. Councilman Davis made a motion to adopt a resolution supporting the formation of a utilities commission. The motion died for lack of a second. Following a discussion, the Council agreed to postpone any action on this resolution until the Attorney has checked into the resolution further.

At this time, Mayor Pro Tem Laginess advised the Council that a proposal had been made to include Building Permits under the committee "Building Codes:". Under that committee, Councilman Plaster, as Chairman, would be reviewing building permit requests and would be given the authority to decide whether these permits can be issued without going before the Council. Councilman Plaster would then report to the Council on any permits that are issued. The Attorney recommended that the Council adopt a new resolution stating the new procedure for obtaining building permits. This resolution will be presented at next month's council meeting.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME. None

COMMITTEE REPORTS

Standing Committees

1. Streets & Sidewalks - Councilman Davis, Chairman  
No report
2. Parks - Councilman Gage, Chairman - No report
3. Finance & Budget - Councilwoman Balsley, Chairman  
No report
4. Waterfront - Boat Dock - Councilman Laginess,  
Chairman - No report
5. Civil Defense - Councilman Plaster, Chairman  
No report
6. Neighborhood Watch - Councilman Laginess,  
Chairman - No report

Special Committees

1. Bicycle Path - Councilwoman Balsley, Chairman  
No report
2. Building Codes - Councilman Plaster, Chairman  
No report
3. Comprehensive Plan - Councilman Gage, Chairman  
No report
4. Code of Ordinances - Councilmen Gage & Laginess  
No report

ATTORNEY'S REPORT

Attorney Gontarek advised the Council that he was still negotiating with Mr. Grimsley, Attorney for Investments Unlimited, and they are trying to reach an agreement on the demolition of the metal building behind Church's Fried Chicken.

CORRESPONDENCE

1. Letter - Florida Municipal Funds - Trustee Nominations  
Mayor Pro Tem Laginess asked if there were any nominations for Trustees for the Florida Municipal Funds. There were no nominations at this time.

2. Letter - Florida English Campaign - Resolution  
Mayor Pro Tem Laginess advised the Council that a letter had been received from the Florida English Campaign requesting a resolution from the Town designating English

to be the state's official language. Following a discussion, Councilman Davis made a motion to pass a resolution designating English as the state's official language, seconded by Councilman Plaster. The motion was unanimously approved.

3. Okaloosa County Resolution 85-110 - Mayor Pro Tem Laginess advised the Council that a copy of the Okaloosa County Resolution No. 85-110 concerning user fees for the disposal of garbage and trash in the County had been received. Mayor Pro Tem Laginess asked that each councilmember study the ordinance, and any questions could be forwarded to the League of Cities Committee.

4. Okaloosa County Resolution 85-111 - This item was covered under Regular Business #7.

CLERK'S REPORT

The Clerk advised the Council that the Town Hall would be closed on December 24 and December 25 for Christmas and January 1 for New Years. Following a discussion, it was decided to close the Town Hall at noon on December 31.

MAYOR'S ANNOUNCEMENTS

Mayor Pro Tem Laginess reminded everyone of the Town Christmas Party tomorrow night at 6:30 p.m. in the Town Hall.

There being no further business, the meeting was adjourned at 7:05 P.M.

  
MAYOR PRO TEM

Attest:

  
TOWN CLERK

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



# FLORIDA MUNICIPAL FUNDS

FLORIDA MUNICIPAL ...

SELF INSURERS FUND (WORKERS COMPENSATION).....	FMSIF
LIABILITY SELF INSURERS PROGRAM (TORT LIABILITY).....	FMLSIP
HEALTH TRUST FUND (HEALTH & ACCIDENT).....	FMHTF
PENSION TRUST FUND (PENSION SERVICES).....	FMPTF

### FMSIF

Chairman,  
Raymond M. Ambrose, Jr.  
Mayor, Altamonte Springs

Vice-Chairman George E. Musson  
Mayor, New Smyrna Beach

William V. Gibson  
Councilman, Venice

John M. Bertino  
Mayor, Dania

John J. Oates  
Mayor, Rockledge

William S. Howell  
Mayor, Atlantic Beach

Joan Kovac  
Vice Mayor, Davie

### FMLSIP

Chairman, Leon S. Conlee  
Vice Mayor, Palatka

Vice-Chairman Guy W. Thompson  
Mayor Pro Tem, Milton

John M. Bertino  
Mayor, Dania

Robert Southward  
Commissioner, Treasure Island

Terry Goff  
Mayor, Vero Beach

### FMHTF

Chairman, David T. Farr  
Commissioner, Sanford

Vice-Chairman, Peter R. Walson  
Vice Mayor, Stuart

William J. Loadholtes  
Commissioner, Fort Meade

James H. Bryan, Jr.  
Commissioner, Palatka

Dr. Gary Dopson  
Commissioner, Macclenny

### FMPTF

Chairman, William A. Jacobs  
Commissioner, Winter Springs

Vice-Chairman, George W. Henry  
Mayor, New Port Richey

Daniel M. Riccio  
Mayor, Hialeah Gardens

Dick Fess  
Mayor, Lake Mary

Clayton Perreault  
Mayor, Ponce Inlet

December 1985

RECEIVED  
12/11/85  
MSB

## M E M O R A N D U M

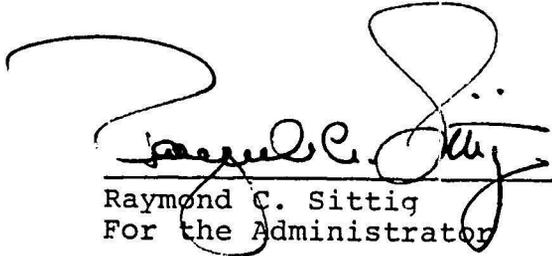
TO: Participating Members, Florida Municipal Self-Insurers Fund

FROM: Administrator, Florida League of Cities, Inc.

RE: Nomination of Trustees

The Trustees of the Florida Municipal Self-Insurers Fund are soliciting nominations for three positions on the Board of Trustees in accordance with Article I, Section 2 of the By-Laws of the Florida Municipal Self-Insurers Fund.

Those Trustees whose terms expire are Mayor William S. Howell, Atlantic Beach; Commissioner Raymond Ambrose, Jr., Winter Springs; and Vice-Mayor Joan Kovac, Davie. Trustees may be renominated or a nominee of your choice may be submitted for the Board of Trustees to consider. The Trustees selected will serve a three year term commencing with the date of appointment.



Raymond C. Sittig  
For the Administrator

RCS/vs  
Enclosures

NOTE: NOMINATION FORM MUST BE RETURNED TO THE FLC OFFICE NO LATER THAN DECEMBER 31, 1985.



SERVICE COMPANY  
FMSIF • FMLSIP  
ADJUSTCO  
P.O. Box 5005  
Maitland, FL 32751  
(ADM)1-800-432-4483 • (305)660-2611  
(Claims)1-800-432-3161 • (305)660-1600

SERVICE COMPANY  
FMHTF  
HILL, RICHARDS & COMPANIES, INC.  
P.O. Box 1950  
Altamonte Springs, FL 32701  
1-800-432-6010 • (305)788-1200

SERVICE COMPANY  
FMPTF  
ECS, INC.  
P.O. Box 2286  
Jacksonville, FL 32202  
(904)389-5148

ADMINISTERED BY: FLORIDA LEAGUE OF CITIES, INC. • P.O. Box 1757, TALLAHASSEE, FLORIDA 32302 • (904) 222-9684



# FLORIDA MUNICIPAL FUNDS

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December 1985

RECEIVED  
12/11/85

## M E M O R A N D U M

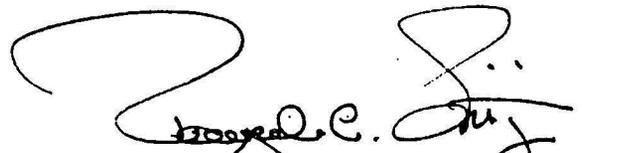
TO: Participating Members, Florida Municipal Liability Self-Insurers Program

FROM: Administrator, Florida League of Cities, Inc.

RE: Nomination of Trustees

The Florida Municipal Liability Self-Insurers Program is soliciting nominations for two positions on the Board of Trustees in accordance with Article I, Section 2 of the By-Laws of the Florida Municipal Liability Self-Insurers Program.

Those Trustees whose terms expire are Councilman Robert Southward, Treasure Island and Vice-Mayor Terry Goff, Vero Beach. The Trustees selected to fill this vacancy will serve a three year term commencing with the date of appointment. Trustees may be renominated or a nominee of your choice may be submitted for the Board of Trustees to consider.



Raymond C. Sittig  
For the Administrator

RCS/vs  
Enclosures

NOTE: NOMINATION FORM MUST BE RETURNED TO THE FLC OFFICE NO LATER THAN DECEMBER 31, 1985.



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SERVICE COMPANY  
FMPTF  
ECS, INC.  
P.O. Box 2286  
Jacksonville, FL 32202  
(904)389-5148

# FLORIDA ENGLISH CAMPAIGN

Box 329 - 1521 South Dale Mabry  
Tampa, Florida 33629  
Phone (813) 381-1452  
(813) 736-4928

RECEIVED  
12/13/85  
11/17

Dr. Robert Melby  
Chairman  
Juanita Ramsey  
Treasurer

In Reply:  
Robert E. Melby, O.D.

Name  
Chairman  
Title  
6420 Central Avenue  
Address  
St. Petersburg, FL 33707  
City State Zip  
813-381-1452  
Telephone

December 9, 1985

Mayor Max O. Usrey  
35 Kelly Avenue  
Ft. Walton Beach, Florida 32549

Dear Mayor Usrey:

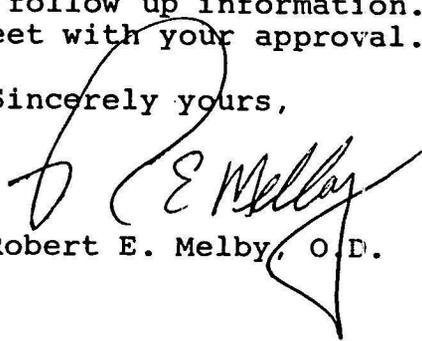
You may be aware I have the privilege of being State Chairman of the Florida English Campaign. Our campaign has as its goal the designation of English to be our state's official language.

I would like to suggest that the City of Cinco Bayou, Florida pass a resolution designating English to be the official language of your city. I am contacting our smaller cities as well as our larger cities throughout the state for a similar resolution. To date, approximately 24 cities have already responded by passing the enclosed resolution or a similar version of it. It is also my intention to contact the various counties at the county commission level.

I am enclosing some background material for your information and would be pleased to appear before your next council meeting with some testimony why this is a wise and prudent move. There is a good bit of confusion in the minds of many people, including our judges who interpret our laws, regarding the issue of English being our only official, legal language in dealing with government. Our efforts have nothing to do with anti-bilingualism, but simply a statement of fact that English is the language of choice in dealing with government. Hopefully, this will stop the movement of certain individuals to create a multi-lingual, multi-cultural society with two legal languages, one being Spanish.

Please contact me with appropriate follow up information. Enclosed is a sample resolution which may meet with your approval.

Sincerely yours,

  
Robert E. Melby, O.D.

REM:ht  
Enclosures

WHEREAS, the United States of America has been and is the land of promise for immigrants from many nations; and

WHEREAS, the United States of America has attained hope, strength and pre-eminence in world affairs through the unified effort of its diversified peoples; and

WHEREAS, unification of those diversified peoples offers the most promise of success when accomplished within a cultural fabric of one language which is spoken, written and understood by all; and

WHEREAS, there are immigrants from certain nations in sufficient numbers that there are arguments in favor of creating a bilingual society; and

WHEREAS, there are reasons to believe that a bilingual society is not in keeping with the "melting pot", well assimilated foundation of the United States of America: and

WHEREAS, the adoption of English as the official language will bring official recognition to the principle that a common language is necessary to preserve the basic internal unity required for political stability and cohesion; and

WHEREAS, the adoption of English as the official language will reaffirm that we are truly "One Nation....Indivisible...";

NOW, THEREFORE, BE IT RESOLVED by the

PASSED AND ADOPTED in session held this

RECEIVED  
12/16/85  
MB

RESOLUTION NO. 85-110

WHEREAS, Okaloosa County operates four landfill sites for the disposal of garbage and trash, and

WHEREAS, the costs have severely increased for said operations due to environmental precautions imposed by the State of Florida, and

WHEREAS, numerous citizens have advocated user fees rather than ad valorem tax levies to pay the costs of said services, and

WHEREAS, Okaloosa County has authorized tipping fees to be established by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, that the following rates, charges, and policies, are hereby established for the utilization of the Okaloosa County landfill sites to become effective on January 1, 1986:

1. DEFINITIONS. Certain definitions are necessary. The following words, terms, or phrases used relating to the user fee program shall have the following meanings:

a. "Board" means Board of County Commissioners of Okaloosa County, Florida.

b. "Clerk of Circuit Court" means the person duly elected to the office of Clerk of the Circuit Court for Okaloosa County.

c. "Commercial Accounts Clerk" means the person duly designated by the Okaloosa County Engineer as the Commercial Accounts Clerk of the Okaloosa County Solid Waste Department.

d. "Payment Accounts" means accounts established by users of Okaloosa County's solid waste disposal facilities so that they may use said facilities and pay in accordance with provisions of this Resolution.

e. "Delinquent Accounts" means those payment accounts established which have fallen past-due paying monthly charges for use of a disposal facility.

f. "Franchise Holders" means those garbage franchise holders duly approved by the Board of County Commissioners of Okaloosa County, Florida.

g. "Incorporated Municipalities" means those duly incorporated municipalities in Okaloosa County providing garbage collection services.

h. "Disposal Facility" means site where solid waste is disposed of.

i. "Sanitary Landfill" means a site where solid waste is disposed of using sanitary landfilling techniques.

j. "Security Deposit Account" means cash, or a Certified or Cashier's Check deposited with the Okaloosa County Clerk of Circuit Court pursuant to establishing payment accounts.

k. "Solid Waste Department" means that County Department charged with the authority and responsibility to manage all functions of the Solid Waste Department of Okaloosa County, Florida.

1. "User" means any person, firm, partnership, corporation, municipality or governmental agency who is served by and makes use of any Okaloosa County transfer station or sanitary landfill.

2. ESTABLISHING PAYMENT ACCOUNTS. Users of the County's solid waste disposal facilities, upon approval, may establish payment accounts as a means of paying monthly solid waste disposal rates and charges incurred in accordance with prescribed rates:

a. Agreeing to pay within twenty (20) days of the date of billing, all solid waste disposal rates and charges incurred in each month upon presentation of a bill for said charges by the Solid Waste Department.

b. Providing security for unpaid incurred charges by depositing cash, or Certified or Cashier's Check as a security deposit with the Okaloosa County Clerk of Circuit Court in an

amount sufficient to pay estimated charges for a period of two months as determined by the Commercial Accounts Clerk and meeting applicability requirements for establishing an account.

c. Amount of security deposits will be based on past hauling records or projected loads but under no circumstances will the amount be less than \$250.00, which amount may be adjusted bi-monthly.

3. CHARGING AGAINST SECURITY DEPOSIT ACCOUNT. When unpaid monthly charges become past due the user's security deposit account shall be debited for the amount of said charges.

4. CONTROLLING DELINQUENT ACCOUNTS. When any user fails to pay upon presentation by the Solid Waste Department, or its authorized agent, a bill for charges incurred through use of the County's disposal facilities or sanitary landfill, thereby giving the County cause to invoke charges against security deposit account, the user shall thereafter pay cash for each disposal in the County's disposal facilities or sanitary landfills prior to making said disposal until a new payment account is established.

5. APPLICABILITY. This Commercial Accounts Policy shall be applicable to users of County disposal facilities or sanitary landfills who have a permanently established business address, or out-of-town contractors who have been awarded locally a governmental contract for a period of at least one year who desire to pay the established rates in a manner other than cash on-site at the time of disposal; provided, however, that user which is an incorporated municipality, an approved franchise holder, or Okaloosa County shall be exempt from establishing payment accounts.

6. FRANCHISE HOLDERS, INCORPORATED MUNICIPALITIES, and OKALOOSA COUNTY GARBAGE SERVICE CUSTOMERS: All fees are to be collected by the garbage collection service and remitted to the Clerk of Circuit Court within ten (10) days from the date of collection from their customers.

Residential units including houses, townhouses, condominiums, apartments, mobile homes, and house trailers shall pay \$1.50 per unit per month.

Commercial customers shall pay twenty (20%) percent per month of their monthly bill for garbage collection services.

7. OTHER USERS. The following rates and charges per vehicle shall be payable in cash or Cashier's Check or charged to an established commercial account for the deposit of solid waste at any sanitary landfill site in Okaloosa County:

<u>VEHICLE</u>	<u>CHARGE</u>
Automobiles or pickup trucks with four (4) or less bags or trash cans of material	\$ 1.00
Automobiles or pickup trucks with five (5) or more bags or trash cans of material or non bagged or non containerized materials, and two wheeled trailers	\$ 2.00
Single axle trucks, excluding pickup trucks	\$15.00
Tandem axle trucks	\$25.00
Any vehicle disposing of special wastes such as:	
Sludge or Grease	\$40.00
Fish or Dead Animals	\$ 5.00

ADOPTED in regular session this 10th day of December, 1985.

BOARD OF COUNTY COMMISSIONERS  
OKALOOSA COUNTY, FLORIDA

*Sam Brunson*  
SAM BRUNSON, Chairman

ATTEST:  
NEWMAN C. BRACKIN  
CLERK CIRCUIT COURT

By: *Robert D. McSwine*  
Deputy Clerk

JOHN R DOWD  
ATTORNEY AT LAW  
P O BOX 406  
SHALIMAR FLORIDA  
32579

RECEIVED  
12/16/85  
1185

RESOLUTION NO. 85-111

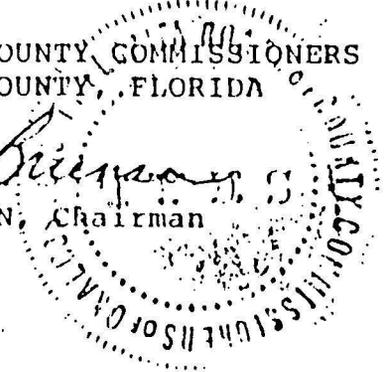
A RESOLUTION SUPPORTING AN ATTEMPT TO ESTABLISH AN AREAWIDE UTILITIES AUTHORITY TO PROVIDE THE CITIZENS OF OKALOOSA COUNTY WITH EFFECTIVE AND EFFICIENT UTILITY SERVICES AT A MINIMUM COST.

BE IT RESOLVED that the Board of County Commissioners of Okaloosa County, Florida, strongly favors attempting to establish an Areawide Utilities Authority to provide the citizens with effective and efficient utility services at the minimum possible cost.

ADOPTED in regular session this the 10th day of December, 1985.

BOARD OF COUNTY COMMISSIONERS  
OKALOOSA COUNTY, FLORIDA

*Sam Brunson*  
SAM BRUNSON, Chairman



ATTEST  
NEWMAN G. BRACKIN  
CLERK OF CIRCUIT COURT

BY *[Signature]*  
Deputy Clerk

