

TOWN OF CINCO BAYOU  
REGULAR COUNCIL MEETING  
DECEMBER 13, 1988

Mayor Laginess called the Regular Council Meeting to order at 6:01 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL Present: Mayor Laginess  
Councilwoman Buchanan  
Councilman Davis  
Councilwoman Dumka  
Councilman Gage  
Councilman Skelly

Also Present: Attorney McInnis      Manager Borchik  
Secretary Kelley                      Steve Jernigan

REGULAR BUSINESS

Consent Agenda - Councilman Davis made a motion to accept the Consent Agenda, seconded by Councilman Gage. The motion was unanimously approved.

\*1. Minutes - November 1 & November 17, 1988

\*2. Financial Report - October, 1988 & November, 1988

\*3. Engineer Selection

4. Town Hall Building - Mr. Steve Jernigan, Caldwell Jernigan Associates, presented the schematic design for the new Town Hall. Following a short discussion concerning placement of the building in the park, Councilman Gage made a motion to approve the layout presented to the Council with the stipulation that the building be turned 90 degrees to face the parking lot and that the proposed walkway be added to the deck, seconded by Councilman Skelly. The motion was unanimously approved.

5. FYE 1988 Audit - Manager Borchik informed the council that the audit has been completed, however, it was not ready for presentation at this time.

6. Investment Policy for FY 1989 - Councilwoman Dumka advised the council that she has talked to several banks concerning financing for the new Town Hall. Additional information such as the type of collateral to be used to secure the loan, the amount of the mortgage and the term is needed. The Council discussed the various options available for the investment of the money from

the CD's that are maturing this month and decided to invest in short term (60 day) Certificates of Deposit.

7. Town Seal - Councilman Skelly made a motion to approve the sketch presented to the Council as the seal of the Town of Cinco Bayou, and to commission the execution of a 36 inch plaque and a smaller plaque, seconded by Councilman Davis. The motion was unanimously approved.

COUNCILMEMBERS REPORTS/COMMENTS - Councilman Davis informed the Council that according to the minutes of the last solid waste committee meeting, the county commissioners are considering forcing the issue of mandatory garbage collection. They are also intending to ask all municipalities to participate in a curbside recycling program. Following a discussion on these items, Councilman Davis made a motion to send a letter to the County Commissioners stating that the Council was against mandatory garbage pickup in Cinco Bayou but they are willing to participate in the curbside recycling program, seconded by Councilman Skelly. The motion was unanimously approved.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME - None

COMMITTEE REPORTS

1. Administrative Committee - No Report
2. Finance & Budget Committee - No Report
3. Comprehensive Plan Committee - No Report

CORRESPONDENCE

1. Ltr - Board of County Commissioners (Solid Waste)
2. Ltr - Citizens for a Clean Environment (Conference)

TOWN MANAGERS REPORT

1. Letters have been sent to all parties concerned regarding Cucos, advising them that the building has been condemned and that they have 30 days from receipt of the letters to tear down the building, the latest letter being received December 12. Mr. Wyatt has indicated that they could be ready to continue building as soon as next Wednesday. Following a discussion concerning the reissuing of a building permit for this building, it was decided that the Council would not lift the condemnation and that the builders will have to approach the Council for a new permit. Councilman Skelly made a motion that the condemnation as stated by the Council on Cuco's during last week's special meeting be continued as the Council has seen no reason to lift it, seconded by Councilman Gage. The motion was approved unanimously.

2. A letter has been received from Fuller, Johnson & Farrell to inform us that the liability damage suit regarding the personal injury to Mr. Collins has been settled out of court for the amount of \$7,000.00. Following a brief discussion, the Council decided to inquire about rates on liability insurance from other companies, if the present liability insurance rates

were increased.

3. The Town Manager informed the Council that the signals are now synchronized from the Cinco Bayou bridge to Highway 98. A letter was written to the Department of Transportation expressing the Council's concern over the present signal timing and that safety should be the first consideration. A meeting with DOT personnel was requested to resolve these problems.

MAYOR'S ANNOUNCEMENTS - Mayor Laginess reminded everyone of the Town Christmas Party on December 20 at the Town Hall at 6:30 PM, and the League of Cities Dinner Meeting to be held at the Indian Bayou Country Club in Destin at 6:30 PM on Thursday, December 15, 1988.

There being no further business, the meeting adjourned at 7:10 PM.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Town Manager/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 Manager/Clerk.

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MBB  
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December 7, 1988

Dear *Council Members*

Citizen's for a Clean Environment will co-host with Citizens Clearinghouse for Hazardous Waste, a recycling conference, to be held in Crestview, at the Holiday Inn, January 14-15, 1989.

The purpose of the conference is to inform and educate those of you who are interested in learning more about recycling.

As you are aware we are faced with an overwhelming problem - GARBAGE.

The State of Florida has mandated recycling starting July 1, 1989.

Your input is needed to move our counties in the right direction as effectively as possible.

Guest speakers will be Stephen Lester of CCHW and Dr. Paul Connett of St. Lawrence University, Canton, N.Y..

Stephen Lester is Science Director and Co-Founder of the Citizens Clearinghouse for Hazardous Waste (CCHW). He has a double Master's degree in toxicology from Harvard and New York University. Steve was assigned to be technical consultant to the Love Canal Homeowner's Association and shortly after, he started the CCHW. Since 1981, Steve's been the main science resource at the CCHW and has served hundreds of grassroots groups, has written guidebooks, advised groups on technical issues, and has been involved in detailed technical reviews, reports, and studies for citizen's groups. He has also served as technical consultant to the Congressional Office of Technology Assessment.

Dr. Paul Connett is a scientist and activist who has given over 250 public presentations on waste issues and distributed written material to groups in 35 states. He is a Professor of Chemistry and a member of the Advisory Panel, Office of Technology and Assessment. Dr. Connett is the founder of Work on Waste USA, and publisher of Waste Not, the Weekly Reporter for rational resource management.

Please join us for an interesting and informative weekend.

If you need more information contact Marty Chestnutt at 892-2831 or Donna Nixon at 682-0567.

Sincerely,

*Marty Chestnutt*

Marty Chestnutt, President  
Citizen's for a Clean Environment

OKALOOSA COUNTY CITIZENS FOR A CLEAN ENVIRONMENT SOLID WASTE  
ACTION CONFERENCE

January 14-15, 1989

8-9

REGISTRATION/COFFEE

9-9:30

INVOCATION/PURPOSE/INTRODUCTIONS/AGENDA REVIEW

9:30-10:30

BASIC DISCUSSION: RECYCLING: WHAT IT IS/WHY WE NEED IT/METHODS  
OF RECYCLING

10:45-11:00

"DUMPVILLE" ILLUSTRATION: RELATING OUR COMMUNITIES

11:00-12:30

DIVISION INTO WORK GROUPS

12:30-1:45

LUNCH

1:45-3:00

GROUP REPORTS AND DISCUSSION

3:10-4:10

DEALING WITH POLITICIANS

4:20-5:20

MEDIA/EDUCATION FOR THE PUBLIC

6:30

DINNER - KEYNOTE SPEAKER: DR. PAUL CONNETT

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SUNDAY

9-9:30

BRIEF OVERVIEW

9:15-10:15

MARKETS FOR RECYCLABLES

10:25-11:25

COSTS AND PROFITS

11:30-12:15

DOUBTS/TRUTHS & FALLACIES OF RECYCLING/NETWORKING/WRAP UP

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The conference will focus on the How To's...Nuts and Bolts of:  
putting together a solid waste recycling program for your  
community.

Cost of conference will be \$25.00 per person (includes 2 meals).

Place: Holiday Inn, Crestview, FL

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CONFERENCE REGISTRATION FORM CLIP AND RETURN BY JANUARY 6, 1989,  
TO CCE, RT. 4 BOX 171, CRESTVIEW, FL 32536.

NAME \_\_\_\_\_

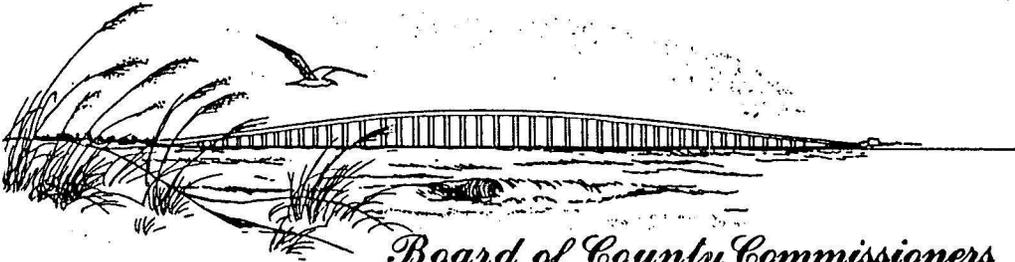
ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

AFFILIATION \_\_\_\_\_

\_\_\_\_\_ ENCLOSED IS \$ \_\_\_\_\_ FOR [ ] REGISTRATION(S)

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CZ



*Board of County Commissioners*

*County Seat  
Crestview, Florida 32536  
Tel. (904) 682-2711*

*Okaloosa County  
Florida*

*Annex  
Shalimar, Florida 32579  
Tel. (904) 651-3710*

December 6, 1988

The Board of County Commissioners will convene a workshop to discuss rate increases and collection methods for solid waste disposal at county landfills. The current tipping fee does not generate sufficient funds to comply with state mandated closure requirements. Each municipality is invited to attend this workshop.

DATE: Thursday, December 15, 1988  
TIME: 10:00 a.m.  
LOCATION: Board Room, Shalimar Courthouse Annex

Sincerely,

  
\_\_\_\_\_  
DAVID F. HEINRICH  
Public Works Director  
Okaloosa County, Florida

DFH/jk

cc: All Municipalities

**Please Address Reply To:**

12/13/88 MB

MINUTES

SOLID WASTE ADVISORY COMMITTEE  
SHALIMAR CONFERENCE ROOM  
DECEMBER 6, 1988

The meeting was called to order at 7:00 p.m. by Chairman Don Ware. Mr. Ware began the session with a discussion of mandatory garbage collection. Mr. Brown suggested that the county strongly consider an MSTU as the means for collection under a mandatory pick-up arrangement.

Mr. Ware discussed curb-side recycling and requested input from the municipalities. He emphasized the financial benefits of a joint effort between the county and the cities, e.g., the rate to provide the service could be reduced slightly, and grant monies could be obtained under the "no-match" provision of the solid waste bill.

Jerry Schnitzius, Environmental Waste Systems, briefly describe their plan for handling curb-side recycling with respect to residential, commercial, and rural collection.

Mr. Heinrich mentioned that under the provision of the solid waste bill (SB 1192) the county is required to first negotiate with a local franchise hauler for the service. If in 60 days an agreement cannot be reached then the county can go outside for proposals.

Mr. Ware stated that he would like a letter to be drafted for Board approval informing municipalities of the county's beginning negotiations with its franchised haulers for a curb-side recycling program. The letter would request that each municipality indicate its intent to participate, the number of potential customers in its jurisdiction, and any other comments with respect to the program. The suspence date would be 15 January 89.

The meeting was adjourned at 8:10 p.m. with the next meeting date to be announced later.

The following members were present at the meeting:

Bill Lamb	Mary Esther
Bruce Arnold	Valparaiso
Gred Wood	Valparaiso
Terry Tislow	Niceville
Virginia Aldredge	Destin
Ted Mathis	Crestview
Dave Heinrich	Okaloosa County
Jim Reece	Okaloosa County

Guest present were:

Gary Brown	Niceville
John T. Smith	Ft. Walton Beach Planning Board
Jerry Schnitzius	Environmental Waste Systems

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FULLER, JOHNSON & FARRELL

PROFESSIONAL ASSOCIATION  
ATTORNEYS AT LAW

JEANNETTE M. ANDREWS  
RAINEY C. BOOTH  
ROBERT C. CRABTREE  
PATRICK J. FARRELL, JR.  
S. WILLIAM FULLER, JR.  
S. WILLIAM FULLER, SR.  
PATRICIA GUILDAY  
WILLIAM H. HUGHES III  
FRED M. JOHNSON  
J. CRAIG KNOX  
P. SCOTT MITCHELL  
D. LLOYD MONROE IV  
HOWARD SCHEINER  
CYNTHIA D. SIMMONS  
RANDLE D. THOMPSON

III NORTH CALHOUN STREET  
POST OFFICE BOX 1739  
TALLAHASSEE, FLORIDA 32302-1739  
(904) 224-4663  
FAX 904-561-8839

December 12, 1988

88402

Albert S. Borchik, Jr.  
Town Manager/Clerk  
Town of Cinco Bayou  
35 Kelly Avenue (Cinco Bayou)  
Fort Walton Beach, Florida 32548-4412

RE: James Lee Collins v. Town of Cinco Bayou  
Date of Accident: August 11, 1987

Dear Mr. Borchik:

Please be advised plaintiff accepted the \$7,000 counteroffer made by the League of Cities. The settlement was basically an economic decision and should not construed as an admission of liability on our part.

I will see that plaintiff executes a complete release and that the appropriate paperwork is filed to close the court file.

I appreciate the cooperation you gave me in defending this case. Please let me know if you have any questions or if I may be of further assistance to you.

Sincerely yours,

FULLER, JOHNSON & FARRELL, P.A.

*D. Lloyd Monroe*  
D. Lloyd Monroe, IV  
For the Firm

DLM, IV:jd

cc: Jeffrey McInnis, Esquire