



THE MAILBOAT



VOLUME 12 NO. 3 3rd QUARTER 2006

The Town of Malabar got its 1st official Post Office and name on December 24, 1883 when R.A. Ward was named Postmaster by President Chester A. Arthur. Two times a week, the boat that travelled down the intracoastal waterway from Jacksonville, would deliver the mail to the palmetto shack post office along the river bank at Malabar. The mail was dumped on the counter for the population of 25 to shuffle through. With the coming of the railroad, in 1893, the mail boat was no longer needed.

Malabar Fall Fest . . .

is just around the corner - mark your calendar for Saturday, October 28th.

The festivities begin at noon and carry on until dusk. The Events Committee has been very busy planning this fall event for the Town. For those of you who have the best chili recipes and dessert dishes, come out and let's see what you've got. There are no entry fees for any of the contests and **ADMISSION TO THE PARK AND PARKING ARE FREE!**

The chili cooks will need to provide two pots of chili. Once the judges have done the tasting of each contestant's entry, we will be selling the rest of the chili for all the hungry people in the park, along with a bag of Fritos for \$3.00 (all proceeds will go towards future town events.) We only have room for ten contestants so be sure to register early. If we get more interest in this portion of the event, we will hold a second judging, with up to an additional ten people. All chili is to be prepared at home and brought to the park ready to be judged. The Town will provide the electric and you will need to provide the means of keeping your chili hot (crock pot). And for those of you who would like to show off your best dressed desserts, please feel free to join in the fun. There is no limit to the number of people participating in the dessert contest. We are asking that you make two (2) of the same dessert, one will be used for judging and the other will be sold during the day. There are no registration fees for either contest. All items are to be prepared at home and brought to the park ready to be judged. Judging begins promptly at noon so be sure to arrive at least 30 minutes early to check-in. Participants in the chili cook-off should bring a table and chairs and an optional shade structure.

There are lots of fun events planned for the day as well, including a lawn mower tug-of-war (each participant must provide their own lawn mower, with a maximum 18 horse power), a hayride, a carved pumpkin contest (read below), an egg carrying contest, a balloon toss and horseshoes. There should be something there for every age group. This event is on a much smaller scale than the Springfest and promises to be just as much fun. Please visit www.townofmalabar.org (or call town hall) for an application to participate in any of the prize-winning events (contestants entering the lawn mower contest must also complete a Hold Harmless Agreement; also found on the website). Remember that we have very limited space available for the chili participants, so please register early. Ribbons will be awarded to the top three winners of the chili cook-off, desserts and pumpkin carving contests, along with a gift card from a local business. A trophy will be awarded for the lawn mower tug-of-war winner with a gift card from Ace Hardware.

(continued on page 3)

Candidate Qualifying Results

Candidate qualifying ended on September 1, 2006. The citizens and the seats they qualified for are:
Nancy Borton, District 1, unopposed.
Brian Vail, District 2, unopposed.

There is a race for the District 3 seat between:
James P. Clevenger, Charles D. "Chuck" McClelland,
and Charles "Bud" Ryan.

Be sure to cast your vote on November 7th.

NOVEMBER 7th is ELECTION DAY

In this newsletter you will find a copy of your ballot for the November 7th election, we hope this helps you when making your voting decisions. The items that directly deal with Malabar are located in the middle of the first side and the last three questions on the second side. Below are the changes that are being presented to the voters:

Binding Charter Referendum

The two binding referendum deal with two items in the Town's Charter. The ~~strike-out~~ verbiage is the language to be removed from the charter and the underlined words are to be added if the voters approve the changes.

Section 2.09 Filling of Vacancies (from the Malabar Charter)

If a vacancy occurs on the council or in the office of mayor and there is less than one (1) year ~~before the next regular town election;~~ remaining in that person's term, the council, by a majority vote of the remaining full council shall choose a successor to serve until the election is held to fill the vacancy for the unexpired term. The successor must have all qualifications as described in Section 2.03. If more than one (1) year remains ~~prior to the date of the next regular election;~~ in that person's term that seat or office of mayor shall be filled by special election for the remainder of the unexpired term. The council shall schedule a special election to be held not sooner than sixty (60) days nor more than ninety (90) days, following the occurrence of the vacancy. Notwithstanding any quorum requirements established herein, if at any time the membership of the council is reduced to less than a quorum, the remaining members may, by majority vote appoint additional members until the vacancies are filled as provided herein.

The second question covers an addition, this will only be added if approved by the voters:

Article X. Eminent Domain

Section 10.01 Limitations

Any real property acquired by the Town of Malabar through the exercise of the power of eminent domain shall not be conveyed, transferred, sold, leased, in whole or in part, with or without consideration, to any private person, entity or enterprise, whether such a person entity or enterprise operates for profit or not for profit, for a period of twenty five (25) years after title to the property is perfected in the Town.

If you vote yes regarding these issues in November then you are voting in favor of making these changes, if you

vote no then you are voting that the changes should not be made.

Non-Binding Straw Ballot Referendum

Non-Binding Referendum are used to gather information, like a poll. Non-binding means the vote does not hold any power. On the November 7th ballot, the Council is looking to gather more information regarding future police protection in Malabar. The question is:

Which would you choose A or B?

- A. Malabar funds its own police department
- B. Pay the MSTU

Charter Amendments

By Mayor Tom Eschenberg

Since I proposed the two charter amendments to the Town Council, I feel a responsibility to explain to the citizens of Malabar my reasoning in proposing them. The first amendment would change the method of filling Council vacancies. The current charter states:

"If a vacancy occurs on the council or in the office of mayor and there is less than one (1) year before the next regular town election, the council, by a majority vote of the remaining full council shall choose a successor to serve until the election is held to fill the vacancy for the unexpired term."

The problem with this is there would always be less than one year before the next regular town election because we have a council election every year. If a council seat should become vacant at any time, even in the first month or two of the term, the council shall choose a successor. Someone could be appointed by the council to serve a year and a half or more. Since the Mayor has a four year term, the council could appoint someone to serve almost four years if the mayor's office became vacant early in the term.

I believe that the citizens of Malabar would agree with me that any vacancy of a year or more should be filled by the voters. That is precisely what this amendment would do. It would change "less than one year before the next regular town election" to "less than one year remaining in the vacant term" If a year or more remains in the vacant term, a special election would be held for the voters to fill the vacancy.

The second amendment would add a section to the charter limiting the town's power of eminent domain. After the Supreme Court decision in Kelo vs New Haven, Conn., there was a public outcry across the country. What the court basically said was that a government

(continued on page 7)

Town Happenings . . .



Christmas Tree Lighting



December 2nd - 6:00 pm

Board Members Needed

There are a couple of positions available that need to be filled on two of the Town's boards. The Planning & Zoning Advisory Board needs two alternate board members. They meet the second and fourth Wednesday evenings of the month, with an occasional Monday night meeting. The Board of Adjustment also has two alternate positions available and only meets on an as-needed basis, sometimes only once or twice a year. Anyone who is interested in serving on either of these boards should either call or stop by Town Hall.

Holiday Schedule for Town Hall

Town Hall will be closed for Thanksgiving on Thursday, November 23rd and Friday, November 24th. HAPPY THANKSGIVING TO EVERYONE!!!

Due to the Christmas Eve holiday falling on Sunday this year, Town Hall will be closing at 12:00 pm on Friday, December 22nd. We will return to the office on Tuesday, December 26th. MERRY CHRISTMAS FROM THE TOWN OF MALABAR.

Due to New Year's Eve falling on Sunday this year, Town Hall will be closing at 12:00 pm on Friday, December 29th. We will return to the office on Tuesday, January 2nd. MAY YOU ALL HAVE A SAFE AND HAPPY NEW YEAR!!!

Malabar Fire Explorer Post #512

We now have an Explorer Post at the Malabar Fire Department for ages 14 to 18. The program began in July with 5 participants and in just a short time we were up to 12 participants, our maximum is 20. If we receive more applications, a waiting list will be started. Once the participant reaches his/her 18th birthday, they will be placed with the Fire Department as a volunteer firefighter, if they so choose. This will keep the door always opened for new people coming in. This is a way for the kids to be involved in the community and learn about the Fire/EMT/EMS services. Each one of the participants, once they have been trained, will be able to provide support services to the firefighters while on scene. For anyone who may be interested in this program, please contact Cindi at Town Hall.

Coining the phrase from one of the most played Christmas songs in our history, "It's the most wonderful time of the year". This is, truly, our favorite time of the year. It's a time when everyone comes together to lend a helping hand to neighbors and friends, and quite possibly, some people we don't know.

We, once again, invite all of you to this year's annual Malabar Christmas Tree Lighting. The date for the lighting will be December 2, 2006 at 6:00 pm. Mayor Eschenberg will throw the switch and light the tree. Grab your family and friends and come and join us in the festivities. If you've never attended before then treat yourself this year to some old fashion country fun. Everyone is welcome! We'll have hay bales for seating and the choir from the Malabar First Baptist Church will lead us in seasonal singing. Cookies and warm cider will be served. And let's not forget the man in the red suit! Santa Claus will arrive on a fire truck with candy for the children. This has turned into a fun community event over the years. Look for the signs around town the week before announcing the event.



FALL FEST continued from page 1

We have two pumpkin carving age groups: one for 13 years of age to adulthood; and 12 years of age and under. And because we know that the children participating in the 12 & under category may not be able to carve as well as they can draw, the judge is asking that they provide a drawing of their concept along with their pumpkin. Parents – no assistance for the kids! Pumpkins should be carved and ready for judging when you come to the park. There will be NO carving of pumpkins in the park! Judging will begin promptly at noon so contestants should arrive at least 30 minutes early for check-in.

Come on out and have some good old-fashioned country fun. For those of you who are new to Malabar, this is a great way to meet your neighbors and get to know a little of what Malabar is all about. For any additional information concerning this event, please call Town Hall and ask for Cindi. We are looking forward to this new addition to the Town's calendar. If all goes well, it could become another great annual Malabar event!

DON'T FORGET: SPACE IS LIMITED FOR THE CHILI COOKS. SO DON'T DELAY, REGISTER TODAY!!!

**GENERAL ELECTION SAMPLE BALLOT
BREVARD COUNTY, FLORIDA
NOVEMBER 7, 2006**

Precinct _____
(Absentees Only)

- TO VOTE, COMPLETELY FILL IN THE OVAL NEXT TO YOUR CHOICE.
- Use a black or blue pen (not red) or a black pencil to mark your ballot.
- If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count.
- To vote for a candidate whose name is not printed on the ballot, fill in the oval, and write in the candidate's name on the blank line provided for a write-in candidate.

CONGRESSIONAL	NONPARTISAN	CONSTITUTIONAL AMENDMENTS AND OTHER PUBLIC MEASURES
UNITED STATES SENATOR (Vote for One) <input type="radio"/> Katherine Harris REP <input type="radio"/> Bill Nelson DEM <input type="radio"/> Floyd Ray Frazier NPA <input type="radio"/> Belinda Noah NPA <input type="radio"/> Brian Moore NPA <input type="radio"/> Roy Tanner NPA <input type="radio"/> Write-in	Shall Justice Barbara Joan Pariente of the Supreme Court be retained in office? <input type="radio"/> YES <input type="radio"/> NO	NO. 3 CONSTITUTIONAL AMENDMENT ARTICLE XI, SECTION 5 REQUIRING BROADER PUBLIC SUPPORT FOR CONSTITUTIONAL AMENDMENTS OR REVISIONS Proposes an amendment to Section 5 of Article XI of the State Constitution to require that any proposed amendment to or revision of the State Constitution, whether proposed by the Legislature, by initiative, or by any other method, must be approved by at least 60 percent of the voters of the state voting on the measure, rather than by a simple majority. This proposed amendment would not change the current requirement that a proposed constitutional amendment imposing a new state tax or fee be approved by at least 2/3 of the voters of the state voting in the election in which such an amendment is considered. <input type="radio"/> YES <input type="radio"/> NO
REPRESENTATIVE IN CONGRESS 15TH CONGRESSIONAL DISTRICT (Vote for One) <input type="radio"/> Dave Weldon REP <input type="radio"/> Bob Bowman DEM	Shall Justice Peggy A. Quince of the Supreme Court be retained in office? <input type="radio"/> YES <input type="radio"/> NO	
STATE GOVERNOR AND LIEUTENANT GOVERNOR (Vote for One) <input type="radio"/> Charlie Crist, Gov. REP Jeff Kottkamp, Lt. Gov. <input type="radio"/> Jim Davis, Gov. DEM Daryl L. Jones, Lt. Gov. <input type="radio"/> Max Linn, Gov. REF Tom Macklin, Lt. Gov. <input type="radio"/> Richard Paul Dembinsky, Gov. NPA Dr. Joe Smith, Lt. Gov. <input type="radio"/> John Wayne Smith, Gov. NPA James J. Kearney, Lt. Gov. <input type="radio"/> Karl C. C. Behm, Gov. NPA Carol Castagnero, Lt. Gov. <input type="radio"/> Write-in	CIRCUIT JUDGE, 18TH JUDICIAL CIRCUIT GROUP 20 (Vote for One) <input type="radio"/> Patrice J. Pilate <input type="radio"/> Charlie G. Crawford	NO. 4 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 27 PROTECT PEOPLE, ESPECIALLY YOUTH, FROM ADDICTION, DISEASE, AND OTHER HEALTH HAZARDS OF USING TOBACCO To protect people, especially youth, from addiction, disease, and other health hazards of using tobacco, the Legislature shall use some Tobacco Settlement money annually for a comprehensive statewide tobacco education and prevention program using Centers for Disease Control best practices. Specifies some program components, emphasizing youth, requiring one-third of total annual funding for advertising. Annual funding is 15% of 2005 Tobacco Settlement payments to Florida, adjusted annually for inflation. Provides definitions. Effective immediately. <input type="radio"/> YES <input type="radio"/> NO
ATTORNEY GENERAL (Vote for One) <input type="radio"/> Bill McCollum REP <input type="radio"/> Walter "Skip" Campbell DEM	COUNTY COURT JUDGE GROUP 10 (Vote for One) <input type="radio"/> Judith "Judy" Atkin <input type="radio"/> William L. "Bill" Powell, Jr.	
CHIEF FINANCIAL OFFICER (Vote for One) <input type="radio"/> Tom Lee REP <input type="radio"/> Alex Sink DEM	TOWN OF MALABAR COUNCIL SEAT 3 (Vote for One) <input type="radio"/> James P. Clevenger <input type="radio"/> Charles D. "Chuck" McClelland <input type="radio"/> Charles "Bud" Ryan	NO. 1 CONSTITUTIONAL AMENDMENT ARTICLE III, SECTION 19 STATE PLANNING AND BUDGET PROCESS Proposing amendments to the State Constitution to limit the amount of nonrecurring general revenue which may be appropriated for recurring purposes in any fiscal year to 3 percent of the total general revenue funds estimated to be available, unless otherwise approved by a three-fifths vote of the Legislature; to establish a Joint Legislative Budget Commission, which shall issue long-range financial outlooks; to provide for limited adjustments in the state budget without the concurrence of the full Legislature, as provided by general law; to reduce the number of times trust funds are automatically terminated; to require the preparation and biennial revision of a long-range state planning document; and to establish a Government Efficiency Task Force and specify its duties. <input type="radio"/> YES <input type="radio"/> NO
COMMISSIONER OF AGRICULTURE (Vote for One) <input type="radio"/> Charles H. Bronson REP <input type="radio"/> Eric Copeland DEM	CONSTITUTIONAL AMENDMENTS AND OTHER PUBLIC MEASURES NO. 6 CONSTITUTIONAL AMENDMENT ARTICLE VII, SECTION 6; ARTICLE XII, SECTION 26 INCREASED HOMESTEAD EXEMPTION Proposing amendment of the State Constitution to increase the maximum additional homestead exemption for low-income seniors from \$25,000 to \$50,000 and to schedule the amendment to take effect January 1, 2007, if adopted. <input type="radio"/> YES <input type="radio"/> NO	
LEGISLATIVE STATE REPRESENTATIVE 31ST HOUSE DISTRICT (Vote for One) <input type="radio"/> Mitch Needelman REP <input type="radio"/> Tim Shipe DEM	NONPARTISAN SUPREME COURT Shall Justice R. Fred Lewis of the Supreme Court be retained in office? <input type="radio"/> YES <input type="radio"/> NO	

VOTE BOTH SIDES OF BALLOT

FRONT Card7 SEQ# 1

CONSTITUTIONAL AMENDMENTS AND OTHER PUBLIC MEASURES

**NO. 7
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6**

**PERMANENTLY DISABLED
VETERANS' DISCOUNT ON
HOMESTEAD AD VALOREM TAX**

Proposing an amendment to the State Constitution to provide a discount from the amount of ad valorem tax on the homestead of a partially or totally permanently disabled veteran who is age 65 or older who was a Florida resident at the time of entering military service, whose disability was combat-related, and who was honorably discharged, to specify the percentage of the discount as equal to the percentage of the veteran's permanent service-connected disability; to specify qualification requirements for the discount; to authorize the Legislature to waive the annual application requirement in subsequent years by general law; and to specify that the provision takes effect December 7, 2006, is self-executing, and does not require implementing legislation.

- YES
- NO

**NO. 8
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 6**

EMINENT DOMAIN

Proposing an amendment to the State Constitution to prohibit the transfer of private property taken by eminent domain to a natural person or private entity, providing that the Legislature may by general law passed by a three-fifths vote of the membership of each house of the Legislature permit exceptions allowing the transfer of such private property; and providing that this prohibition on the transfer of private property taken by eminent domain is applicable if the petition of taking that initiated the condemnation proceeding was filed on or after January 2, 2007.

- YES
- NO

**SOUTH BREVARD RECREATION
SPECIAL DISTRICT BOND
REFERENDUM/RECREATIONAL
FACILITIES**

To expedite and complete construction of recreational projects, as well as to operate and maintain projects, shall the South Brevard Recreation Special District use funds available from the previously approved .6 mill ad valorem tax levy on all taxable property within the District to issue and repay additional bonds in a principal amount not exceeding \$90,270,000 bearing interest at a rate not exceeding the maximum rate permitted by law?

- FOR BONDS
- AGAINST BONDS

**QUESTION NO. 1
AMENDMENT TO THE TOWN
CHARTER CONCERNING THE FILLING
OF VACANT COUNCIL SEATS**

Shall the Town of Malabar adopt an amendment to its Charter changing the way vacancies on the Town council are filled?

- YES
- NO

**QUESTION NO. 2
AMENDMENT TO THE TOWN
CHARTER LIMITING THE DISPOSITION
OF REAL PROPERTY ACQUIRED BY
EMINENT DOMAIN**

Shall the Town of Malabar adopt an amendment to its Charter limiting the Town's disposition of real property acquired by eminent domain?

- YES
- NO

CONSTITUTIONAL AMENDMENTS AND OTHER PUBLIC MEASURES

**QUESTION NO. 3
NON-BINDING, STRAW BALLOT
QUESTION**

Will you choose A or B?

- A - MALABAR FUNDS ITS OWN POLICE DEPARTMENT
- B - PAY THE MSTU

VOTE BOTH SIDES OF BALLOT

The Future of Malabar's Police Protection

By Council Member Steve Rivet

Malabar has relied on the Brevard County Sheriff for police protection services ever since our incorporation as a town in 1962. Recently, Brevard County has been demanding that Malabar pay an assessment they call the MSTU of approximately 0.9 mills to fund police services for Malabar. Residents of the unincorporated portions of the county, and most of the incorporated towns and cities that rely on the sheriff for police protection pay the MSTU. The MSTU can only be imposed on us by a resolution by our Town Council. To date, the Council has refused to do this. Brevard County has been ratcheting up the pressure for us to impose the MSTU. They have threatened lawsuits and withdrawal of county services if we do not agree to this property tax increase. Sheriff Jack Parker recently made a presentation to Council trying to apply pressure for us to adopt the MSTU; he did not promise any improvement in services, but did threaten to reduce services if we did not adopt the MSTU. The county is probably powerful enough to eventually force us to pay the MSTU by wearing us down with lawsuits, and through other pressure tactics. (This hostility by Brevard County to Malabar's independence is something that each of us should keep in mind as we enter the voting booth in November to cast our votes for County Commissioner.)

What are our options? We can fight the county and try to maintain the status quo; the disadvantage of this is that Brevard County has significantly more resources, and can outspend us in a legal battle. Even if we prevail in court, our legal expenses would probably be debilitating. Denying other county services is another tactic the county would probably use. Clearly this option is not attractive.

The only other choices are to:

- 1) Admit defeat, surrender to the county, and impose the MSTU, a new tax, on Malabar's property owners, or
- 2) Create a Malabar Police Department.

There are advantages and disadvantages to each option, and we need to consider them carefully before making a decision. We must evaluate what we're getting and what we're paying for; in other words, determine our satisfaction with the quality of police protection we receive from the Brevard County Sheriff vs. a Malabar Police Department, and the costs of each option. Let us first consider the option of imposing the new MSTU tax to maintain the existing Sheriff services.

The obvious disadvantage of adopting the MSTU is that it will increase our property taxes by almost \$200 per

year on an assessed value of \$200,000. There is no guarantee that the MSTU millage rate will not be increased, although I have assumed it will remain constant in the cost analysis I have done. Assessed property values will almost certainly increase as well, so even if the millage rate does remain constant, the cost to any homeowner will increase.

The quality of the protection we receive from the Sheriff is another important point to consider. Unfortunately, I have direct experience with the response time of the Sheriff to a robbery at my home. My wife came home early one evening to find the house ransacked and thought that the burglar was still inside. It was 25 minutes before a deputy arrived. This is an unacceptable response time. I realize that the deputies who responded are dedicated, hard working people, and that their performance is not the root of the problem. The problem is that there is only one deputy to cover all of south Brevard County. During Jack Parker's presentation to the Council, he refused to agree to sign a contract that would provide minimum levels of manpower dedicated to patrols in Malabar even if we agree to the MSTU. His position was that we already owe the county for the minimal protection we already get. In my considered opinion, the protection we receive from the Brevard County Sheriff is not good enough. The citizens of Malabar only have control over the performance and priorities of the Brevard Sheriff through our influence on our county commissioner. How many of you can say you know our County Commissioner (Helen Voltz). How many of you have ever talked to her? Do you think we can influence her? My experience has been that she is not responsive to the issues I have discussed with her.

A small police force could provide Malabar with continuous patrol coverage and faster response time than the Brevard Sheriff can provide. By being on patrol within the town, no address is more than 5-8 minutes away. Having a small number of officers who are intimately familiar with our town, who know the people that live here, who are a part of our community will serve as a deterrent to crime, not just someone to report crimes to. A Malabar Police Force would base its tactics and priorities on the direction of the Town Council. Your Council members are generally very accessible, so Malabar residents will have considerable influence on the behavior of a Malabar Police Department.

Establishing and running a police department is an expensive undertaking; the key question is how those expenses compare to paying the MSTU. Over the last several months the Chiefs of Melbourne Village's and Melbourne Beach's police forces have been kind enough to share the details of the financial commitment necessary to startup and operate a small police force that would be appropriate to the needs of Malabar. Based on the information so generously provided, we have been

(continued next page)

Police Protection continued from page 6

able to estimate the startup costs for a department at approximately \$215,000 and annual operating costs of approximately \$310,000. The chart below shows the comparison of these costs to the costs of the MSTU. (The spreadsheet that includes the cost assumptions and calculation of total costs is available to anyone who wishes to review it.)

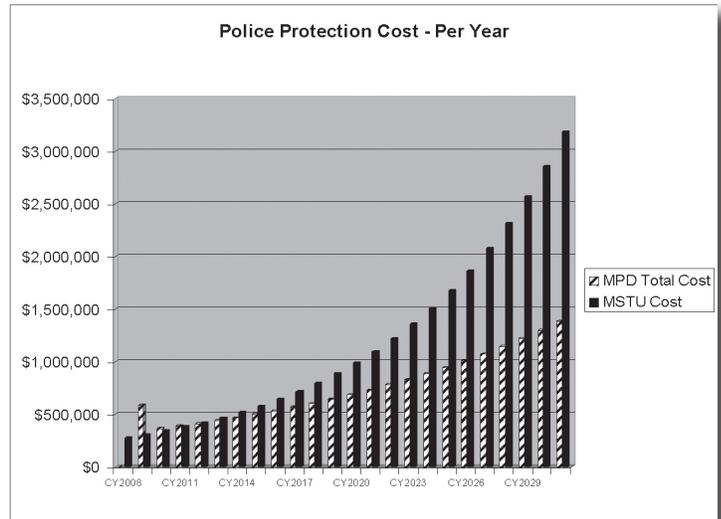
The cost of a Malabar Police department would be higher than the MSTU cost in the first year of operation due to the startup costs, and about the same in the next few years. However, total assessed property values, and therefore the cost of the MSTU increase much faster than the cost of a homegrown police force. In the long term, a Malabar Police Department is a significant cost savings to the taxpayers of Malabar.

In November, Malabar voters will be asked to vote on a non-binding referendum choosing between the two options of paying the MSTU, or initiating our own police force. Council intends to use this information to make an informed decision based on citizen input. The choice will determine both the long term costs of police protection, and who controls and prioritizes the department responsible for that protection. Think about who is more responsive to your needs and desires, Malabar's Town Council, or the Brevard County Commission. Please consider the issue carefully, especially the long term costs and benefits. Your vote will assist Council in making this pivotal decision.

Amendments continued from page 2

could take property by eminent domain and sell it to a private entity to build high scale developments. The court accepted the city of New Haven's argument that it would eliminate blighted areas and increase the tax base so therefore it served a public purpose. At the time I proposed this amendment, I knew that the Florida Legislature would also address this problem. They did. And they passed some legislation to restrict this government abuse. However, due to objections from some larger cities primarily in the southeast, the legislation has some loopholes. Space does not allow me to cover the loopholes in detail. Suffice it to say that this proposed charter amendment is much more restrictive than the state legislation. Basically, if passed, the amendment would prohibit the town from transferring ownership or control of any property taken by eminent domain to any private entity for a period of twenty five years.

If you wish to discuss these amendments in greater detail, please call me at 724-1007.



Holiday Decorating and Other Tips from the Fire Department

Please be advised that your live Christmas trees need to be watered on a regular basis. Electrical outlets should never be overloaded. Any extension cords that you use should be UL rated; remember that extension cords are not permanent outlets. They can heat up and start a fire. Don't forget to unplug all extension cords when leaving your home.

The Malabar Fire Department would like to take time out to remind you and your family of these fire safety tips:

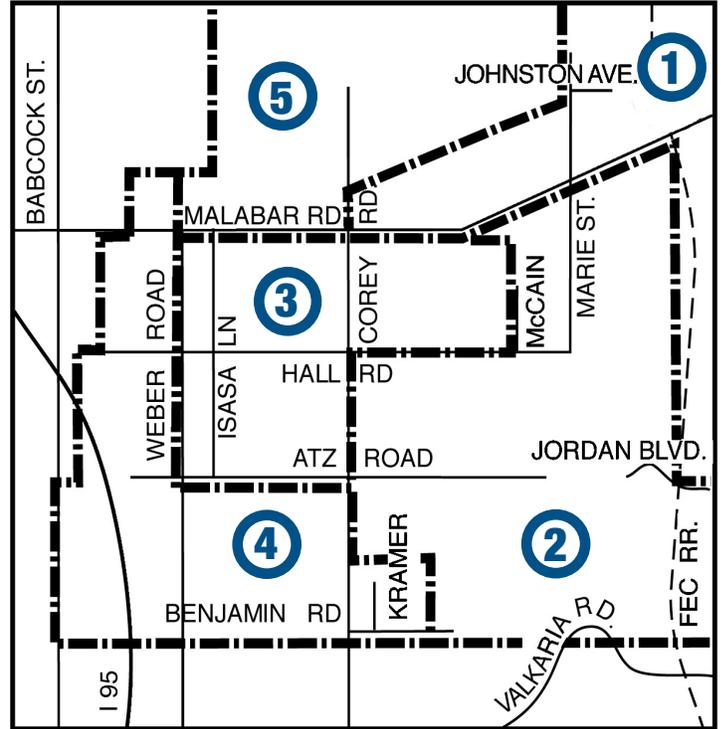
1. If there is a fire get out of your home quickly and stay out;
2. If there's SMOKE, stay LOW to the ground when you exit;
3. Meet your family members at a pre-planned safe spot;
4. Call 911 from a neighbor's home;
5. Help your parent's install smoke detectors on each floor of your home, making sure that batteries are checked at least twice a year (at each day light savings time.)
6. Never play with matches, lighters or candles;
7. Know two ways out of every room in your home;
8. If you have a chimney, it should be cleaned once a year before you use it;
9. Help your parent's to plan, and practice, the escape route from your home in case of an emergency; and
10. Post all emergency numbers close to each telephone in your home.

FROM OUR HOUSE TO YOURS, WE WISH YOU A VERY HAPPY AND SAFE HOLIDAY SEASON!

Know Your Representatives on Council

The following Council members represent these districts:

District 1	Nancy Borton 141 Riverview Dr.	724-1540
District 2	Brian Vail 2700 Smith Lane	952-9110
District 3	Steve Rivet 2005 Rivet Lane	956-6551
District 4	Bobbi Moccia 3135 Kramer Lane	722-3447
District 5	Pat Dezman 1670 Country Cove	724-5817
Mayor	Tom Eschenberg 2835 Beran Lane	724-1007
Town Administrator	Ed Booth Town Hall	727-7764 x13
Town Clerk/ Treasurer	Susan Kabana Town Hall	727-7764 x12
Town Fax		722-2234
County Comm.	Helen Voltz, Dist. 3	952-6300
St. John's River Water Mgmt District		www.sjrwmd.com



Editor - Susan Kabana www.townofmalabar.org

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