

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
February 8, 2011

Meeting called to order at 7:46 p.m. by Chairman Ducrou

Pledge of Allegiance

Invocation – Moment of Silence

Roll Call: Commissioner Ducrou – Present
Commissioner Hansen – Absent
Commissioner Cook – Present
Commissioner Griffin – Present
Commissioner Klos – Excused
Chief Larry Nisbet - Present
Office Manager - Theresa Sharp - Present
Attorney Ian Mann – Present & Excused

Others Present: Some public

Minutes – Review and Acceptance of the minutes of the January 11, 2011 Board of Commissioners Meeting. Motion made by Commissioner Cook to accept the minutes. Motion seconded by Commissioner Griffin. Chairman Ducrou calls for questions or comments. With no questions or discussion and none opposed. Motion carries.

Financial Report: Review & Acceptance of the January 2011 Financials. Commissioner Griffin motioned acceptance of the December financials. Commissioner Cook seconded the Motion. With no questions or discussion, and none opposed, motion carries.

Admin/Ops/Fire Marshal's-Report (attached) – Chief Nisbet reads Fire Marshal and Administration Reports into the record. Chairman Ducrou calls for questions. Commissioner Griffin asks what the Popash Creek deal is. Chief Nisbet informs him that they are tying all the lakes in together for water retention where they come through that area, to improve the sheet flow issues. They are also digging new swales and culvert work, and they are putting in some new culverts down Nalle Road to where Popash Creek comes in & goes under Henderson Grade to allow the water to flow out of there quicker. Commissioner Griffin asks if everything they are doing is pretty much north of Nalle Grade. Chief confirms, it's the area where the old fish farm was, all those lakes are going to get tied in together, and they're going to do a restoration of the park area with riding trails and such, but most importantly, the storm water movement. He goes on to acknowledge that it is not going to completely eliminate, but should help drop, the level of flooding. Commissioner Cook inquires of the motivational seminar that the Department attended. Chief replies that it was good, and that we had seen 8 speakers, 6 of which were really very good, and 2 that were ok. He adds that there was a little sales pitch, but it was mostly financial, and the motivational aspects were not only for the business, but were nationally centered as well. Commissioner Cook asks if all the speakers were really there, and Chief replies that all were, except for Zig Zigar was not there due to illness, so his daughter was there for him. He goes on to say that Laura Bush was incredible, Colin Powell was great...Commissioner Cook asks if there was campaigning since all those people support Giuliani. Chief Nisbet replies that his speech was the only one that had a political tone to it, and it didn't have a lot but it did have some, and when Colin Powell got up there he announced he

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was not there to discuss politics, but rather leadership. Chairman Ducrou asks Chief Nisbet if the letter from Chief Pye in the packet was put in his file. He confirms that it was. Chairman Ducrou states that he liked that letter. He goes on to call for further discussion. Hearing none, he calls for petitions.

Petitions before the Board – None

Union Petitions/Discussions – None

Old Business – None

New Business –

- **2010 SAFER Grant** - Chief Nisbet states that it would appear that we are through the grant process for the 2010 SAFER grant. He advises that while managing our current SAFER Grant, he found the award number on the budget sheets for the 2010 SAFER, so he would expect we would be awarded in the next two to three weeks. He then announces that he will be asking the Board for two separate motions, one being that once he receives official notification of the Grant award, that he can have the Boards' authorization to accept it and get the ball rolling so that we can take in those dollars in this budget cycle; and that being said, he would like permission to reopen the current contract and negotiate with the bargaining unit so that he can fix some of the cuts we had to take to get through this budget since this funding can take care of a lot of those cuts and it will enable us to reallocate some dollars back into operational expenses. He adds that we will have to make some budget adjustments. Commissioner Ducrou asks how long this grant is good for. Chief Nisbet replies that it is for two years, and goes on to say that the current SAFER that we are on is for two years, and the next SAFER, the time of performance will also be for two years and the first year on it is \$215,000. As it carries on through, to put it in simplistic form, putting it into calendar years, it's roughly \$400,000 into personnel expenses. It will take the lower ½ of our on-duty operational personnel and put them on SAFER funding. So we will have SAFER funding for 6 positions the rest of this year, six positions for all of next year, six positions for the first part of the following budget year, and three positions for the remainder of that year. So it will get us through the finish of this budget cycle and the next two. Commissioner Ducrou states he was under the understanding that this one would start for the 2011-2012 budget year. Chief Nisbet responds that it all depends on the award. Last time we were notified of the award in July and it took effect September 28th. But what they're doing now, is trying to get all the awards out earlier in the year so they can go to AFG for 2011. They are trying to get each grant done before they start the next cycle so they are not dealing with multiple awards at the same time since the same people handle all those grants. So what usually happens is that about the time we get the notification of our award, the performance period usually starts within 60-90 days. The last time we got the e-mail confirming all of our banking-routing numbers, which we have already received that e-mail, we were awarded within three weeks, and our performance started 90 days from that. Chief Nisbet goes on to say that when he spoke to Jennifer Stewart at the IAFF, they were really stepping up the timelines. One of the things that we ran into on the guidance documents, was budgetary notices, if we have another shortfall, how that would affect personnel. There was a 90 day window that we ran into that was outside of the guidelines in the compliance documents for the 2010 SAFER grant, but there were several departments that were in the same boat, so Chief was told he could get approval for 3 new positions, but not to maintain current positions. Chief

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Nisbet explained to them that this would not help us out. He adds that Jennifer Stewart at the IAFF was a tremendous help, we got to the right pay grade that could make a decision, and we got a variance on our 90 day requirement, so every indication is that, we should receive notification within two weeks, of the award. Commissioner Ducrou asks if that means that we have to begin taking the money in this fiscal year. Chief Nisbet acknowledges that that is correct, we must begin taking it at the start of the performance period. If we don't take the first disbursement within 90 days of our award, we lose the grant. Commissioner Cook asks if we couldn't then make these motions at the next meeting. Commissioner Ducrou agrees, that we still have time. Chief Nisbet agrees, but states that what he wants to do is, if we have this award in place, sit down with the bargaining unit and schedule a negotiation, discuss with them what he as a fire chief, was willing to do, and then bring it to the next meeting so that once we get our approval, before the performance period started, he could enact the changes, kind of stay ahead of the game. Chairman Ducrou states we could entertain a motion to accept the grant if we are awarded, and put on next month's agenda to have an executive session, to discuss what Chief is looking at with regard to re-opening the contract. He goes on to say that he would feel more comfortable if we did a 5 year financial study to see how we're going to get out of this hole. Chief Nisbet states that what he was thinking, without getting into negotiations now, was address just the monetary aspect of what was reduced this year, and maybe a couple other minor aspects, and that would be it. Nothing long term, no steps or raises, nothing along that line, until he sees what the July number comes in at from the property appraisers office, to work out that plan. But, the next budget year, he has already done some calculations, and with our 10% bump in our next year's SAFER, and with this SAFER coming in, the amount of money that we are getting in is fairly close to what we have lost so far. It's about \$80,000 short of what we've lost, so it's almost back to where we were when all of this started. Commissioner Ducrou agrees, that is is, but that it's a two year thing, we need to plan, so that we don't have to lay anyone off at the end of that period. Chief Nisbet agrees, but adds, compared to Lehigh, what they have when their grant is at the end of its two year cycle, they have to face laying off their bottom 34 guys. Ours, he goes on to explain, is for the bottom 3 guys, and they are already looking at sustainment language, we won't have that all at one time. We would lose the funding for the lowest 3 positions first, which is in line with the language of our bargaining unit contract, in the unfortunate event that we have to look at reductions in personnel at that time. We would also be within the SAFER guidelines, as it does not require us to retain those positions beyond the performance period of the grant. Then we still have funding for the next three higher positions. Chief Nisbet notes, he did put it in our grant documents, that we will apply for the waiver to allow the funds to be transferred up to the next three higher positions if we should have to lay off the lower three positions. What we had in reserves would have enabled us to absorb a 5% hit in the ad valorem. With this, we would be able to absorb the 5% hit in ad valorem and still maintain staffing during the performance period of the grant. It will put roughly \$107,000 in this current budget year. Chief Nisbet goes on to say that the calculations he has done for the adjustments taking place April first would be approximately \$63,000 of that \$107,000. Commissioner Cook states that implies we would still have some extra money. Chief confirms that is correct. He goes on to say that the thought behind requesting the motions tonight, was to accept the SAFER grant and get the ball rolling on that, and to get the authorization to notify the Bargaining Unit that we would like to re-open the contract, and then we can discuss in the executive session, what his ideas are. Commissioner Griffin asks what motions we need then. Commissioner Cook states he will make a motion to accept the SAFER grant if we get it. Commissioner Griffin seconded the motion. Chairman Ducrou calls for discussion and then any opposed, hearing neither, motion carries. Chairman Ducrou then asks

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Chief if he is putting in the agenda for the next meeting, the Executive Session, where we can talk about what the ideas are, and maybe Chief could have a number of what we should be able to carry from year to year, so we can discuss the options. Chief Nisbet adds that he has already told the DVP that there are also operational lines that have been cut to bare bones which will also be considerations for slightly higher funding. Chairman Ducrou states he will feel better if we can get the whole picture before we make decisions, because the whole purpose of the grant was to make sure we didn't lay anyone off. He goes on to say that one of the things the grant would bring back would be the benefit of the overtime, which was probably a provision within the grant, which will change our minimum manning and that's an increased income, while we have it. He goes on to say that his primary concern is that he anticipates this crisis lasting a lot longer than two years, and he does not see the Republican House freeing up a lot of money for extensions. Chief Nisbet adds that his two biggest fears for this next budget cycle with regard to expenses are the FRS contribution amount; (Commissioner Ducrou interjects here that that amount will go down); Chief agrees that we all may be paying into it; but he continues, the other concern being the health insurance premiums in the second year of the Obama care plan. (Commissioner Ducrou states that it's supposed to go down as well)

- **North Fort Myers' Engine 5** – Chief Nisbet announces that North's engine 5 is sitting out in the back bay. It is a 1994 Pierce engine with approximately 100,000 miles on it, in excellent shape, Chief Pye has offered it to us for use, it is available for us to use presently, and Chief Pye is planning on taking it before his board to see if they will just donate it to us since there is currently no used fire truck market. He notes that Captiva's truck is still out there too. He goes on to say that if they should decide to donate it to us, he would like permission to accept the donation. His plan would then be to put a little "TLC" into it and use it to replace E-133 which is a 1992 E-One with 138,000 miles, which currently has problems, and run #5 as our second out engine. He goes on to say that he and Captain Brunson have gone over the truck pretty thoroughly and it is current on its pump testing and has been kept up with its maintenance; and Chief Noble is getting him the maintenance records. Chief Nisbet adds that he drove it here personally and it runs well, is very comparable to what we have now, and it actually has a slightly shorter wheel base since it doesn't have a top mount pump. It would be a good truck for us to use as a back-up and it's the truck we usually use when we borrow a truck from them, so our guys are very familiar with the truck, and they like it. He adds that we were offered the Captiva truck, if we wanted it, for \$2000 to \$2500, but looking at the open configuration on the jump seat, he states that he is really not prepared to take on the added liability if someone gets hurt, so the other would actually meet our needs a lot better than the Captiva truck.

Commissioner Ducrou asks (in jest) if we can call Captiva and let them know that the rent for parking it here is about \$2000-\$2500? Chief says that since this is taking place (referring to the offer from North's to donate #5), Alva may take the Captiva truck. Chief points out that this is an example that there is really no used fire truck market right now which we also saw through the auction. He adds that the E-One would probably bring more in scrap than if we try to sell it at auction. Commissioner Ducrou mentions that the engine really doesn't have that much time on it. Commissioner Cook agrees, we have put quite a lot of money in that engine in the last 5 years. Chief Nisbet states that he and Captain Brunson had discussed the possibility of just jerking the engine and selling that separately, and scrap the metal, but that would come before the board at a later date if the donation is made and we accept it. He asks the Board for their approval of the acceptance of the donation, should they decide to make it. Chairman Ducrou asks if Chief would then bring before the board, a list of what he wants to do to the North's engine, if they do decide to donate it. Chief Nisbet agrees saying he really doesn't foresee any

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significant costs. He states that he had asked Chris and they don't even want the mounts on it. He adds that if we do accept it, he will be moving the relatively new tires off of E-133 and putting them on that truck. Commissioner Cook says he thinks we shouldn't get too excited until after North's board meeting, because the way he hears it, it may not end up being a donated truck. Commissioner Ducrou asks why it's here. Chief explains that they are helping us out by loaning it to us, and we are helping them out since they closed the Willis Road station and do not have room to store it. He says Chris just wants it gone, and the only person he knows of that might push its' auction, might be Leroy. He adds, he feels that this could all be used positively in the media due to the sharing of resources and such. Both he and Terry are feeling that they can put a positive spin on this for media relations and that sort of thing. Commissioner Cook states that that would be good. Chairman Ducrou asks for a motion to accept the donation if it's offered. Commissioner Cook makes the motion to accept the truck for zero dollars. Commissioner Griffin seconded the motion. Chairman Ducrou requests that Chief Nisbet tell them that we are not spending anything to acquire it. Chief Nisbet states he wants to put our name on it, letter it, make sure that people know it's us coming. There's more conversation amongst the board about the rent of the use of the bay. Chief Nisbet reminds them that Captiva did donate to us, completely free of charge, the brand new skid unit last year. That was worth about \$3500, so they have some rent coming. Chief concludes new business. Chairman Ducrou calls for any further discussion, and then public input. None is made.

Public Input - None

Motion to Adjourn – Commissioner Cook motions adjournment. Seconded by Commissioner Griffin. Vote called & passed unanimously. Meeting adjourned at 8:16 p.m.