

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
May 13, 2014

Meeting called to order at 7:05 p.m. by Vice-Chairman Griffin

Pledge of Allegiance

Invocation – Moment of Silence

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

Others Present: Some Staff & Public

Minutes – Review and Acceptance of the minutes of the April 8, 2014 Board of Commissioners meeting. Motion made by Commissioner Klos to accept the minutes. Commissioner Cook seconded the motion. Vice-Chairman Griffin calls for questions or comments. With no questions or discussion and none opposed, motion carries.

Financial Report - Review & Acceptance of the April financials. Commissioner Klos moves to accept the April financials. Commissioner Cook seconded the motion. Vice-Chairman Griffin calls for questions or comments. With no questions or discussion, and none opposed, motion carries.

Fire Marshal and Administrative Reports (attached) – Chief Nisbet reads the Fire Marshal and Administrative Reports into the record. Commissioner Griffin asks Chief if he is correct in that we are on our last SAFER Grant and that when it runs out, they are finished. Chief confirms that he is correct. Commissioner Griffin asks when that is scheduled to run out. Chief replies September 14. Chief adds that they have not notified when the next opportunity will open for application, but we will have the opportunity to apply for sustainment of the 6 positions, however, he does feel they are leaning toward the metropolitan areas for their assistance, and does not know if that application will open up before October first, as they are behind. He adds that he saw a story on the internet this very day and Reno Nevada is losing 35 firefighters since they did not get awarded sustainment; just to give the Board an idea of what we are up against. Commissioner Griffin says it would appear they are trying to weed them out. Chief says it would appear so. Commissioner Griffin wishes to express that he ran into some of the City of Fort Myers staff that had covered us during our training exercises and they were highly complementary of our men, they were highly impressed with the caliber of our staff. DVP Lemieux and Chief Nisbet both express their gratitude for the sharing of that information. Vice-Chairman Griffin calls for any other questions or comments. With no further discussion or questions, Vice-Chairman Griffin calls for Petitions.

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING

May 13, 2014

Petitions before the Board/Public Input – None

Union Petitions/Discussions – None

Old Business –

- **Direction of Board re: Assessment Attorney** – Chief Nisbet asks the Board for permission to pursue a revised bid from the Assessment Attorney who gave the presentation last month in case we are successful in the referendum for the Fire Assessment. This will allow us to review the proposal at the next meeting and determine whether to bring them on if we are successful in June as there are activities they will assist us with accomplishing that are due the third week of July. We will need them to get things handled pretty quickly. He feels we will need to make certain we do things exactly correct in the setting up and administration of the Assessment. The Board is in agreement to allow for a revised bid. With no further questions or comments Vice-Chairman Griffin calls for any other old business. Hearing none he calls for New Business.

New Business –

- **Direction of the Board Re: Certificates of Deposit** - Chief Nisbet states that since we were not awarded the SAFER Funds and since we are utilizing Reserves to maintain our level of staffing so that we don't lose the SAFER Grant we are currently on, he requests permission from the Board to liquidate some of the Certificates of Deposit as needed to see us through the fiscal year, on an as-needed basis. He estimates we will have to cash in \$150,000, possibly as much as \$200,000, but asks direction as to the manner in which we cash them out, as he prefers to do them as needed, like we do with the line of credit, in case we can manage with using fewer. Then, we should be able to do it with only 2 Commissioners authorizing as we go, and he feels we probably won't have to begin until sometime in August, unless something extreme happens between now and then. Vice-Chairman Griffin feels that would be the smart way to do it, so that we can continue to make money on them. Commissioner Klos asks if that is 3 CDs Chief says he should not need more than 4 at the most, but suggests the Board authorize 3 and if it goes beyond that he will return to the Board to let them know where we are at. He states he does not know of any other major expenses coming since we took care of the lawn mower, we should know enough in advance where we stand. He is not anticipating anything else major; right now we are holding our money as best we can. If an air conditioner or a pump or something major breaks, then that will change things. Vice-Chairman Griffin calls for a motion. Commissioner Cook asks if we need a motion now to cash out 3 CDs. Chief Nisbet suggests we only do the 3 for now, which we will not do until they are needed probably in August some time, and will require the approval of 2 Commissioners at the time to perform; just as we do with the Line of Credit. Commissioner Cook moves to allow the cash out of the 3 Certificates of Deposit, as needed. Commissioner Klos seconded the Motion. With all in favor Motion passed.
- **Election Options** – Chief Nisbet states we have been in communication with the Supervisor of Elections office for a variety of reasons; anywhere from legal notices to unidentified political activity that has been going on. He continues that the Board is aware of the notices that have been posted that are incorrect and non-factual; and he

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
May 13, 2014

wishes to let the Board know we have looked into what can be done, and, while they are against state election laws, since there is no identification on the notice as to the party responsible; and even though we are fairly certain of the source, proving it is another matter. We have found that if we act at the next Board meeting to adopt a Resolution contingent on the outcome of this Special Election for the Referendum, we can preserve our opportunity to place this proposal on the Ballot again in the General election in November. Much of the fees incurred in the Special Election wouldn't be incurred at that time as we will already have the Legal Notices translated, and there wouldn't be the Special Election associated fees for mailings and such. He continues that if adopted in November, it would not help us out with this year and we would still have the 6 lay-offs, but it would give us the potential to have a re-vote, or have the consideration of the voters a second time, if that was to be needed. He then announces the polling location that we typically use; Temple Baptist is not available June 24th. They are moving our polling location to Church of the Nazarene, just down the road on Bayshore Road. His only concern about that, which he did voice his displeasure about, is potential for low voter turnout, because of the poll location change, or people not being able to get there. He continues that we will be offering up some services to help some people that can't get themselves to the polls, we'll be happy to get them to the polls so they can vote on this issue. We will be more than happy to help them out with that. It is just an option we have to us (referring back to the contingent resolution), to adopt a contingent resolution, which the Supervisor of elections said we can do, at next month's meeting. We would need to adopt it at June's meeting as we have to have it to the Supervisor of Elections by July 1st, in the event the referendum election does not go in our favor, so it can go on the November ballot. Commissioner Griffin states it just gives us another chance, and there's no cost to the District. Chief adds that if it passed in November it would help us next year, and give us the opportunity to bring these guys back. Commissioner Cook asks if it has to stay the same or can it be changed. Office Manager states that we would have to know at the next meeting for the language in the Resolution which outlays the ballot language for November. Chief states the deal is just like we went through all the work to set those assessment rates, the changes would have to be based upon that study. Chief states his hope is that we are not going to need it, but September 14th he's losing half his department if we don't figure something out. That is the cold, hard fact of reality. We are not going to be able to provide the service we want to. People are going to be affected by a lot of things in the areas of response and stuff. He feels if he can at least get another shot at that, and be able to get these guys back in a year, why wouldn't he want to try to go for that? If it doesn't go in our favor in June. Chief asks the Board for permission to bring a contingent resolution in the June meeting to preserve this ability. Commissioner Griffin asks what it would hurt to proceed. Commissioner Cook agrees. Office Manager states if we don't do it, we lose our opportunity. The Board is in agreement and requests we proceed to have that contingent resolution prepared for June's meeting.

- **Election Packets** – Office Manager notes she has provided the election packets for those who are running for re-election. If they are not opting for signatures in lieu of the \$25 fee, they are Step 2. She states there is one page that requires a notary and she offers to assist anyone who wishes, and to submit any candidate's packet if they wish to provide it to her, but notes the early submission date begins June 2nd. If they opt to have petitions signed, then submission is by Noon Monday May 19. Commissioner

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING

May 13, 2014

Cook asks how many names they have to get. The answer is 25 registered electors in the geographical area. She also notes that those Board Members who are not running this term, should be receiving their Form-1 any time which they will need to submit by July 1. Those running will submit theirs in their election packet. With no further comment and no more new business Commissioner Griffin asks if we are getting any feedback from the notices that were being put up about the Assessment. Chief Nisbet responds that he has had a few inquiries to date and notes the gentleman present tonight wishes to speak with Chief Nisbet after the meeting to get the factual information, and that's really the kind of interest that the flyer has produced. People have been calling in and asking questions, and most of the conversations, there has been an understanding, and there was another story in the North Fort Myers Neighbor, that went out, which has been provided tonight, even the assessment that concerns the Bayshore residents, we knew going into this it was going to be a tough decision, he continues he has talked with people that own a lot of properties that are paying at a lower rate, and once he has explained why we are doing this, and what we are trying to accomplish, they have an understanding of it, and they have a right, and he as Chief needs to know what they want for their local protection. There have been a couple unfortunate incidents, but for the most part, people have been cordial and have mainly been fact finding. They want to know, and people are very happy with the service that we are providing, we just want to make sure that we are still able to provide them those services. Especially when they are having that worst day, we want to be able to get there and put a stop to it. Chief reminds that May 27th is the Town Hall Meeting, we have scheduled it as a special meeting, and we are going to have that out in the bay, and he anticipates we will have either 5 people or 500. Commissioner Griffin states that is why he was wondering if we had been getting inquiries. Chief states actually, a few have asked about it, and people are planning on attending, but our phone is not ringing off the hook. Maybe an e-mail here or there, but that's about it. Commissioner Cook states that could be good or bad; if people are believing what they see in the flyer, and not even calling us... Chief Nisbet states, that is the nice thing about being at Bayshore Fire Department, people know they can call us, and people will answer the phone, and people will talk to them, and we will walk them through it, and show it to them, and listen to their concerns. And if it is successful in June, there are going to be some items that we are going to have to discuss for the Management Resolution to be drawn up that has to be adopted by September 1st, but that will be at the Board's discretion at that point, but we can't do that until we first see if we have something to talk about; we will see on June 24th. Vice-Chairman Griffin calls for any other new business, and hearing none, calls for Public Input.

Public Input – Hearing none Vice-Chairman Griffin calls for Motion to Adjourn

Motion to Adjourn – Motion to adjourn made by Commissioner Cook and seconded by Commissioner Klos. With none opposed, meeting adjourned 7:28pm.