

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
August 14, 2018

Meeting called to order at 7:00 p.m. by Chairman Hansen

Invocation – Commissioner Hansen

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

Others Present: Some Public

Minutes – Review and Acceptance of the minutes of the June 12, 2018 Motion made by Commissioner Ducrou to accept the minutes. Commissioner Mere seconded the motion. Chairman Hansen calls for questions or comments. With no questions or discussion and none opposed, motion carries.

Financial Report - Review & Acceptance of the June 2018 financials. Commissioner Mere moves to accept the June 2018 financials. Commissioner Griffin seconded the motion. Chairman Hansen calls for questions or comments. With no questions or discussion, and none opposed, motion carries.

Financial Report - Review & Acceptance of the July 2018 financials. Commissioner Ducrou moves to accept the July 2018 financials. Commissioner Mere seconded the motion. Chairman Hansen calls for questions or comments. With no questions or discussion, and none opposed, motion carries.

Chairman Hansen calls for Fire Marshal and Administrative Reports.

Fire Marshal and Administrative Reports (attached) – Chief Nisbet reads the Fire Marshal Report and hearing no questions or discussion he reads the Administrative report into the record. He asks for any questions. Commissioner Mere asks where our second structure fire was. Chief Nisbet responds it was, he believes a mutual aid call. Captain Swindle confirms that it was. Chairman Hansen calls for any further questions or discussion, and with none offered he calls for Petitions/Public Input.

Petitions before the Board/Public Input – Hearing none he calls for Union Petitions. At this time Commissioner Cook asks if we do not have a June call volume. Chief states he did not prepare one. Commissioner Cook states he was just curious.

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Union Petitions – DVP Swindle states that petition will be presented at the next meeting. Chairman Hansen calls for Old Business.

Old Business – Chairman Hansen calls for old business.

- **Budget Hearing Dates** – Office Manager states the Preliminary Budget Hearing will be at 7:00 pm, Monday September 10th with the Regular Monthly Board meeting to immediately follow. Final Budget Hearing is scheduled for Tuesday September 25th at 7:00pm.
- **SAFER Grant** – Chief Nisbet states “Commissioners we got confirmation of the SAFER Grant; as per your direction at previous meetings I went ahead and acknowledged it. We have sent our pre-award roster, we have gotten that back, right now, the performance period start date is January 26, I’d like to amend that back to January 16th, so they can start on our normal payroll period so it coincides with our normal payroll period. That will give us some time to go through the recall process of any lay-offs, which we don’t believe we’re going to have any come back, possibly 1 maybe, and then we’ll start our hiring process through our volunteers, initially, unless we don’t get any good candidates. But I think we’ve got some decent candidates in our volunteer pool that will be worth looking at. Chairman Hansen asks for any questions on that. Commissioner Cook asks, “so, January 16th?” He receives multiple confirmations. Chairman Hansen calls for the next item.
- **Firehouse Subs Grant** –Chief Nisbet states “Commissioners, Firehouse Subs Grant, just like I covered in the Administration Report, they may want to do a media day; if they do, I’d like to have available a couple commissioners come in and make an appearance, they usually like handing a check or the prop, also they’d like their logo put on our prop, we’re going to do that for them, when we get closer, just like when they bought us the battery operated hydraulic tools, I’d like to buy the franchise owner down here a plaque, he really supports our applications and stuff, so...This is actually going to be a really neat training prop, that’s going to provide us a lot of options; it’s built pretty tough. Commissioner Mere asks “Do we have any idea when we may be getting that in?” Chief Nisbet responds “Well, they’re on a 2 month back order right now, so, everything went in and they said they’d keep me updated. They are manufactured in New York, they said as soon as ours goes into production, they said they’d let me know. Firehouse Subs is in the driver’s seat. They take care of everything now. They take care of the bill, the shipping, they changed the way they do things a little bit, on some items they’ll have the department make the purchase and they’ll reimburse the department for the cost, but on this one, they just went for the straight purchase. They’ve already paid for it and it’s already said and done, we’ve got the confirmation of the bill of sale and everything, and the young lady I talked to at the door manufacturer’s they’ve done a lot of doors through this grant, that’s actually one of the reasons I went for it, because I got some information that they were awarding a lot of these doors to agencies, because I wouldn’t have paid this for a door right now, with everything that we’re going

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through, but with the opportunity to get it through the grant, I figured, yeah, let's see if we can get it. Chairman Hansen calls for any further discussion and hearing none, calls for new business.

New Business –

- **None Scheduled** - Chief Nisbet states "Commissioners, I'm going to direct you back to the Fire Marshal's Report to the letter that was sent to MW Horticulture. Back in June we were approached by the County to enter into an injunction against that property for code violations that the county was concerned about. Also, in conjunction with our fire code violations. I told the County Manager Mr. Desjarlais at that time I could not do that without Board authorization. I also contacted the District's attorney, talked to him, he agreed, and he said that we need to bring it to the board to vote on this before we move forward. I would expect that we're going to issue a stop work order on the date. On the sites, where they were making improvement, they are not improved any more. They are taking in quite a bit of material, and to be blunt, I don't really think they are too concerned about the fire code violations. So, I would need authorization from the Board to move forward with an injunction for a stop work order, and all we want them to do is stop their intake of product until they can get their product under control to reduce the fire code violations. We're even giving them extra time on one item in the fire code that requires suppression within their excavating equipment used on-site and we realize the cost factor associated with that, though we don't agree with the numbers they're saying, but we're willing to work with them. My only concern with the property is that they get within the fire code. As far as any grinding or any use permit, that's the County's issue, but as far as fire code violations, that's on our plate, and we have given them ample time to address it. The hurricane debris pile is on property that isn't designated for that, and again, like I told you in the previous meeting, I think the County has some ownership in that also. Regardless, the fire code violation hazard of the adjoining property is ours. This time of year, it's nice and wet, we could have a deep-seated internal fire which we're probably going to be able to get control of it before it gets too large, but just last spring, we had a very small debris pile compared to this one we have here, which required 2 strike teams and a helicopter to maintain and keep it on the property. So, I would like Board Authorization that if we get to the date and that is not resolved, that I have authorization on behalf of the District to get with the Department's attorney and to file an injunction to stop them from taking in any additional product until they get within fire code. And everything that we're doing follows the fire code." He turns to the Fire Marshal inquiring if he missed anything. Captain Underwood, Fire Marshal responds "I don't believe so. We discussed, they've been well aware of this. I started having joint meetings with MW Horticulture, San Carlos Park Fire District, which they have a large parcel that they're working on down there, a separate parcel, and DEP is involved with those meetings because there are also several DEP violations that they're in violation of right now. We started having these meetings back in January with them, trying to force them into a plan of

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action to clean up their properties and they pretty-much have not made any impact on their removal of product yet they've continued to take in, and their complaint is the majority of their income is from their "tipping" or "dumping" so they don't make as much money on getting rid of the product so that's where they're at." Commissioner Ducrou states "of course they don't." Commissioner Mere states "I can tell you how much they're doing, they've actually started another division where they'll come out and cut it and haul your debris away for you; and bring it right back there, so they're really not too concerned with what they're bringing in." Commissioner Hansen asks if was one of their trucks that flipped. Chief Nisbet states it was not. Commissioner Mere asks "are they having the same issue down in San Carlos too?" Captain Underwood states "yes, in fact DEP's actually pushing hard and I think this week going for a formal notice of violation, which is like 10 steps in for them. It takes quite a bit to get to a formal violation hearing with them so DEP is issuing that out this week on that site and then they're going to start pushing more on this site up here, they figure, after they get done dealing with that one." Commissioner Ducrou asks "what steps is San Carlos taking, are they in the same boat we're in?" Captain Underwood responds "yes, we've been, they're same exact..." Chief Nisbet states "We're actually pretty united where we're at right now." Captain Underwood continues "we've been in contact and we have, at least a couple times a month I have meetings or at least conversations with the Fire Marshal down there where they're in the same boat. I don't think they've gotten to this point; this was our decision to go with a 45-day period to put a stop work order; but I believe they're going to be following suit." Chief Nisbet adds "the one difference that we have compared to what they have down there is the site they have down there is in a little bit more of an industrial area, there is some residential a little bit further out, but we actually have product that is actually falling over onto people's residential property. So, it is creating a life hazard issue. I don't think San Carlos is seeing that yet. They're having some issues with adjacent property and grinding and stuff like that that they are dealing with." Captain Underwood further states "They're allowed to grind on several parcels down there, but there again, according to DEP regulations, they have to keep all the dust on-site, you can't have drifting dust and stuff like that, so, they've got some different issues. They're not allowed to grind on either one of the parcels they have up here with us, but they are, and that's per County ordinance, they're not allowed to grind. That's nothing we can enforce on the fire code, it's a zoning regulation. So they are grinding here, and that's, you know, a couple of our fires were started from the grinding operations, that we got to deal with, and protecting that million dollar piece of equipment that they have grinding with." Commissioner Ducrou asks "is that one of the pieces that are going to have to have suppression?" Captain Underwood responds "yes, and they told us they could've ordered that piece of equipment, it was an option to order it when they purchased it but they decided not to because it was a \$35,000 cost associated with it. Which I thought was a little high, but it's also a drop in the bucket when you're talking about a piece of equipment that's worth a million." Commissioner Ducrou states "Nothing

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surprises me with heavy equipment so.” Chief Nisbet states “and here’s the thing; Doug and I have talked pretty extensively regarding this; if they don’t get on their piles, which they’re not supposed to be anyway, if they don’t get on their piles, we don’t have any requirements. The only reason we have requirements is because they’re not getting on their piles.” Captain Underwood states “The letter that they originally, the request to the county and us, what they were originally supposed to be doing on that property was transfer station only. It was tipping for their customers in this area, and they were to load the product up, put it in trucks and take it down to the south yard where they’re allowed to process it; they’re not allowed to process here at all according to the county zoning regulation.” Commissioner Ducrou asks “so why are they grinding?” Chief Nisbet and Captain Underwood both respond “they don’t care” Captain Underwood continues “they’re bucking the county, they told us they’re going to grind regardless, and the county’s throwing violations on them but...” Commissioner Ducrou asks if they’ve started getting fined by the county yet. Captain Underwood states “No, the county has kind of laid back on the hearing examiner process because they’ve been violated, but they’ve got to go to the hearing examiner, they haven’t, not that I know of yet, they may have by now, but they haven’t even set the hearing examiner date yet to do that. They’re looking at entering some kind of an agreement for them to get that product off of there.” Chief Nisbet states “one of the things that made me nervous, was when the county approached us, I believe it was in June, that they wanted to file an injunction, they wanted to have us and file with us, based on the fire code violations. They wanted to hang everything on the fire code violations and the life-safety issue. From what I understood, you know, because we’ve been discussing this for quite some time, and Captain Underwood and I, we’ve been dealing with the people out there long before Irma because when the parcel first got approved we didn’t have a whole lot of involvement in it because it was going to be a relay station. We didn’t have a whole lot of concerns. Then it grew into the beast that it is now. That’s when we started to take notice of it and said ok, we’ve got to go over there and start seeing what was going on, and researched the code. Irma happens; they take in debris for the county because of issues that were going on with the clean-up, and they helped the county out and did the community a service of course; they also made money” Commissioner Cook states “they made a lot of money”. Chief Nisbet continues “so then, we were going to go and enforce out fire code, and Captain Underwood was told by the county “you can’t do anything because of the Governor’s declaration of the State of Emergency”; then six weeks later we get told “oh no, you can go ahead and enforce the fire code”. Captain Underwood states “I told them if we can’t enforce the fire code then you need to take ownership, I asked them in writing by e-mail saying that if we can’t enforce the fire code because of the declaration, you need to take ownership, please let me know who’s responsible for this decision, and that’s when I got a phone call back saying “no, no, no, you can enforce the fire code. So there was a change...” Chief Nisbet states “and the problem we’ve ran into too, is some of the people we’ve been dealing with at Lee County’s I guess you’d call it Zoning/Planning

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Code Enforcement is there's multiple people talking about this site, but nobody's saying the same thing. So, we finally got that roped in; but where we're at right now is the fire code violations are still the fire code violations; they still come back onto us. So, to continue on; they had a death in the family, they lost their daughter; I told Doug "we're going to give them some time. So, we backed off for a few weeks to allow them to deal with that. And then we went back and told them; and we even told them; we started just like we do for any other fire inspection here in this district, "we go out, identify the violations, we came back, we confirmed our codes, you have 30 days to comply. "Ok, so hey, if we see improvement in 30 days, we'll give you another 30 days." He continues, "we did see some improvement; we saw no smoking signs up, we saw they addressed two piles, or they were starting to address some piles, stuff like that; we were headed in the right direction. Here's another 30 days. Well, then, it got worse. And then we got the excuse-fest and we got every reason why we're not being realistic and how we're victimizing them. And I told them multiple times, "we're not here to put you out of business, but I'm not going to take on the liability for you violating the fire codes. You have to follow the fire code just like anybody else." "Well we've never seen these codes before." He replies to them "Well, anybody that has a business has to know the codes they're dealing with, and these are the fire codes and they're right out of here; we didn't make them up" and as you saw in the letter there, they've all been cited right down to the point. So, while I was gone on vacation, Captain Underwood went out and did the third re-inspection, and when he went out and did the third re-inspection, it was even worse. And we discussed it and felt it was time to put a 45-day notice on them. Usually we just do a 30-day notice. This is the first time since I've been the Fire Chief here that we've had to go this far. Usually I get compliance or we get to where it is, and it was funny because the county was like "well, do you usually give this long?" Well, actually folks, I've given people longer as long as they've been making improvement. "Well, who did you do that for?" I said "you guys, with the Civic Center." Silence. And, he continues "it took us 3 years to get the Civic Center into compliance; at least 90%. But we're at a point now where we have to address this so, and I'm going to get with Ian as to how exactly we should proceed with this one when we get to that point, but, if that's what the Board wants me to do, I just need authorization to do it." Commissioner Mere asks "So does our time periods give them a 30, 30 and a 45; or is it a 30, 30, and a 30?" Captain Underwood states, "we could have given them the initial 30-day notice and gone back to them and re-violated them and actually issued a stop work order; certain stop work orders can be issued immediately, but following the sates statute and the state law, we determined that the 45-day was appropriate to give them..." Chief Nisbet states "for what we were dealing with here, if this had been an auditorium, a life-safety issue on an auditorium, we don't have to go 30 days. We can actually do a stop work order immediately, depending on the life-safety issue. Typically, 30 days, depending on the occupancy and what we're dealing with." Commissioner Mere states "my only concern is, these piles that are sitting there and as close as they are to the homes; all we need is one good Irma

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to come through and a little different rotation, and now were pushing that pile right on those houses that are sitting right there by it.” Chief Nisbet states “and Commissioners, I get your concerns there too...” Commissioner Mere states “I want to make sure that if 45 days is what we need, then that’s what we need; but if we really say we can do this in a 20-day notice, then there’s no reason to prolong it.” Captain Underwood states “We’re already...” Chief Nisbet states “There’s really no reason those pile should not be addressed.” Captain Underwood begins again “We are already 30 days...” Commissioner Ducrou states “the letter’s already gone out.” Captain Underwood states “the letter went out certified and we’re already 30 days...” Commissioner Cook asks “if they don’t improve and we do a stop work order on them, what happens if they keep working?” Chief Nisbet states “It’s a second-degree misdemeanor.” Commissioner Cook asks “what happens though? Do we cuff them and throw them in jail or what?” Chief Nisbet states “we have them cited.” Captain Underwood states “we have them cited through law enforcement; she’s actually threatened that if we put the stop work order on them, she’s gong to pull all the equipment off the property.” Commissioner Cook states “I have a feeling that’s what’s going to happen anyways; those piles are not getting smaller.” Chief Nisbet states “and I think the County, and I don’t want to speak for the county, but there have been discussions on what to do if that does happen.” Commissioner Cook states “Me and you have had discussion about this, I said this 8 months ago when this...” Chief Nisbet states “I’m just not comfortable discussing this in this open forum right now...” Commissioner Griffin asks “Did the attorney say anything when this follows through, say a stop work order whatever, any legal recourse?” Chief Nisbet responds “oh, they can sue us. Absolutely, they can sue us and Commissioners, we have plenty of documentation, plenty of progressive action on this; I’ve got, just off the top of my head, 35 incident reports I can pull.” Commissioner Cook states “I have a feeling they’re not going to sue us.” Chief Nisbet agrees but states “they could, that’s always a potential.” Commissioner Cook states “that costs money.” Chief Nisbet states “and here’s my thing if we go for the stop work order or we file the injunction, we do the injunction with the County, then we let the County take over the enforcement aspect of the injunction; because the County can also fine them daily.” Captain Underwood agrees “yeah, the county has their ordinance for fire prevention code, which they get the money from, but there’s an ordinance that they can fine them for up to \$500 a day for just the fire code violations alone. They get that money, but, it’s another something you can add on, but if they don’t pay it, or if they let it go, or they don’t clean up the property in a timely manner, the county can go in there and clean it up, charge the property owner which wouldn’t be them, ...” Chief Nisbet states “right, they rent the property” Captain Underwood continues “so they can then charge the property owner and put a lien on the property; if the lien doesn’t get paid off then the county can eventually own the property.” Commissioner Mere states “which is the sad thing for the property owner, but I’ve dealt with the same thing, ...” Chief Nisbet states “actually, I’m not too impressed with the property owner...” Commissioner Cook states “he’s not

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compliant, he's not helping out." Chief Nisbet continues "the property owner, to be honest with you, me and Doug, our involvement with the property owner's attorney, I don't think the property owner really cares about what goes on there." Captain Underwood states "he sent us a letter saying "we allow MW Horticulture to do whatever they want on the property." Chief says "yeah, pretty-much." Commissioner Mere states "The only problem with, realistically, as property owner, is what he can actually do, and unfortunately, when it comes to a tenant/landlord, landlords don't have very many rights any more. So, it's really tough, don't get me wrong, that's not to say that's the right attitude, but..." Captain Underwood states "well, he could actually go ahead and evict them and terminate the lease, based on them not following; but it's up to him, if he realizes hey I'm getting ready to have significant legal troubles on this property, he can terminate their lease and fine them based on their not complying with the lease." Commissioner Mere states "he's playing the odds because he knows if he turns around and terminates their lease, they're going to pack up their equipment and walk away from it." Commissioner Cook states "we don't have any choice in the matter." Commissioner Ducrou moves to provide any legal recourse Chief feels is necessary with the attorneys if they fail to comply. Commissioner Mere seconded the motion (Commissioner Cook also seconds at the same time.) Chairman Hansen calls for any further discussion and asks Chief Nisbet "are we keeping the, we had several gentlemen here from over there; keeping them in the loop as to what's happening?" Chief Nisbet responds "I'm doing the best I can keeping them... I've been very busy; I've had quite a few other people call me now." Commissioner Cook states "well, it's like this thing, we don't have any choice, we can't ignore it because then we're liable for something if it happens." Chief Nisbet agrees saying "Chapter 191 is very clear; fire prevention codes are our responsibility." Commissioner Mere agrees "even if they sue us, the reality is, we have one job, and that's fire prevention." Chief Nisbet states "exactly, and honestly, if I have to go to court on this I'm going to go to the judge this is exactly what we're trying to do, this is the time frame we have given them, I'm not asking them to do anything..., as the AHJ I can make them do more if I want them to do more, as long as I can justify; I'm not even asking them to do anything else on top of the code." Chairman Hansen calls for vote "so we have a motion, a second and a third; any opposed?" Hearing non, motion passed. He asks if that was new business or Chief Items. Chief Nisbet states new business; Chief items, I just want to let the Board know that after the preliminary budget hearing, I'll be out of town for a week. I'll be back up to the cabin for a week. Having covered Chief Items, Chairman Hansen jumps to Commissioner Items.

Chief Items – Covered above.

Chairman Hansen calls for Commissioner Items.

Commissioner Items – Hearing none, Office Manager asks for a moment. She states, in our paperwork for our usual bank stuff, there are a couple of checks

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and a bank transfer to close out our old bank accounts; after verifying with Capital Bank what they require to close the accounts, per Capital Bank, just emptying the accounts does not close the accounts; I don't want them to start slapping fees on us just because we are below a minimum, they haven't charged us any fees to date, but now that we've started pulling the money out, I need one commissioner, they said is all I need, to go in and close the bank accounts and return the little scanner machine for the checks which is a small box."

Commissioner Mere asks where they are at. Office Manager states Hancock Bridge and 41. Commissioner Cook volunteers to take care of it as that is where he banks and he knows the staff. Office Manager expresses her appreciation and states final paperwork will go through tomorrow so we will only have those last two checks to clear that close the accounts and moves them into the new bank; should easily be within a week. She agrees to watch the accounts and as soon as she sees they are cleared she'll call him and let him know we are ready.

Chairman Hansen states "we had a question, three or four meetings ago about Christmas; how we handle Christmas..." Commissioner Cook states we're still going to do it; we're going to keep Christ in it. We're going to do all that, right?"

Chairman Hansen states "that's the discussion, how much we're going to do, what we're doing..." Office Manager states "there's been some discussion about whether we should even have Kid's Christmas because it does show a line item in the budget for the funds; which I cleared as soon as we started getting funds, I cleared it with the auditors as to how we needed to handle it; because when somebody comes in with a check made out to Bayshore for Kid's Christmas, I don't have a separate bank account, so I've done everything in compliance with the auditors, but there is some discomfort with showing Kid's Christmas in the budget, which I have to account for all the funds we have, so..." Commissioner Cook asks "couldn't we start a separate account for it?"

The Office Manager states she doesn't know the difference since she accounts for everything separately as instructed by the auditors, there's only a few hundred dollars in that fund and it is disclosed as instructed by the auditors." Commissioner Mere asks where the discomfort is with seeing it in a line item. Office Manager states, because it looks as though we are budgeting money for Children's Christmas.

Chief Nisbet more clearly states "Tax Payer dollars." Commissioner Mere states "Well, we're not budgeting anything off that line item."

Office Manager states "well, we have money coming into the budget because of carryovers from last year that are Kid's Christmas money, stays in Kid's Christmas money, then in the bottom of the budget there's always the expense of spending that money; so that money's always tied into the Kid's Christmas." Commissioner Mere states "the only thing is, if we have a separate account, we would have to show that separate account, the question's going to be there either way. I think if the Board agrees that we do it, and if there's one of our constituents that question it, they are more than welcome to come to the Board and we can explain it to them, that there's not any budgeted tax money going to it, we know it and we can show them proof on it, then I don't really think there's that much of an issue with it."

Chief Nisbet states "the biggest thing this year, Commissioners, is Gulf Coast

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Hospital is, I think they're done. And they're one of our big contributors, big helps in this; and they're done, so, I discussed this with Theresa, if this is something we want to continue on, or to do it, some discussion's been brought up, maybe just bring it back to where we originally had it with the North Fort Myers area, because we were helping a lot of people that were not just in the North Fort Myers area. Commissioner Mere asks if we have tried to find someone else to help sponsor?" Chief Nisbet responds "no". Office Manager states "we actually did pick up an old contributor that's back with us, that's Tara Woods, they're helping out, they did last year, they'll do stuff again this year..." Commissioner Hansen asks "did Gulf Coast adopt kids?" Office Manager and Chief Nisbet state Gulf Coast used to adopt a lot of kids. Chief Nisbet estimates Gulf Coast Hospital did about 70% of it. Commissioner Griffin states "I was going to say, they had their own thing going for a while." There are several comments about how much they did, how much effort Shay put into it and how it is their busiest time of the year with season and all they have going on that time of year. Office Manager suggests if it the Board's will that we continue to do it, we bring it to only this side of the river and limit it to 33917 and 33903 as that is now the extent of our support. She also suggests we limit it to maybe age 10 and under as the older kids primarily want electronics and expensive stuff and that's not what we get in donations. Commissioner Mere states "I think it's a big help for a lot of those families, you get some of those that it's not so much, but you see a lot of those that it's really a big help with them, so I sure would hate to see us not do it. To downsize it I don't think is necessarily a bad idea, it kind of keeps it a little more in check." Chief Nisbet states "Commissioners, my only concern is, this is Theresa's project, she puts her whole heart and soul into this and it occupies a lot of her time, of course Gulf Coast took a big part of that burden off, losing them, that's going to be the void we're going to have to fill. So, if the Board chooses that we continue to do this, I would ask that we at least condense it down to North Fort Myers. Last year was pretty daunting on her, almost to the overwhelming part." Commissioner Cook states "I would definitely say downsize it." Commissioner Ducrou states "I think it's crazy, I think it always is a time thing, unfortunately, I see the other side of it, where there's so many people that scam the system, and they shop from charity to charity to try and... you know, if you can't get a job now, you don't want a job." Office Manager states "there are a number of families that have a lot of disabled people that are not capable of working, and let's face it, what they give you to live on is not enough to go out and buy presents with and car payments and put food on your table." Commissioner Cook agrees "disability is not a very big check. We used to deal with Seminole Campground that had a lot of people in there, we don't do that anymore." Chief Nisbet and Commissioner Griffin both state that's how it all started was with Seminole Campground. Commissioner Ducrou states, "and what was one of the things that Seminole Campground loved? A lot of the people there did? They were selling it on Ebay." Office Manager states "that happens, but that's not for me to resolve." Chief Nisbet states "that happened even here last year, the people pull out of here and go over to Lawhon's and open up all the

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gifts.” Office Manager states “you’re always going to have that.” Chief Nisbet states “but we see them at the dinner, and I can still remember the one person that, the one family that got the formula and the diapers because that’s what they asked for, and they had actually just used their last thing of formula and their last thing of diapers. Now that was people that needed help, now that was...I remember that; it’s a tough one, Commissioners, there are other groups out there, it is something, and we’re going to have people that are going to have their feelings hurt when we tell them that we’re bringing it back, but I think we’re going to feel losing Gulf Coast. I really do. If we want to do it this year, and evaluate and see how it goes, I’m ok with that, we just wanted to run it by you and see your thoughts.” Office Manager states “we tried some things last year to reduce my heavy involvement with it, the lady that handles our web page, she set up a registration on line so I had to do very little, I didn’t have to sit there and take phone calls for information for long periods of time with people calling in, we also stopped wrapping if they weren’t coming to the dinner, the parents get to wrap the presents. Things like that that save time, we’re only wrapping gifts for those that are going to be present at the dinner, and we aren’t really doing food; if we end up with a couple boxes of food... Chief agrees, we end up giving the food to the church, last year was pretty decent.” Commissioner Cook asks “I was wondering if we did something like, we just raise the money and then donate it to somebody else, an organization that does all the stuff we used to do, like your church or something, or a church.” Office Manager states “the few organizations that I know of, they shut it down so early, people aren’t even thinking Christmas in September, and that’s when it’s cut off. Salvation Army which is Toys for Tots, they have to get in there, now or they don’t get presents. Now, it’s happened to me, it’s happened to my husband, where people get laid off in December...” Commissioner Cook is referring to the local churches here in NFM, and states his church does that. He and Commissioner Mere go to Faith Assembly and they do that stuff, hand out toys. Commissioner Mere states, “they don’t do like we do here”. Commissioner Hansen states “you’ve always got the negative...” Everyone agrees, that’s always going to be there. Commissioner Hansen continues “at our church, we put our best foot forward, what they do with it then, is on them; our thing is to try and help those that need the help, and Salvation Army and them are getting better and better at the clearing house at making sure the people aren’t dipping here, and here, and here; you can check the names...” Commissioner Ducrou states “the church, though, is most of the people would be someone who is part of that church” Commissioner Hansen states “no, we support this, we sponsor a bunch of kids, and we sponsor...” Commissioner Griffin asks “didn’t this all start with the church?” Commissioner Hansen states, “no, it started with the firehouse, we just joined in with them.” Commissioner Cook states “what they do at Faith though, is they adopt, they have Bayshore Elementary, so that has nothing to do with the church. They give all their stuff to...” Chief Nisbet states “it started back in 1987 or 1988 in Seminole Campground. How that came about is we ran a call in there and I believe it was Christmas Eve, actually I think it was in 1988 because I ran the call and there

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was a family in there that they didn't have any Christmas, they didn't have any Christmas for their kids; Seminole back then was pretty, back then it was a pretty rough spot. So we got little things, gas station toys, stuff like that, something to do; and that's how it got started and it just took off from there." Commissioner Mere states "I think we should try it one more year but let's try to scale it back, I don't see why not, unless we; sometimes we make it too big, it makes it too overwhelming for everybody, we can contain it down a little bit, scale it back a little bit, but I don't think is a bad idea but I'd like to see us keep doing it." Office manager states "I think we took a reduction last year, and now scaling it into North Fort Myers, bringing it more local, I think that will help. Pick up the slack because...". Commissioner Hansen states "that's the same discussion we had at church. We thought you could scale it back, where it's this area here, where we can manage it and..." Captain Swindle asks if we're going to require proof of address. Commissioner Cook states "you should ask for an address, really." Captain Swindle continues "because if tell a person they can't do it because they don't live in North Fort Myers, they're going to spread the word and they're going to tell you they live in North Fort Myers. So unless you do proof of residence..." Office Manager states, "they have to sign in, they have to register on-line with their name, address, phone number..." Chief Nisbet states "I think we should require proof of address. We're helping them out, and we're doing the best we can, they can prove their address." Commissioner Ducrou states "at least you can ask." Captain Swindle suggests a utility bill would be another way. Commissioner Ducrou continues "somebody's got something." Commissioner Mere suggests "maybe a way they can upload a picture of their driver's license when they register, that's not difficult to do." Captain Swindle agrees, "take a picture with their smartphone." Commissioner Mere agrees "they've got them, whether they're paying for them or they're free, they've got them". Commissioner Ducrou states "we're paying for them." Commissioner Griffin asks "who all is involved in this, just you mainly here, or what?" Office Manager responds "no, we've actually had volunteers and firefighters wrapping presents in years past..." everyone starts chatting at the same time, Chief's wife and kids, Commissioner's wives, firefighters adopting... Commissioner Griffin states "I just know a few years back, before it got as big as it was, and it was still in the District, I know she was pretty overloaded, everything she was doing..." Captain Swindle states "you couldn't walk through this room." OM states "it's gotten a lot better; it's definitely improved." Commissioner Mere states "I think we could definitely try to find another sponsor..." Commissioner Hansen suggests we try Mere's Lawn Mower see if he wants to sponsor..." Office Manager states "His wife already adopts kids." He says "yeah, when K-mart was going out of business, I've got a whole bunch of toys I've been storing." OM states "I guess we just need to decide if we're going to continue to do it and to scale it back." Commissioner Cook states "I think that we should do it." Commissioner Mere suggests scale it back, keep it local. Chairman Hansen says "we can evaluate it in January and see what it was." Commissioner Mere states "we don't need a Motion for that, to scale it back, do we?" Chief Nisbet states "I don't think so." Office Manager states, "the

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story on the budgets, everyone understands it is not department money going in there or coming out of there..." Commissioner Mere states "then we can discuss that if anybody has a question, without a problem." Commissioner Cook states "it's been going on for how many years, and how many times has somebody questioned it?" Commissioner Ducrou states "I did last budget." Commissioner Mere states "the only thing that I would see, is if you could start getting names earlier, I can go to some of my customers, we can put a little tree up and put some on there and bring it in; that would be a way for us to get more community involvement, but they don't know about it until the last minute some times." Chief Nisbet states "we didn't do that last year because Gulf Coast took so many kids. Gulf Coast was calling for kids we didn't have." Office Manager notes "Sherry did that where she worked for two years." There's some discussion about fun toys and Chairman Hansen calls for any other Commissioner Items. Hearing none, Commissioner Cook moves to Recess to go into Executive Session. Commissioner Ducrou seconds and with none opposed, we recess for Executive Session. 7:47pm

Executive Session

Reconvene 8:45PM Chairman Hansen calls for Public Input

Public Input - As there's no public input offered, Commissioner Griffin asks how things are going with the Pritchett Project. Chief Nisbet states "I haven't seen any work there is the last week. Last we heard, they were going to be bringing models out of the ground in November." Commissioner Mere states "I haven't seen any big pond over there." Chief Nisbet states "they haven't done that yet." Commissioner Griffin asks where the pool is supposed to go. Chief Nisbet states "if you look where the bridge crosses over, go about 45° to the right. North of the powerline grade. You know, like where you see all those cabbage palms circled up over there, I think that's the general vicinity over there. Because their access for the chlorine is going to be off the powerline grade. At least that's the last plans we saw. They did bring it down from 8.5 acres to 5.6 or something like that. They were doing all the roadwork and all the other stuff and a I haven't seen anybody work there this week at all. I don't know if their permits ran out or what's going on. I'm going to have Doug do a little research and make sure that nothing's going bad. I don't know if they've tied the water system in yet, I know they were working on that, the other day. They've got the line all the way down the road; they've got the hydrants in..." Commissioner Hansen asks "aren't they right at the bridge hooking in?" Chief says "yeah; as a matter of fact, they've now put a hydrant across the street from the bridge because we actually have a hydrant on both sides of the road right now." Commissioner Griffin states "they ran it all the way over by the fence." There are multiple conversations at once now. Commissioner Mere mentions the hydrants and Chief Nisbet answers "there's 3 additional hydrants on Pritchett, 3 or 4, and there's probably going to be about 15 or 20 hydrants in the complex itself." Commissioner Griffin asks "has

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anything been set in stone how they're going to reduce the (indiscernible something here) Chief Nisbet replies "No. Nothing in stone yet." Chairman Hansen has received a motion to adjourn by Commissioner Ducrou. Chairman Hansen calls for a second. Commissioner Mere seconds it and with none opposed meeting is adjourned

Adjournment - 8:58 p.m.