

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
August 8, 2017

**Meeting called to order** at 7:04 p.m. by Vice-Chairman Griffin

**Invocation** – MOS

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

**Others Present:** Some public

**Minutes** – Review and Acceptance of the minutes of the June 13, 2017 Board of Commissioners meeting. Motion made by Commissioner Cook to accept the minutes. Commissioner Ducrou seconded the motion with a correction to the seconding of the motion to accept the audit, as he was not present for that meeting. (Minutes are since corrected to reflect the proper party). Vice-Chairman Griffin calls for any other questions or comments. With no questions or discussion and none opposed, motion carries.

**Financial Report** –

- Review & Acceptance of the June 2017 financials. Commissioner Ducrou moves to accept the June 2017 financials. Commissioner Cook seconded the motion. Vice-Chairman Griffin calls for questions or comments. With no questions or discussion, and none opposed, motion carries.
- Review & Acceptance of the July 2017 financials. Commissioner Ducrou moves to accept the July 2017 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 states there is no Fire Marshall report and reads the June-July Administrative report into the record. He offers to answer any questions. Commissioner Cook states, “Just one; obviously we’ll know if we’re going to get the SAFER Grant before... Chief Nisbet interrupts, “No, we will not.” Commissioner Cook asks, “Then how do we do a budget if we don’t know what we’re getting?” Chief Nisbet responds, “I’ll cover that when we get to it.” Commissioner Cook states, “It seems kind of odd.” Chief Nisbet states, “Well that’s why I’m giving you the three scenarios, so I can go over those; of what they are and where we are at.” Commissioner Griffin asks “What do they have proposed then (referring to the Babcock Project), you say

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they cancelled the ball parks... Chief Nisbet responds, "they are moving the residential into the ball areas, they're not increasing density, still looking at 2.2 Million square feet in commercial, but it's slowing down a little bit. They are going to start, but not to the magnitude that... the entertainment district is not there anymore. Captain Underwood adds "They are reducing the hotel rooms from 1500 to 600." Chief Nisbet states, "that was the main changes, but they are still actively working in the Charlotte County portion and as they start to build out, they'll bump south into Lee County." Captain Underwood states "Their next project is actually moving south, they've got Pulte Homes they just signed with, they're moving south, and they're going to continue in the southward direction straight into Lee County, but he said the Lee County portion, at this point, they're going through zoning, but it could be very fluid and they could change based on the home builders that come in there and what they want to put in. The commercial has to come secondary now as compared to what they were doing. Once it is supported by the residents, before they were looking at putting in hotels and restaurants that would support the ball field, but they can't do that at this point because they won't have the ballfields there to support the commercial. Commissioner Griffin states, "That's all I have." Vice Chairman Griffin calls for any other questions or comments and hearing none, calls for Petitions before the Board.

**Petitions before the Board/Public Input –None**

**Union Petitions** – DVP has None. Hearing none, Vice-Chairman Griffin calls for any Old Business.

**Old Business – None** Vice-Chairman Griffin calls for any New Business.

**New Business –**

- **TRIM Hearing – Preliminary Budget Hearing** – Chief Nisbet announces the Preliminary Budget Hearing is set for September 12, 2017 at 7:00 pm with the Monthly Board Meeting to immediately follow. He points out that it turned out to be our normal meeting night so we didn't have to move our monthly meeting. He states the Final Budget Hearing will be on Tuesday September 26<sup>th</sup>, 2017.
- **Budget Proposals** – Chief Nisbet begins, "these are still very fluid, very working budget. The first one in your packet will most likely be the budget you will be approving, unless you direct me otherwise, in September. This, if you look under Federal Grants Public Safety, that's the amount that will carry forward, the \$63,000 for the extension of the current SAFER that we're in, on the income line, that's one of the areas that you can tell up there, that takes us to November 1<sup>st</sup>, and that's with a full layoff of the six personnel at that point, and this is taking the assumption that we will not get a SAFER grant." Commissioner Ducrou asks

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Chief, "What's the title on the one you're looking at?" Chief Nisbet responds "SAFER with longevity, Full Layoff" Commissioner Ducrou clarifies..."Full Layoff after 11/01/2017" Chief confirms. Commissioner Ducrou asks "and that's assuming we get the full SAFER?" Chief responds "No, we don't get the full SAFER." Commissioner Ducrou states "so we don't get any SAFER money" Chief agrees, "We don't get any SAFER money past the extension and that leaves us currently right now at an additional \$98,749.15 to work with. That's taking in the assumptions of our updated insurance quotes and everything that we've been working on in our normal budget process. He moves to the next scenario stating "the second budget is if we did not get the SAFER and we attempted to hold on to the top 3 firefighter personnel. Again, this takes in that carryforward \$63,000 from the SAFER money to November 1<sup>st</sup> with all 6 and then after that point, trying to save 3, and we're still off by \$107,761.85. If you want to look at the true cost, then you really need to have the \$63,000 in there also so it's really roughly about \$178,000 is truly the number where we're at, because that's SAFER money we're utilizing. And then of course, the third one, is if we get the SAFER grant and that happens right after November 1<sup>st</sup> and we can get everybody reemployed by December 1<sup>st</sup>, and we're still off by \$28,567. Now you may ask why we are off if we're going to get SAFER funding. SAFER funding this year changed dramatically in the way that they do the grants, as I've covered before; they are only paying for first year salary wages, and they're requiring us to match 25%. They are also only paying for what benefits would be eligible in that first year which would be strictly employee coverage. So if we recall layoffs, taking them back to where they were when they left, we have to make up the difference. That's where that number sits in right there. And then the first year is a 25%, the second year is 25%, and the third year is a 65% match. The third year is what concerns me, and that's what we applied for the waiver for, was on the third year match. So the way the grant guidance document was written, it was the outgoing administration in DC that really didn't put a lot of time in putting this together, and I can give you one good example, I had to provide 3 years of budgets for 2001, 2002, and 2003 which have no bearing on what we're doing right now; but because they took a lot of the original language and pushed it through and made a couple minor tweaks, because they wanted to get it through and get it gone, that's what we're dealing with. Myself, Ron Benedict from the IAFF, Laurie Moore and I have been working extensively trying to figure out where this is going on, and our grant manager Naomi. When I asked for the extension of our current SAFER Grant, I was advised that I may not want to do that. Which tells me we're in the pipeline, because scoring has already been done, I was already told I was under review which means I am in their administrative cycle where they're putting everything together; she says it might mess you up. I said ok; and she said I'll get back with you. She got back with me, she said everything will be good, go ahead, they've got to be off November 1<sup>st</sup>. The reason they have to be off November 1<sup>st</sup> is, the guidance document, which is a federal requirement, says the money has to be used for vacant or new positions. So the positions have to be vacant. They only have to be vacant for 24 hours, but they have got to be vacant. So we have to have a layoff, which is

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killing me right now, we have to have the layoff to get the grant. And they can't tell me that until we have the layoff. So, it sucks. I just wanted to give you an idea, actually I've got about 6 different budgets I've been working on but I've kind of narrowed it down to these three for you to look at and right now, my recommendation is probably going to be to go with the first budget. And then from that point on, we'll see what SAFER does and the Board can make a decision on what you want to do at that point." Commissioner Ducrou asks "What's the 65% for the third year?" Chief Nisbet responds "\$282,000 and that's the match without taking into consideration the differences in the pay, that's just first year wages. I don't know what the weighted cost is yet, because I don't know what my weighted cost is going to be in 3 years." Commissioner Ducrou states "Well you know what the costs are based on their salaries now." Chief Nisbet responds "but I may be looking at a 14.1% increase in workers comp by state statute next year, and the big one of course, is retirement and health insurance. Every year, that's our dice. This year, our health insurance came in at 3% increase. That's the lowest one I've had since I've been here. Usually it's anywhere between 9 and 15%." Commissioner Ducrou asks "What happens when you get to the third year, do they expect you to finance it?" Chief Nisbet responds, "Well, if we accept it, without the waiver, yes, they will expect you to cover the cost. Or they're going to want all their money back. Just like any other normal year that they've done it before. So, the big thing for us is we've got to get the waiver. We've got to have the waiver with it. I'm pretty sure they're aware of it. I think I wrote a pretty good story in there. Telling them everything that's been going on." Commissioner Ducrou states "But we won't know that until after November." Chief Nisbet states "We won't know that until after November 1<sup>st</sup>." Chief Nisbet adds "I am confident that if there was anything else that Naomi could tell me, she would, but she can't. I kind of got the indication was, "Just listen to what I'm telling you, do this, do this, do this..." but of course, Laurie and Ron, you and I know Laurie for years, and Laurie's on it and Elizabeth Hardin works for IAFF now, who was with FEMA, she's working on it. But we're not the only ones in this. Detroit's in this, Saginaw's in this, City of Fort Myers is in this, and City of Fort Myers is going to lose 21 firefighters in 6 months. They are in the same boat as we are." Commissioner Ducrou states "City of Fort Myers has different priorities than we do." Chief Nisbet states "I get that, but we're not the only department that's in this. And I can't complain about SAFER, because they've given us money for eight years. Eight out of 9 that I've been here, I've been able to get SAFER funding. I really can't complain about them, but we're just not there yet. This was our best year of recovery and it was just under 9%, this was a banner year for us this year for us, and it gave us an additional \$80,000. We're headed in the right direction, it's just slow." Commissioner Cook states "Well, you know what I was thinking about this, we should come up with another way to fund the department." Chief Nisbet responds "We tried that." Commissioner Cook states "Well, we need to not quit. This problem is never going to leave. In eight years everything's going to be great and nine years it's going to take a big dive again." Chief Nisbet states "Then give me some direction, tell me what you want me to do, and be prepared to pay for the stuff.

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Just tell me what you want me to do and I'll do it." Commissioner Cook states "I'll come talk to you about it." Commissioner Ducrou states "Time will fix it, but I thought it would take 12 years, that was my calculation when we got into this hole, based on the Save Our Homes, it would take 12 years to dig out of the hole." Commissioner Cook states "But it doesn't fix it, it just gets us back to where we were. It doesn't fix anything. Then we go down again. The economy does this (He motions with his hands), it doesn't stay straight. You know, every twelve to fifteen years it'll take another dive again." Commissioner Ducrou states "Well, I never saw it take a dive like that." Chief Nisbet states "I don't think we'll see... (there are multiple people talking now and inaudible) ...but I think you'll see us level off a bit. I don't think you'll see a significant drop, but I think you'll see where it will level off for a while, where our values will level off, but I don't think we're there yet. Because really, the things that we've got coming over the next couple years is new construction. We've got Pritchett Parkway that's moving along very well; Babcock at 3-5 years, and we've got some other people looking at some other stuff, we do have some new construction coming in the area, but again, like for example, Pritchett Parkway, I'm not going to see a dime out of that for 18-24 months. It'll be 18-24 months before I really start to see a significant amount of revenue out of that." Commissioner Ducrou states "And if people shift their houses, you know, take their Save Our Homes with us..." Chief Nisbet responds "Well, the portability only covers, and Doug, you just went through this, it only covers the amount that you're saving." Captain Underwood explains "Well, my house value on my other house, taxable value was like \$125,000, but I was only paying tax on \$75,000, so I'm able to bring \$50,000 with me. So I just knocked \$50,000 off my taxes." Commissioner Cook says, "just the difference." Chief Nisbet states "Right now, portability only affects us by \$800,000 in taxable value, that's right from the property appraiser's office." Captain Underwood explains further, "if they're coming from an equal valued house where they don't have a large gap between their assessed value taxable value, if there's not a huge gap in there, it won't be a big difference." Commissioner Cook adds "And people don't have a lot now because it went down so low. You know the values went down; it would have been a lot better when everything was bumped up. There was a time when I had about \$110,000 difference." Chief agrees saying "If that was the case now it would have a significant impact on us." Commissioner Ducrou states "Well we have that significant impact now because they did it to everybody. Instead of portability they did it to everybody that's already in your district, because they lowered the values in your district." Chief Nisbet states "Well, the one thing, and I'm still waiting to hear some information, we'll still get an updated number here this month. We still get one more updated number which is nothing really major, but the one thing that we're still waiting to hear on is sales, and talking to the Property Appraiser, we had a lot of sales in our District this last year, and the new sales price becomes the new assessed rating, so that's one area. Actually, one area we really improved on our Ad Valorem income was BayPointe Yacht & Racquet Club, a lot of condos got sold this last year. A lot of people bought low and now they're getting their money and they're getting out and that's the new assessed value for that condo. Commissioner Cook

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agrees, "Every time I look there's one for sale in there." Chief Nisbet concludes stating "Anyway, these are, and I'm not asking for any direction on this tonight, if any of you want to come meet with me on this, these are the three scenarios I'm working with; but I will tell you, with the exception of wages and SAFER income, all the other line items are the same. Whatever adjustments were made, or whatever increases were made, our liability package went down a little bit, our vehicle insurance went down a little bit, right now, health insurance we're looking at 3%, dental was at 4%, and I'll cover some more of that with you in executive session. Everything else we're leaving the same." Vice Chairman Griffin calls for any more questions. Hearing none, he asks Chief if he was going to cover the Xerox Machine here. Chief Nisbet says "yes, I was going to cover it in Chief Items or new business, either way." Vice Chairman Griffin moves on to Chief Items.

**Chief's Items** – Chief Nisbet states "Commissioners, over the past couple years we've been milking our station copy machine along. Getting bids this year, we met with Xerox, as you can see, even with the quality of the copies you have in your packet, it has been dying a long, prolonged, slow death. The current copier, Doug and I figured out is 17 years old." Commissioner Cook asks, "Are you kidding me? I could have sworn we got that since I've been here. We did something." Chief Nisbet states "We went from a lease to a purchase." Captain Underwood explains, "We got it on a lease that started around 2000 and we purchased it when the lease was up, it was cheaper." Commissioner Cook states "I remember, I know that we did something. I've only been here 12 or 13 years." Chief states "yes, it is 17 years old. There are 2 proposals that are in front of you right now. One is a lease purchase option at 48 months which is \$128 a month, there are some costs on copies which is not really significant, the first 3 or 4 months on it is free, it also includes service, so we just have to pay for our consumables; the other is a flat out purchase for \$5,139. It's your pleasure, I would recommend we do the lease purchase we get the maintenance free for 4 years, it comes with it, we don't make a whole lot of color copies, what we do make, we need; and we have got to do something." Commissioner Ducrou asks "If you bought it outright, am I reading this right, they're still going to charge you per copy price?" Captain Underwood explains, "The per copy price is the maintenance contract that covers maintenance and toner and repairs." Chief Nisbet states we just looked at something that would make copies that we could print CPR cards on, do legal size that had a stapler, and a finisher. This one doesn't have a fax; it does have a scanner, which will be better for us, but it is expandable that can grow with us if we need it to. We were going to try to get past October to deal with this, but we've got to do something. I haven't bought anything for the office since I've been here; with the exception of some chairs and a couple computers. I have not replaced phones or anything. We've got to do something." Commissioner Griffin asks, "You saying this lease is a four year?" Chief Nisbet responds, "Yes. It's about \$1000 difference between the lease payments and the purchase." Commissioner Ducrou responds "It's more. It's \$4279 and it's \$6179 for your lease." Chief Nisbet corrects "5139 Commissioner."

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Commissioner Ducrou states, "That's great, but did you guys try to get this from multiple companies?" Chief Nisbet states yes, we had one guy come out, said he was going to hook us up, never heard from him again. The company that we're dealing with now, they brought something else in, but they wouldn't give us state bid price, Xerox gives us state bid prices, this is the state bid, so this is the machine Forestry uses, FHP, anybody, this is the one that got approved." After a brief pause, Commissioner Cook asks "So we still thinking about this or what?" Chief Nisbet states, "I want you to tell me which one you want me to do." Commissioner Ducrou asks "You want to buy it tonight?" Chief Nisbet responds, "Yes, I need to replace that, it's got to go." Commissioner Cook states, "I think we'd just purchase it, but..." Commissioner Ducrou states "I would too." Commissioner Cook asks, "Can you still get one year with it? The lease is not like you're getting it for free, you're still paying, what, \$1200 for it? You're still paying for it, it's not free." Commissioner Griffin adds, "Plus the copies." Chief states "I'll get some clarification on the copies, but, that is the maintenance agreement is on that sale purchase, but I wasn't planning on bringing this up tonight, but by late this morning, it was pretty evident that we had to do something." Commissioner Ducrou states, "as long as you guys checked with multiple companies..." Chief Nisbet responds, "We have, we've made multiple contacts, the biggest thing is getting somebody to come in here and talk to us." Someone asks "What are other fire departments using?" Chief Nisbet responds, "Most everybody is using this machine." Commissioner Ducrou states "We don't have anything Xerox at the airport; but, it's what you got, it's what you got. Motion to approve price at \$5139 for replacement with Xerox copier C8035H model." Vice-Chairman Griffin calls for a second. Commissioner Cook turns and asks the audience that's present "You guys think it's funny; you think we need a copier; pretty much?" Commissioner Ducrou says, "He's the one that tells you, you need a copier, not them." Commissioner Cook laughs saying, "I was just saying...; I'll second it." Captain Swindle states, "If it helps you make your decision, there's another cheaper, smaller copier, I don't know how much printer ink costs, the problem is having it print off like that, so we're probably spending more money trying to do color and other stuff like that, the ink cost more than the printer." Commissioner Cook agrees, "I just did the same on the little tiny thing I got, it was ridiculous, you could buy a new printer cheaper than I was buying the ink for it." Captain Swindle agrees, "The ink costs more than the printer on the little ones; so we probably end up saving even more money over the next five years buying equipment over the other printer." Commissioner Ducrou asks, "So we going to eliminate the other printer then?" Chief Nisbet states, "Well, Theresa still has... Oh, the big one? It's gone." Captain Swindle states, "The little one... Oh, this one, you say it prints color?" Chief Nisbet states "Yes, we could actually move everything into this one." Captain Underwood states, yeah, we have the one HP that..." Commissioner Ducrou states, "As long as we kill the other ones that are costing us toner that we don't need, then...let's be smart about it." Commissioner Cook states "Put it all into one." Vice-Chairman Griffin states "Motion has been made and seconded, any opposed? Hearing none, motion passed." He calls for Commissioner Items.

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**Commissioner Items** –With no Commissioner Items offered, Vice-Chairman Griffin calls for recess for Executive Session 7:35

**Executive Session**

**Reconvene – 8:00** Vice-Chairman Griffin calls for Public Input.

**Public Input** –Hearing no public input offered he calls for motion to adjourn.

**Adjournment** - Commissioner Ducrou moves to adjourn. Commissioner Cook seconded the motion, and with none opposed, meeting adjourned at 8:00p.m.