

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
December 09, 2014

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

**Pledge of Allegiance**

**Invocation** – Commissioner Hansen

Commissioner Ducrou – Present  
Commissioner Hansen – Present  
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 Public

**Minutes** – Review and Acceptance of the minutes of the October 14, 2014 Board of Commissioners meeting. Motion made by Commissioner Hansen to accept the minutes. Commissioner Griffin seconded the motion. Chairman Ducrou calls for questions or comments. With no questions or discussion and none opposed, motion carries.

**Financial Report** - Review & Acceptance of the October and November 2014 financials. Commissioner Cook moves to accept the October and November 2014 financials. Commissioner Hansen seconded the motion. Chairman Ducrou 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 Ducrou asks if the IAFF/GIS Study is available electronically. Chief Nisbet states what he has is just a draft at this point; and there have already been a few errors that require correction, however, he will make it available to Commissioner Ducrou and anyone else who is interested. He adds that it is pretty impressive the work they have done and they didn't charge us for it. Commissioner Cook inquires what it is. Chief responds, they took our manpower, where we are at right now with the two layoffs, looked at 1710 and 1720 response capability, call data, and with our GIS mapping that Lee County has here, and determines our capabilities and operational needs to meet 2 in 2 out initial response as compared to 1710 and 1720. He continues with an example, one portion of the plan talks about being able to assemble 2 in 2 out within the first 8 minutes of a fire. Taking volunteers out of the equation because there's no way to guarantee that we'll have that response. Right now, we meet it zero percent of the time. With the return of the personnel with the SAFER grant, we would meet it 78.95% and the areas we don't meet it is strictly on travel time because of some of the dirt roads and stuff. As soon as he gets a copy, he states, I'll make sure that each of you receives a full copy. They'll give us a full bound copy. He continues, where this is really going to help us significantly, in the short term, is one of the SAFER grant requirements is

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whether you've done a validated scientific type, manpower study; and I've always been able to say we do an internal study, but we've never had one of these; now we'll meet that requirement and that's going to be big points on our application. Commissioner Cook states, just more proof that we don't have the manpower. Chief agrees. For us it just validates some additional stuff that we don't already have. Chairman Ducrou calls for any other questions or comments. With no further discussion or questions, Chairman Ducrou calls for Petitions.

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

**Union Petitions - None**

**Old Business – None**

**New Business –**

- **Swearing in of elected officials** – 8:15 Commissioners Hansen, Griffin & Klos rise, raise their right hand and take the oath to swear in by Chief Nisbet.
- **Election of Officers** – Commissioner Cook nominates Commissioner Ducrou for Chairman of the Board. Commissioner Klos seconded. Commissioner Cook asks if there are any other nominations. Hearing none, Commissioner Ducrou accepts the nomination stating he wishes to be more involved in the negotiations and the District this next year. Commissioner Cook nominates Commissioner Griffin for Vice Chair. Commissioner Ducrou seconded the motion. With no other nominations, Commissioner Griffin accepts the seat. Commissioner Cook nominates Commissioner Klos as the Secretary/Treasurer. Commissioner Griffin seconded the nomination. With no other nominations, Commissioner Klos accepts the seat.
- **SBA Funds** – Chief Nisbet advises the Board that the funds invested in the SBA that have been frozen for a number of years now, are finally 100% liquid. He requests permission to transfer those funds to the Money Market account and close the SBA account. The Office Manager states the Board will have to actually do this, but she will get the paperwork arranged if this is the Board's directive. Chairman Ducrou entertains a motion to move the funds to the Money Market account and to close out the SBA account. Commissioner Hansen moves for this action. Commissioner Klos seconded the motion. Chairman Ducrou calls for any discussion or opposed and hearing none, motion passed unanimously. Commissioner Hansen asks how much is in that account. Chief Nisbet responds it's between \$13,000 and \$15,000. Office Manager states it's on the balance sheet. While she verifies, discussion continues. Chief states we are researching other options for our banking business and it used to earn good rates, but it's less than ¼ of 1% now. We are starting to get some interest from other banks. Commissioner Ducrou asks where we are looking to go. Chief Nisbet responds that Stonegate Bank has expressed an interest. Commissioner Ducrou asks where that is. Chief states it is a local bank that he believes used to be Countryside Bank, that was absorbed by a larger group; but

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also adds that Commissioner Hansen has also mentioned a banking group he deals with that also has some cities and counties using it, because I'd like to start collecting some interest on our money. Office Manager states the SBA balance is \$15,421.11. Commissioner Hansen states his is in Orlando, but he can call them at 8:00 in the morning and ask for something and by 10:00 it's in his bank here, but they're paying him 4 and ½ percent. Commissioner Ducrou asks if Stonegate actually has a bank here in Ft. Myers. Chief Nisbet confirms. He adds that they actually came in and met with us. Office Manager states they actually gave us a proposal for the line of credit. Chief adds that they expressed an interest in the rest of our banking business as well. Chief Nisbet states that Capital Bank is not bad, but they were better. Commissioner Cook agrees, they were definitely a lot better at one time. Commissioner Ducrou asks Office Manager if we have to physically go to the bank all that often. She replies, we hardly ever do, we have a machine from Capital Bank that we can deposit checks, but when there is a cash donation or a small records request paid in cash, and then we do. Commissioner Hansen states that it is mostly a relationship on the phone.

- **Chief Nisbet states that the Stoneybrook North project is starting to gain momentum.** On Tuesday at 9:30 they have a public hearing regarding the establishment of their Community Development District which is really the last hurdle they have to break ground. I just want to get some direction from the Board because I plan on attending the meeting; do you want me to speak in support of this project considering our current economic conditions; should they ask for any public comment? Commissioner Cook asks if they are going to ask Chief if we want it. Chief states they will ask for public comment; being the Fire District, and over the life of the project, that will, just using \$200,000 as the median household value, would generate another \$750,000 annually into our budget. That's at completion. Commissioner Cook asks if they need us to speak in their support for this to go on, or do you just want to offer this up. Chief states he could offer it up, but if they do ask for public comment, he would like the Board's direction. Commissioner Cook asks if we are going to make enemies if we do, or do we just keep our mouth shut. Chief replies, no more than we've got right now. Are we fanning flames? Commissioner Hansen states there's going to be some stringent opposition. Commissioner Cook states, I see, you're trying to give them a voice that's for it. Chief Nisbet responds, yes, and I think, just strictly looking at the budget... Commissioner Griffin states he's for it. Commissioner Cook agrees, I don't have a problem with it, but I was thinking why offer it up, I don't know if they need our Attorney to move forward. Chief Nisbet agrees with Commissioner Hansen, they could face stringent opposition; they could be at our next meeting wanting to know why Chief Nisbet was there. Commissioner Cook agrees, they did that before, so I don't know why they wouldn't do it again. Commissioner Cook states I just don't know why our one statement is going to make a difference as to whether they go on with this project or stop it. Chief Nisbet states, I think as a County, leadership looks at this. They're going to look at the benefit of the project, and of course it's going to benefit them as well. Commissioner Cook states that whatever you're going to tell them, they already know. Chief states, I'm going to attend the meeting either way, I

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just wanted to know if I need to get up and speak, or I'm asked or feel we need to get up and speak; if there's no opposition, I probably won't get up and speak, but I think with the County Commissioner, especially with the issues that we've had, and with the one County Commissioner that was adamantly, in my opinion, inflammatory in his comments regarding this District, and his inability to understand exactly what's going on in this district, I think we need to put the message out there that we need the financial backing of the project for long term survival. Commissioner Cook states a letter to each commissioner would do the same thing. Chief states that a letter cannot be read into the record at a public hearing; a letter or an email gets looked at and may or may not... Commissioner Cook asks if they post their letters they get, because I remember Desoto County, every letter you write to a Commissioner is posted on-line. Anybody can read it. Chief does not know. Commissioner Cook was just asking if they have a place they put letters. Commissioner Ducrou asks if we know what's on the agenda, what specifically is on the agenda for this. Chief states, there's a lot of County business, Constitutional offices... Commission Ducrou is referring to the agenda for this portion of it. Chief Nisbet replies all this is, is to develop the Community Development District, and they have to have a public hearing on the development of the Community Development District. Commissioner Ducrou states, so it won't affect, even if they vote it down, having the Community Development District, the project is still going ahead, it would affect if they want to alter the plans in the future, the steps they would have to take or who they would have to do it through, but as far as Development Order, it's not going to affect that... Chief Nisbet agrees, actually I think you are correct; it won't have an effect on the development itself... Captain Underwood states, the Development Order has already been approved. Commissioner Ducrou states this is the first he's heard of this Association that actually has more control over amending their development order, I'm not sure if I... that's kind of like the wolf guarding the hen house, to a certain extent, I don't know how, I haven't seen it, I... Captain Underwood states that pretty much all the new communities going in have a Community Development District, and they have a Board of Directors, just like your homeowners association, but they have... Commissioner Ducrou asks but what can they change, for us, we had Pritchett; and he was the only person and he was in control of everything, but he couldn't change the development order. What authority do they have to alter; I mean if we are going to support them, I'd like to know what they can change. Chief Nisbet states, I think the development order for the size of the project, they don't have any authority to make any changes on that; but they'll have the authority to impose design changes, I don't think they'll have the authority to change density, I don't think they can change anything along those lines, I think what it gives them is the ability to control design standards, the ability to maintain infrastructure, and my gut feeling is, that it gives them the ability to float bonds on their project to bring the water system in and what they are going to have to do in re-aligning Pritchett Parkway. Captain Underwood agrees that the biggest portion of it is financial. They have a board of directors to financially oversee the project and the utilities and seeing the project maintenance that has to be maintained by state statute. So this CDD, like a homeowner's association they have to by law maintain that stuff and keep up with it. Commissioner Ducrou states, and right now that's on the Developer himself and he wants to turn it over to a Board. Captain Underwood states, yes, and

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he has elected his Board members to oversee until it gets to a certain point where the community itself takes it over and becomes self-sustaining. Chief states and I imagine a project like this probably has more than one investor into it, so it probably insures equal involvement of all investors. I think Captain Underwood is correct; it is probably more of a financial stability aspect for it than anything else. Commissioner Cook states, so our approval or disapproval of it doesn't mean a thing. Chief states, it very well may not. I don't know what is going to be said. Commissioner Ducrou states I can't imagine why the county would want to deny it; this is in from of who, the County Commissioners? Chief Nisbet confirms that is correct. Captain Underwood states, yes, and the County staff has already recommended it. Chief states, but I can tell you there'll be one County Commissioner fighting it, in my opinion. Commissioner Ducrou states if it doesn't change anything about the development order, I'm not sure what grounds he'd have to... Commissioner Cook agrees, then it would have no Board to oversee it, so it would be a detriment. Commissioner Ducrou states he personally is not against it, based on the information he knows now. And personally, he adds, he doesn't care if the Chief speaks in favor of it. He asks the Board their opinion. Chief Nisbet states he wasn't planning on speaking unless he felt he needed to speak. Commissioner Ducrou states, it doesn't matter what comes out, you're always going to have that core group of people who don't want anything, and they're always going to think that we want everything no matter what it is or what it looks like; and you're just never going to change that. And after the whipping we took two votes in a row, I honestly don't care about tip toeing around it. Commissioner Cook states I understand that, I just don't think we should give them ammo when there's no benefit to us to give them ammo. Commissioner Ducrou says, we're already shot, we've got half a department, what are they going to do, shoot the other 2 guys? Commissioner Griffin states, the way I look at it, what's it matter, it's not going to change the way they feel. Commissioner Cook states, that's what I'm saying, it doesn't matter whether he speaks or not, it's not going to change anything. Commissioner Ducrou states, I think with any of this, if we feel strongly, that the project has merit, then we should say that. Whether it affects it or not, I think we should put it on the record. That's my belief with it. Commissioner Hansen asks if we believe there's merit. That it bills out \$750,000 a year? Commissioner Ducrou states, there's definitely, as far as a final project, it'll definitely sustain... Commissioner Hansen states, I don't know what it'll get impact fee wise, during the project coming out... Chief Nisbet states, for every single home it'll be \$369 for impact fees. That's not taking into consideration the clubhouse that's going 'o go in there and stuff, that's going to be three hundred and some dollars for every thousand square feet. Commissioner Griffin adds, and the lagoon. Commissioner Ducrou asks how they're going to handle impact fees on that seven acre pool. Chief Nisbet doesn't believe we'll get impact fees from the pool. We might get one off the cabana. Commissioner Ducrou states we're going to have to have a lifeguard certification here. Captain Underwood states we discussed that and I believe they do it based upon the value of the project. Chief states I haven't had to deal with that yet, so I couldn't tell you. Commissioner Cook states, that's fine; it is a big benefit to us. Commissioner Ducrou states I think it's a worthy development, it's not like somebody's putting in a low value trailer park with 5000 units. From everything I've seen it's not going to

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take away from the community. Commissioner Cook states I don't think it's going to hurt it a bit. Commissioner Hansen asks what the homes are starting at. Captain Underwood states, I believe they are going to have a builder who is going to put in homes starting in the \$200,000 plus range. Chief Nisbet states that he believes the lowest is \$175,000. Commissioner Hansen agrees, he saw \$175,000; but there was only so much of that. Chief Nisbet adds that there are also going to be some that are high-high dollar. There are only so many of those. Commissioner Hansen said they're something like \$500,000. Chief agrees, and the average or median is like \$200,000 or \$250,000. Commissioner Cook states, you have to realize though, when they said \$175,000, that home now is \$200,000. He continues, because I just had some stuff appraised, well, my grandmother's house, now it's \$220,000. Eight months ago it was hard to get \$195,000. Commissioner Ducrou agrees, the market is coming back really fast. Captain Underwood states there's also a handful of multi-family that's going to be close to the lagoon/pool area. Commissioner Ducrou asks if the pool is on the inside. Captain Underwood states it is on the east side, probably about dead center. Commissioner Ducrou entertains a motion to offer Chief the ability to speak if he feels like he needs to. If it's going to benefit us at this meeting coming up Tuesday at 9:30. Commissioner Ducrou moves, and Commissioner Griffin seconded. With no further discussion and none opposed, motion is passed.

- Chief Nisbet states one other thing – The new air packs, with the Assistance to Firefighters Grant will be shipping on December 15<sup>th</sup> and we should have them 10-15 days after that.

With discussions ended, Chairman Ducrou entertains a motion to adjourn. Commissioner Hansen moves to adjourn. Commissioner Griffin seconds the motion and with none opposed meeting is adjourned at 7:29pm.