

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
October 10, 2017

Meeting called to order at 7:03 p.m. by Vice-Chairman Griffin

Invocation – MOS

Commissioner Ducrou – Excused
Commissioner Hansen – Excused
Commissioner Cook – Present
Commissioner Griffin – Present
Commission Mere - 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 September 12, 2017 Preliminary Budget Hearing. Motion made by Commissioner Mere 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.

Review and Acceptance of the minutes of the September 12, 2017 Board of Commissioners meeting. Motion made by Commissioner Cook to accept the minutes. Commissioner Mere seconded the motion. Vice-Chairman Griffin calls for questions or comments. With no questions or discussion and none opposed, motion carries.

Review and Acceptance of the minutes of the September 26, 2017 Final Budget Hearing. Motion made by Commissioner Mere 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 September 2017 financials. Chief Nisbet advises we normally close out the 2017 budget year in this meeting, however, we can't do that yet, we're still compiling all of our data from the storm, and putting everything together, but right now, we just have 4 days of payroll, credit for the SAFER still has to go in, Impact fees, some fuel, some other things have to be added to it, so we'll have the 2017 budget for you to close out at the next meeting. Commissioner Cook says ok. Commissioner Griffin states, that's the budget you're talking about, not the financials? Chief says "Right, but I just wanted to cover it while you were looking at the financials." Commissioner Cook moves to accept the September 2017 financials. Commissioner Mere seconded the motion. Vice-Chairman Griffin calls for questions or comments. With no questions or discussion, and none opposed, motion carries.

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Fire Marshal and Administrative Reports (attached) – Chief Nisbet states there is no Fire Marshal report and reads Administration Report into the record. He corrects one entry relating to the amount of rock brought in, changing it from 100,000 Pounds to 100,000 Tons. He also adds to his report that we are, as of the meeting, already over our **total** call volume for last year. We're in new territory this year. He concludes his admin report and invites questions. Commissioner Cook asks if these structure fires are in our district. Chief Nisbet responds that he believes 2 were and 4 were mutual aid calls. He states he knows for sure that 2 were in North Fort Myers. Commissioner Griffin asks if all these good intent calls were during the storm period. Chief Nisbet responds, no, they're all over, here and there. They were anything from doing welfare checks to somebody smelling smoke. Commissioner Griffin was just wondering if there were more than normal. Commissioner Cook wondered if they were mostly post hurricane. Chief Nisbet states he believes that in just over 2 days we did over 60 incidents post Irma. Chief states that a lot of that call volume is due to the hurricane, but, on just the day to day stuff, when if you look at the numbers, just the day to day stuff, we're busy all the way across; our biggest increase that we've seen so far this year, of course was during brush fire season, we actually had a fire season, so we expected to see an increase, but we're seeing increases in everything, in the structure fires, EMS calls, false alarms. This time of year, we usually do 1 or 2 calls a day, this year, on average we're doing between 3 and 5. We're just busier right now. Commissioner Mere asks what constitutes a severe weather call. Chief Nisbet responds, wind damage, lightning strike to a structure, go check tornado damage, flooding. Commissioner Cook asks what percentage of our total calls do you think is in our district and what's mutual aid? Captain Underwood responds that most of our calls are within district. The mutual aid would be some of the structure fires... Chief Nisbet states, he would say that less than 10% are mutual aid calls. Commissioner Cook states, so basically the only ones would be the structure fires. Chief Nisbet states pretty much that is it, or we cover a rescue call for station 3, because they're slow, but that might happen, maybe once a week, if that. Commissioner Cook states, and in brush fires you'd go out of district too. Captain Swindle states that brush fires are our largest one. Commissioner Cook states the two vehicles are probably in district, right? Chief Nisbet responds, Right. Commissioner Mere asks, Out of curiosity, on our mutual aid, how many of those stations are coming back to us. Chief Nisbet responds, nearly all of them, a majority of them. If we go on a Strike team call out or something like that they're going to come back to us when we have the big one, like if we go to Collier or something. Commissioner Cook adds Lehigh. Chief Nisbet agrees, but Lehigh, they'll send us a tender if we need it for water, if we go to a second alarm, or a third alarm on a fire, we'll probably get Lehigh Acres engine or a ladder, depending on what kind of building it is. Commissioner Cook states, most of it is probably done with North, correct? Chief Nisbet agrees, yeah, most of it's done with North, Shores, Tice, Alva; Alva is not as frequent, but I'd say our two most frequent mutual aid partners are Fort

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Myers Shores and North Fort Myers. Commissioner Cook states that's the way it should be; they're the ones right next to us. Chief Nisbet states and then Charlotte County; Charlotte County is either feast or famine; we're either running a lot with Charlotte County or we're not, and now that they've increased the staffing out at that station we're not going up there nearly as much as we used to. Commissioner Griffin asks if they're running two trucks out of there now, or what? Chief Nisbet responds, just one right now, with 3 personnel; they are planning on, hopefully with-in the next year to have an ambulance up there. But the area that's up in here, off of Nalle Grade, we're still getting those first out because they have to come all the way around. There's just no way for them to come from anywhere else. Captain Underwood states that our mutual aid, when we get out annual report, every year, we get it in January, first part of February, depending on when I get my report to them, it tells exactly how many mutual aid calls, and we give that annual report to the board, I believe, in our February meeting. Chief Nisbet agrees, "Yeah, you'll have everything in February." Commissioner Cook states, "Yeah, I know which report you're talking about. Chief Nisbet states, and usually, that's what it is, and of course, you know, with the automatic aid, that helps with ISO ratings and all this other, that's why we did it, now if you go to some of the departments down south, they're doing closest unit response with the AVLs so I don't know how they're tracking their mutual aid calls, how they're doing it, but they're just closest unit response down there, they don't even worry about areas, and districts and stuff like that. Vice-Chairman Griffin asks for any other questions. Commissioner Mere asks Chief, "When you're working with EOC, do they pay you a certain amount as well?" Chief Nisbet responds, "No, but my time, because the way my contract is written, when we go under a declared state of emergency, any time that I'm over my 40 hours, is time and a half, which is refundable with FEMA declaration, so, and if it was a declared incident, I'm there pretty-much whatever they need to help them out to do whatever we have to do." Commissioner Mere states he was just curious how that worked. Vice-Chairman Griffin asks again for any other questions. With no further discussion Vice-Chairman Griffin calls for Petitions/Public Input.

Petitions before the Board/Public Input –None

Union Petitions - None

Old Business –

- SAFER UPDATE – Chief Nisbet states "Commissioners, as I have detailed in the Administrative Report, on our SAFER denial, when we received the notice, it was very disheartening, and when I actually got a chance to reopen it and take a look, after I got mad and closed the computer and didn't want to look at it, I actually realized the letter had been written completely different, and when I got a chance to look at the 4th paragraph, it was very clear to me that we were in the running. We were right there. I think that the people that manage the awards, I think their hands got tied the way some of the language was in

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the grant. I think they tried to help us out but they got mandated to have everything completed by September 30th. I actually kind of figured that was going to get pushed off a little bit with all the FEMA employees being tied up in other areas, Texas, here, and in Puerto Rico; I thought we'd have a little bit more time but that wasn't the case. So, speaking with our grant management specialist up there and with Ron at the IAFF, Ron Benedict; the new application period is probably going to be 60-90 days out. They are pushing to have it go back to some of the language that was before where it will cover waiver on fees and costs, and we don't know yet on matches and stuff like that, they're trying for that. Because we weren't the only agency that got impacted here; Saginaw Michigan is one that pops into the top of my head, again, a lot of the big city departments did well on this, but regardless, we're losing 6 firefighters. We're going to be dropping down to 2 per shift November the first, actually, probably even before that because we've had 3 firefighters hired by other agencies already. Ara Hagopian got hired at Estero, Ryan Gralinski got hired at Pine Island, and Sean Linehan got hired at Bonita Springs. Charles Triggs is number 2 for North Fort Myers, most likely he's going to be hired right in November, so we still have 2 guys that we're working on and one of them has tested at Cape Coral, and is going to put in at Lehigh and some of those agencies. Again, I'm going to meet with the volunteers on Saturday and explain to them we need them to start coming in, doing their part and stuff, and I'm going to try and have something for you in November to get approval, maybe something like a per diem or something to entice some of these volunteers to come in and do some standby time. If we do a per diem, and I'm just throwing this number out there, let's say \$30 a shift, if they come in at \$30 a shift, we give them a per diem, helps cover some of their gas or food costs, whatever, some of these kids, if they do 3 shifts, it gives them some money to help with a bill, or it gives them money to do something with, it's something, and it doesn't fall under part time or anything like that, but we're going to classify that as a per diem. I talked with Labelle Fire Department that does it, and Nokomis Fire Department, and how they do it. Just trying to figure something out, just as a short term goal, we need 4 full time people per day, actually, we probably need 5. So what this gets down to is funding. And we talked about it a little bit in another meeting. Commissioner Cook and I have talked about it extensively, about assessment vs ad-valorem, so, when we get to the November meeting, I'd like to see if we can get a full board together, we need to decide what to do here. I need to get some direction. What do you want me to look at? If we look at an assessment, we're going to have to come up with some money, we'll have to do a study, it's going to take a little bit of time, we have the ability to go up a quarter of a mill, we can ask to raise our cap, we can go up roughly 25¢ on our cap, from 3.5 to 3.75. Again, it would require a referendum; anything that we do is going to require a referendum. But if we do it next year, and we do it during the primary, we don't have any cost associated, with the exception of ballot language. That's where our costs are. Just some food for thought about where we're at. My intention is when we

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get the language out and take a look at it, come back and see you, and go after it again, the SAFER grant again, regardless, because at least that will help us get moving in the right direction. We have things happening; it's just not here yet. We just don't have the numbers yet. Chief Nisbet invites questions. Commissioner Mere asks "of these 3 guys that got hired at other departments, they've already left and gone, correct? Chief replies "pretty-much this week." Commissioner Mere asks "Is it going to a lot us a little bit of extra payroll that we don't necessarily have to let them go on November 1st?" Chief Nisbet replies "No, they're under SAFER funding so if they're not here expending the funds I don't get to collect the funds. So it's not going to make any difference in our budget. I mean it will provide us maybe a little something in savings maybe in the benefits aspect, but nothing really major." Commissioner Cook states "it will save us money, just not in payroll, because we have to still spend the same amount, right?" Chief agrees, "there were things I budgeted the full amount, physicals being one, I budgeted for everybody..." Commissioner Griffin asks now that that's SAFER, we're not going to be penalized or anything for not filling those positions..." Chief Nisbet states "No, because we're within the last month of our grant, now because of the extension, I asked, How am I going to get somebody in here to work, they said don't worry about it." Chief continues "honestly, our grant specialist, I've been talking to her and I know that she, she really can't tell me a lot, I think she tries to give me some information, I think she was a little taken back, and Fort Myers got the same letter, that us and Fort Myers didn't get awarded. Fort Myers has 21 positions on SAFER, so I think a lot of their guys they're trying to find positions for through retirements and some stuff that are going to go on, but there's probably at least 10 positions that are going to be let go, but they're looking at February. They've got enough to extend to February; bigger numbers. So, November, bring me some ideas please. Commissioner Cook asks "Did you give any more thought to what we talked about, just one guy; trying to hire 1 guy?" Chief states "I'm \$107,000 off that." Commissioner Cook asks "For one guy?" Chief says "Oh, oh, for just one person, Well, to do that we would have to offer it to the highest paid person, so I have not crunched that number yet, and I have not had a chance to talk to the DVP, because they'd have to be on a different schedule if we're going to get the full benefit off that." Commissioner Cook states "Because I was thinking, like I said before, what happens when you, it's like anybody else's budget, if we have enough to pay for just one guy right this minute, as soon as we do all these layoffs, we still have enough for one person, I know it doesn't work right because we have 3 shifts, but it's still one person, it's got to save money on overtime and everything else because you've got one shift that's got one extra person on it; instead of doing overtime for all 3 shifts. Then when people are sick or on vacation, what are you going to do? Chief Nisbet responds, right now, when somebody has off, we have overtime." Commissioner Cook states, "That could help." Chief Nisbet credits the Captains, two of which are present stating "They're very conscientious of that and they do a lot of swaps, they try to help

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keep those costs down, our overtime costs this year, even though we're over budget, most of the reason we're over budget is because of the storms and the fire season. Looking at our numbers, they're still less than they were the previous year, that's because of the 3 Captains that really tried to help us do that. So, I'll have to look at that." Commissioner Cook states, "That number may be wiped out completely when we do have to pay overtime. That number could go bye-bye." Chief Nisbet states, it very well could, it depends, there's a lot of variables. That's the other thing I'm concerned about right now; I don't know what Irma's going to do to us. Do I think Irma will reduce our property values, no, I don't; but, do I think it could stagnate our increase next year, potentially..." Commissioner Cook states, "it could, yea." Chief Nisbet states "like we got just under 10% this year, maybe we don't do that well next year because of how the property appraiser looks at it. Lehigh and areas south of here took a bigger hit than we did, but like when we did the foreclosure issue, he kind of did all of unincorporated Lee County in one brush stroke. I'm hoping he doesn't do that this time." Commissioner Cook states "well, it's like I was telling Chief, if you have an extra \$60,000 in your budget and you don't use that toward personnel, next year or the year after that, who knows where that \$60,000 went. Just like your house, if you didn't spend it on what you needed to spend it on, that's not really there any more, it disappears." Commissioner Mere states "I have to agree, that if we don't utilize that money, and we try to go back to the public, we're going to ask for an assessment, then they're going to come back into well you're not utilizing the entire budget you have." Commissioner Cook states "No, we would utilize it, that's what I'm saying, it just wouldn't be towards personnel. We'd be sitting at this table for the next three years trying to save up enough money for 3 guys. When if we hired 1 now, then next year, when we have enough to hire another guy. Then we've got 2, in 3 years, you might have 3 guys. Instead of trying to save up enough money in the budget to hire all 3 at one time. Because next year, that \$60,000, whatever it is, \$55,000 may not even be in the budget anymore, next year. So now we're starting from scratch again, trying to get one more guy." Commissioner Mere states "It's a matter of how you figure it out. Why couldn't we propose that a 4th person, which would be kind of an oddity, works 5 eights? Works Monday through Friday." Commissioner Cook states "That's what I was talking; do some 12 hour shifts or something, during your busy time of the day." Captain Swindle states "That's assuming you have the money this year. Which you don't really have that." Commissioner Cook states "We should have that. I thought we would have the money for 1 person." Chief Nisbet states "We have \$66,000 that came in that was off of SAFER, well, potentially, because now the people leaving us, \$30,000 of that's got to go to the other budget, whatever the carry forward is, we underspent the budget, I don't know what that number is, but we did have some money there, and you're right, it was about 1 employee, a little over 1 employee salary, because right now, the weighted, now this is just the basic firefighter, I'm using Charles Triggs as the example, because he would be the first person back, I don't know what his

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weighted salary is, but the weighted of a first year firefighter is roughly, about \$64,000-\$65,000. And that's including benefits and everything like that." Commissioner Cook states, "Even if it was a bit of a struggle, you would still have that person. And next year, if our budget went up \$50,000 or \$55,000, maybe we could add another person to it." Captain Swindle asks "Why couldn't you create a line item to set that money aside over the years? Commissioner Cook states "We can, but it's like a savings account for your house, when the money is sitting there it ends up, something will happen. Something will break; something will have to be replaced. And then we have to steal from that." Chief Nisbet states "It's funny you brought that up, that's what happened last week." Commissioner Cook states, "Well, no, it just happens, it's just like your home, you know, your roof starts leaking as soon as you've saved up \$10,000." Captain Swindle states "But if you stretch it so thin that you're going to try to pull a person in right now just to have that third person on one shift, what happens when the roof needs replaced or the A/C." Commissioner Cook states "Well, we have budgeted for repairs and maintenance, we have those things. We have Reserves that are for rainy days. That's what the reserves are for." Chief Nisbet states "but they're so low..." Commissioner Cook asks "Am I right?" Chief Nisbet states "Nope, you're absolutely correct." Captain Swindle states "Emergency operations' Chief Nisbet agrees "Emergency operations, 90 days. I mean, really, do we have an extra rainy day fund right now, no, but we have 90 days." Commissioner Mere states "And the reality is we're trying to make this work for 5 years. In the grand scheme of things, in 5 years, I don't think we'll be having this conversation, as long as the economy..." Commissioner Cook states "Only if something changes. If we stay with the same antiquated system, we'll be here, because believe me, I've had this conversation 5 years ago, and it's exactly the same as it was 5 years ago. Twelve years ago we were sitting here talking about the same stuff. I've been here a long time and nothing's ever changed." Captain Swindle states "I'm going on 13 years and it's been the same old song and dance as far as construction coming in." Commissioner Cook states and they're always talking about the next big project coming." Captain Swindle states "they're turning dirt, but until the houses are occupied, it's nothing." Commissioner Cook states "Seeing the money, who knows how long that could be." Chief Nisbet states they're really taking off right now at Pritchett, but it's going to be 18-24 months before we see any decent amount of revenue come out of that. I mean we'll see changes in the property because it gets the development, you know, the value of the changes, we're going to see that,..." Commissioner Cook states "But even with that, let's say we do get that, we're still behind; we're still not caught up. We're getting more work, we're gonna have more work, we'll have more people living here, but we're still behind." Chief Nisbet agrees, "You're right, we'll have more work, but depending on the clientele that moves in there, the impact may not be as severe. For every, let's say a hundred homes, I might get 2 calls out of a hundred." Commissioner Mere agrees "yeah, and you have to look at what they're building, they're not building low income."

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Commissioner Cook agrees “yeah, they’re building them to code and everything.” Commissioner Mere states “and they’re higher end homes too.” Chief Nisbet states the rest of our values in the district are coming up but what kills us is save our homes. Don’t get me wrong, it’s not a bad thing, there’s not a person in here that doesn’t have their home homesteaded...” Commissioner Cook agrees, “It’s good for our citizens. I don’t want to give it up.” Chief Nisbet continues “but, because we don’t have a large seasonal influx like some of our more affluent areas in fire protection and stuff like that, where they have balanced out of that, where they are not held at the 3%, I think they get held at 10, but still, they can actually have some significant budgeting. So, how does our value change out here? Someone either has to sell their property or they moved into another house and they keep it as a rental property and they take their homestead exemption off it; or the values go up, and whichever is the lowest; either the market value increase in percentage, or the ad-valorem increase, whichever is lower, is what they get. So the most it could be is 3%.” Commissioner Cook states “Our big problem is we don’t have any commercial yet. Commercial and then large tracts of land, you know, large tracts of land they’re only paying a small amount of money.” Commissioner Mere states “That’s because they’re waiting to cash in on reality...” Commissioner Griffin states “We’ve got a range in property values from way low to way high; comparable across the county and we’ve got stuff...” Chief Nisbet states “I’ve got homes in the district that are worth maybe a little over \$10,000. And I’ve got \$10,000,000 properties.” Commissioner Griffin says “Exactly.” Commissioner Cook states “The problem is we have a lot closer to \$10,000.” Commissioner Griffin states “I would agree.” Chief Nisbet states “And you know our neighbors to the West, North Fort Myers, they deal with a lot of it too, they have a lot more commercial than we do, but for a large portion of their district, they’re a large trailer park. Honestly, that’s where they deal with a lot. They just took their millage rate to 3.5 just to keep their operation going of what they’re wanting to keep up. Now they’re going to have some changes coming up with a bunch of retirements over here that’s going to help them out quite a bit but they just had to put money back, I think it was 3 years, to buy that new engine. So it took them 3 years to buy that new engine because they didn’t want to finance it.” Commissioner Mere states “It’s a good looking engine.” Chief agrees “It’s a pretty truck.” Commissioner Cook asks “Where did they put that at?” Chief Nisbet responds “two.” Commissioner Cook says “Really? I didn’t know they got a new engine.” Chief Nisbet responds “Yeah, they got a new Sutphen.” Commissioner Mere states “Yeah, I got my first sighting of it when the car that was eluding the police officers, what, ah, Monday, come flying by my shop, made it up to Bayshore by Weaver’s Corner, couldn’t make the corner, went across into the turn lane and smacked the guy from Miller Plumbing.” Commissioner Cook states “Oh really?” Chief Nisbet states “Oh yeah, that’s the guy that stabbed the girl in the eye that was running?” Commissioner Mere states “It was a girl that was driving, she stabbed another girl. And she hit that van so hard that van was sitting up on 2

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wheels, and she got out of that car and took off running.” Chief Nisbet states I think it was Haugh that was in the van. I think it was John Haugh that was in the van. Herb Miller, yep.” Vice Chairman Griffin calls for anything else on old business. Hearing none, he calls for any more questions. Commissioner Mere states “No, I just think we just come up with a game plan for next month’s meeting, because I think we need to come up with some type of a plan.” Commissioner Cook agrees and states “We need everybody here. Because that never happens.” Commissioner Mere agrees. Chief Nisbet states “And please commissioners, if you guys want me to look at something, whatever it is, please call me and let me know so I can do some work.” Vice Chairman Griffin calls for new business.

New Business –

- **Authorization for Drafting on the Line of Credit** – Chief Nisbet states “Commissioners I’m going to ask you this year if we can go ahead and start utilizing the line of credit. I know last year we lived off of the reserves, we are going to impact that reserve line item a little bit already with the costs that are coming up because of the storm, and meeting some of the costs that we’ve got to do to close out the budget, but I also want to make sure we have enough money in case we have something like Commissioner Cook just said, have a problem with the roof, have a problem with a motor, Just last week we blew up an air conditioner. We were in the budget 2 days and I had to authorize the purchase of an air conditioner for \$5,100 because it was a ’96 model and the capacitor went out and when they put the new capacitor in, it was pretty bad, so our dealer did a great job, and that was \$5,100 for a new air handler, air conditioner, for all the operations side of the building. Installed and everything. They had it done in what, 12 hours, 14 hours, something like that. Commissioner Cook asks who did it. Chief Nisbet responds, Randy from Extreme Temp.” Commissioner Cook states “Oh, Challenger.” Chief Nisbet continues, “So, we need authorization to start utilizing the line of credit until we start seeing our ad-valorem dollars start coming in. And again, we’ll only utilize what we need to utilize, as we need it; we’re not going to take out large amounts and we’ll repay it as soon as we can.” Commissioner Cook moves to allow the use of the line of credit. Commissioner Mere seconded the motion and with none opposed, motion passes. Commissioner Mere asks how much we think we need to draft off of it. Chief Nisbet states “We only have \$250,000; we’ll probably have to use about \$200,000 of it because our monthly expenses are about \$100,000, depending on what goes on, actually, it’ll probably be a little bit less; we actually may only have to utilize about \$150,000 of it; but we only take off it what we need, in other words, if payroll comes up, we only take out what we need. And then I think it’s 4% annually that’s on our rate, but we pay it off right away. I think last time we used it, it cost us \$800. ” Vice Chairman Griffin moves on to the next item.

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- **Disaster Relief** – Chief Nisbet asks the Board to authorize Theresa and him to act on behalf of the District for any workings with FEMA for our reimbursement. Commissioner Mere moves to allow the Chief and Secretary to act on behalf of the Board to try and get reimbursed on any disaster relief funds. Commissioner Cook seconded the motion and with none opposed, motion passed. Vice Chairman Griffin calls for Commissioner Items.

Commissioner Items - With no Commissioner Items offered for discussion, Vice Chairman Griffin calls for Public Input.

Public Input - Hearing none, Vice Chairman Griffin calls for motion to adjourn.

Adjournment - Commissioner Cook moves to adjourn. Commissioner Mere seconded the motion, and with none opposed, meeting adjourned at 7:37p.m.