

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
September 12, 2017

**Meeting called to order** at 7:26 p.m. by Chairman Hansen

**Pledge of Allegiance**

**Invocation** – Commissioner Hansen

Commissioner Ducrou – Excused  
Commissioner Hansen – Present  
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 August 8, 2017 Board of Commissioners meeting. Motion made by Commissioner Cook to accept the minutes. Commissioner Griffin seconded the motion. Chairman Hansen calls for any other questions or comments. Commissioner Mere asks if we have heard any further news on the SAFER Grant. Chief Nisbet responds “No, Sir. We will not hear anything until after November, but I will utilize our current situation for some more consideration from them. If we do get a denial, we should know by September 30. At least, that was the last thing they told us, but that is not set in stone. With no questions or discussion and none opposed, motion carries.

**Financial Report –**

- Review & Acceptance of the August 2017 financials. Commissioner Griffin moves to accept the August 2017 financials. Commissioner Cook seconded the motion. Chairman Hansen calls for questions or comments. With no questions or discussion, and none opposed, motion carries.

**Fire Marshal and Administrative Reports** – Chief Nisbet states there is no Fire Marshall report and due to all that has been going on he also does not have an Administrative Report, But he offers, “I will can you a bit of an update to what we’ve had going on. Pretty much since the flooding took place prior to Hurricane Irma, and what’s been going on since Hurricane Irma, and where we’re at right now. First of all, the flooding that we had down in Lee County, and a little bit up into this area, we actually didn’t get it as bad as they did down there, we provided mutual aid assistance for San Carlos Park for three days; we performed roughly 15 water rescues with our LMTV vehicle; bringing people out of their houses in 6-mile and stuff like that, went to a Level II Activation at the County EOC, and we pretty-much got through that and then this Storm Irma got our attention and came in, and then last Thursday I was asked to report to the EOC as the Fire Branch Director for a Level II Activation. On Friday when we went to a Level I, I asked all

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the Captains to come in, we had a meeting that morning and I pretty-much turned all the District Operations over to the three Captains because I had to serve at the EOC and coordinate everything, not only Lee County, but Collier and Hendry and some of the whole Southwest Region; and that was pretty-much the last time I was here until this morning, except for little pieces here and there.

Commissioner Hansen asks "Are we still paying you? Just checking." He chuckles. Chief Nisbet replies, "Yeah, Hey, I was answering questions."

Commissioner Cook states "Probably Overtime." Chief Nisbet continues, "That being said, I want it to go on the record and I want you all to know, the three Captains have done an outstanding job in the operations. When the storm was looking like it was going to be a category 4 or category 5, we identified a location at the Civic Center, Whaley Hall, to evacuate to. It was better than what we had here, but it was not ideal and it was not much of a better place but it did provide concrete wall protection for them. So we are putting together a list of things we need to address the next year in case this happens again. Commissioner Hansen states, "You know, in the future, the church used to be a shelter." Chief Nisbet states "Yeah, I don't know why it's not. Well, then again, there's all kinds of things." Commissioner Cook states "There's probably all kinds of reasons why; They changed the criteria; you know what I mean, the minimum standard."

Commissioner Mere asks if there's something we can work out with Syd. Chief Nisbet responds, "Yes, that's a discussion and I will talk to him about it. With this being fresh in our heads, I don't think that will be a problem." Chief Nisbet continues, "With that being said, we went to a Level I Activation on Friday; we were starting to gear up for the storm Saturday, the first time since the new EOC had been built, that we actually went to a full activation where everybody was in there working. Everything was going great, we had a couple little hiccups here, people get tired of seeing each other after 3 days, it gets to be rough, but pretty much every full time person was here for a good 72 hours. We had an intermix of volunteer personnel that came in and were here, but the operations of the District were handled without hesitation. We actually got back out onto the road about 11:30-12:00 (He turns to Captain Swindle who is present to confirm." Captain Swindle replies "We left the Civic Center about 9:15. We were cleared to go check roads at 11:30; we were on the roads by 11:45." Chief Nisbet adds "and they were out until, what, 2:30 or 3:00?" Captain Swindle confirms "3:00". Chief Nisbet adds, "and the Fire Departments in the County did that and we had the damage assessment done for the next operational period." He states he pretty much never went to sleep anyway, so they were up, he and the Fire Chief Dwyer from Estero. He continues "and it helped us with the operation" (referring to the damage assessments). He continues "we are trying to get back to a mode of normal operation, we are currently back to normal staffing here at the District but we have relaxed the normal work schedule because I want the guys if they can sleep, I want them to sleep. I want them to get some rest. And anybody who doesn't have any power at their house can come back here to sleep. If they want to bring their families back here to shower they can, if they need a place to come cool off, they can. We still don't have any phones or internet, or television here at the station, our generator held up; we're back on regular power. I would say it will

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probably be a week before we have phones or internet back up. They're working on it but it's critical structures and infrastructure first. We've had some communications failure, we had 18 tower sites before the storm, we're down to 4 right now. Most of that's been because of generator failure. We've got 2 strike teams of ambulances in from, I believe, Georgia. We've got 2 engine strike teams that are down in Collier County that are available for us if we need them. We've got California 4, we've got Arizona 1, New York 3, and there's one other I think of, Urban Search and Rescue Teams; Jet Blue Park is the main staging area, The National Guard is stationed out at Mosquito Control, and they've set up a base of operation there. And last count I knew, and it got higher, was we had 37,850 people in shelters. I flew the county with the Sheriff's office; light damage pretty-much considering the size of the event; but we've got a major flooding event right now, and I think flooding in the District could get worse before it gets better, because there was at least 3 ½ feet coming across Cook and Brown last time I was up there. I will tell you that during the storm surge we had 3 feet of water on Bayshore Rd. that pushed up around the Civic Center. (He looks to Captain Swindle to verify the approximate depth. Captain Swindle states 2 feet, but the Civic Center was one lake when we left.) Commissioner Hansen states, "you just hope you know where the lake was when you were driving." Captain Swindle states "I lead out in the Service truck first, so we got the cheapest truck out first, in case we had an issue." Chief Nisbet resumes "so that's currently where we're at operationally, we're going to continue what we're doing right now; we're going to go out twice a day doing drive arounds because with the phones being down, that's one of the things they identified, people flag us down and ask for help..." Commissioner Hansen asks "Why is your phone down? At my house, I have phone; and I have internet." Captain Swindle responds "Voice over internet protocol." Commissioner Mere states "You've got Comcast here for phones, correct?" Captain Swindle confirms that to be correct. Commissioner Mere states "Centurylink is mandated, because they run all the hospitals and such too, they have to have battery backups for so many days, and that's why their land lines will hold up better than Comcast, because Comcast doesn't have that." Chief Nisbet states "I actually think our power grid out here actually faired off pretty well; we have some problems on Durrance, we've got a couple poles that are blown apart, and 31, FP&L poles are all leaning on 31, now water's coming down off 31, so, like I said, I think we'll have sheet flow for a few more days. We do have unimproved roads being addressed for emergency access, and that's where we're going. I was supposed to leave tomorrow morning to go to the cabin for a week, I have postponed that trip and now I'm leaving Friday. I'll be gone Friday until that following Sunday." Commissioner Hansen states "that's when Jose is supposed to hit, so...scratch that" he laughs. Chief Nisbet continues "So, currently that's the status of the District, but, the personnel are doing great, we're going to make sure we take care of any needs for any of our firefighters; I've authorized the use of a saw, if they need a saw, they can borrow it, but have to bring it back, we want to make sure they can take care of themselves and stuff." Commissioner Cook asks "that goes for Commissioners too, right?" Chief Nisbet agrees we can help them with their trees. Commissioner

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Mere states 'I can help with that.' Chief Nisbet concludes, "we're collecting 214's and of course we'll figure out how we'll do the reimbursement once it's done, but we have a Federal Declaration A and a Federal Declaration B, First 30 days A is 100% reimbursement, the next 30 days we go to a B which is 75% reimbursement. So we're heading in the right direction." Commissioner Hansen asks "So is that where if I buy a generator, they'll reimburse me?" Chief Nisbet states, you have to make sure you address it as part of the critical infrastructure." Commissioner Cook states "I consider it critical. Don't you need commissioners? Pretty critical." Captain Swindle states "Commissioners don't need A/C." Commissioner Cook asks "They don't need what?" He repeats it. Commissioner Mere's wife who's in the meeting states "Commissioner's wives do!" Chief Nisbet concludes, "Captain Swindle has pretty much run the show." Commissioner Hansen states "I came in and checked on them. I just want it known that I came in and checked on the guys. They were all sitting around the table here having a meeting and I said need anything?" Commissioner Cook states "they were in the driveway when I came." Captain Swindle states "we were leaving here to go up there when you came" (referring to the evacuation to Whaley Hall.) Commissioner Cook states, "No, you were just getting back. The storm had just ended. You weren't cleared to do anything yet." Captain Swindle agrees and says everyone came to check on them. He states "We got cleared at 11:30, had a briefing, hit the road at 11:45 and within 15 minutes had a structure fire, a swift water structure fire at North." Chief Nisbet states "North had 2 houses catch on fire during the storm that they couldn't do anything with. And I think our fatality count, the last I knew, for the County, was 15. Today's problem has been carbon monoxide poisoning, Bonita had 13 people, one of them being a baby; I think Lehigh had 2 today, and that's been a lot of the issues we've been dealing with; and then of course, as the powerline grids come back up, they're getting arching power lines, outside fires, a couple structure fires, things like that so, when our grid comes back up, we'll get pretty busy, but since the start of the storm, we've run, probably 20-25 calls maybe. Commissioner Hansen states "we were going around looking for people to help, and there was a house that had a tree on it, and we stopped to see if they wanted the tree off, and they had their generator running in the middle of their living room with cords to their lights and stuff, and we're like...No!...we're like, let's first get this out of here." Discussion ensued about the absurdity of that situation for the carbon monoxide. Chief Nisbet concludes "but that's the current status commissioners, and again, just to reiterate, as long as everything goes as planned and we don't have anything that becomes too critical for me to go, I'm planning on going up to the cabin on Friday.

Chairman Hansen calls for any other questions or comments and hearing none, calls for Petitions before the Board.

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

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

**Old Business – None** Hearing none, Chairman Hansen calls for any New Business.

**New Business –**

- **Kid's Christmas** – Tabled since Commissioner Ducrou who questioned it last month, is not present. Commissioner Cook doesn't recall it coming up. Commissioner Griffin explains Commissioner Ducrou had asked how it was funded. Commissioner Hansen states Commissioner Ducrou wanted to know why it was in the budget. Commissioner Griffin explains, because it was on the spreadsheet. Commissioner Hansen states Commissioner Ducrou wondered why we were spending tax dollars for it. Chief Nisbet states "it was a legitimate question." Commissioner Hansen agrees.
- **Impact Fund** – Chief Nisbet states "Commissioners, right now we have \$17,583.27 in the Impact Fee Account which still owes the General Fund in excess of \$200,000 so before we get to the end of the budget year, I'd like to go ahead and move \$17,000 of that to the General Fund as a reimbursement." Commissioner Cook moves to move \$17,000 from the Impact Fee Account to the General Fund. Commissioner Mere seconds the motion. With vote called and all in favor, motion passed.
- **Bargaining Unit Contract Ratification** – Chief Nisbet states "We actually came to a tentative agreement on the budget. Pretty much nothing changed from what I had told you before in the executive session. The only thing was, the Union brought forth an item about special details and after doing some research on the way we pay for special details and the way FLSA sees it, we have a special fee amount, well for full time employees, there's FLSA interpretation of it, that's perfectly fine, and there's also FLSA interpretation that we should be paying time and a half. On the firefighters, the difference wasn't that significant, but on the Officer's pay for the fair, it wasn't. So I tentatively agreed we would go the time and a half rate because it is cost neutral to us, because it goes to the venue and stuff, and we've already notified the Civic Center who is our biggest venue of what this proposed change would be. They have no problem with it, they understand, so we can either table the ratification of the Union Contract, and I can bring it back to you in October and we can retro or if you feel comfortable with what I've told you and shown you in Executive Sessions, you can authorize me to ratify it. Commissioner Cook states "I authorize you to ratify it." Commissioner Mere states "I'll make a motion to authorize you to ratify it." Commissioner Cook seconds the motion. Chief Nisbet states "Lewie and I just have to just put the language in the paperwork but we just haven't had time to do

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it. So we've just got to put the language in and we'll take care of it, and Mr. Chairman, I'll need you to sign it. Vote is called and with all in favor, motion passed. Chairman Hansen states "All right, just let me know when." Chief Nisbet states "it will probably be a few weeks. I will try to have it at Final Budget Hearing for you to ratify." Chairman Hansen states "Chief Items I see none..." Chief Nisbet states "No, I have none, I was just going to tell you about my trip to Canada, but, we've done that." Chairman Hansen calls for Commissioner Items.

**Commissioner Items** –With no Commissioner Items offered, Chairman Hansen asks if we need to recess for Executive Session. Chief Nisbet responds "No Sir, we just had it in there in case we needed it."

**Executive Session** - Not required. Chairman Hansen calls for Public Input.

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

**Adjournment** - Commissioner Cook moves to adjourn. Commissioner Griffin seconded the motion, and with none opposed, meeting adjourned at 7:45p.m.