

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
September 16, 2014

Meeting called to order at 7:08 p.m. by Vice-Chairman Griffin

Pledge of Allegiance

Invocation – Commissioner Hansen

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

Others Present: Some Staff & Public

Minutes – Review and Acceptance of the minutes of the August 12, 2014 Board of Commissioners meeting. Motion made by Commissioner Hansen to accept the minutes. Commissioner Klos 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 August financials. Commissioner Cook moves to accept the August financials. Commissioner Hansen seconded the motion. Vice-Chairman Griffin calls for questions or comments. Commissioner Hansen asks if we have a tentative number for the carry-over. Chief Nisbet responds the number is not yet certain though it is tight. Commissioner Hansen states he knew we were tight, but did not know if we were plus or minus. Chief responds that we are working on that now, and that it is possible that we might have made it without cashing out the CD but it is real close. Commissioner Hansen states they will wait; they won't make us say right now. (End of the fiscal year is still 2 weeks out and audit is the end of October). Chief continues that we have received the final disbursement of the SAFER funds, so we might have made it; again, it's real close. Commissioner Klos inquires of the live checks we cut this run, was that their vacation buy-back for the employees that are leaving. Theresa responds to the negative, and adds that we don't have that benefit at this time, that was their final paycheck which it is our policy to pay in live check form, and that takes them right through any hours they worked Sunday. Commissioner Hansen asks "they phased out Friday, Saturday, and Sunday?" Chief responds to the affirmative, and states that since we work from the average of 106 and 6; we made certain their last check was a full check. 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. Vice-Chairman Griffin calls for any other questions or comments. Commissioner Cook asks how much higher the call volume is. Chief Nisbet responds, looking at percentages, about 17%. He continues, the strange

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thing is, we have actually run more brushfires over the summer than we ran during brushfire season, but when you break it down, our structure fire responses are up, our medical responses are up, our motor vehicle accidents are up. He continues, we had a higher call volume even without taking the summer brushfires into account. Commissioner Cook states we have more people here now. Chief continues, he believes we are going to be close to a thousand calls this year. If it keeps going the way it is, we are going to be close. Commissioner Cook notes we have more people staying here this year, you can see it. Commissioner Griffin states, and season hasn't even started yet. That just shows the area is up. Commissioner Cook notes that North is up too, in their call volume. With no further discussion or questions, Vice-Chairman Griffin calls for Petitions.

Petitions before the Board/Public Input –None

Union Petitions - None

Old Business –

- **AGF Grant** – Chief updates the Board, advising them that we are currently looking at various models; getting three different manufacturer quotes, we are currently in Scott airpacks, we have a very lucrative quote from MES, which actually will come in under our grant amount, and with some extra; we are still waiting to hear back from MSA. We did get a quote from ISI and they were pretty high, so as soon as we get that third quote in, we'll go ahead and initiate the purchase. He requests permission to go ahead and do that, as long as he stays within the guidelines of the grant. Commissioner Klos asks which ones the guys like. Chief replies that they like Scott, we've been in Scott for a while, but the new MSA pack is pretty sharp too. The problem is, our grant, it has to be a new 2013 compliant air pack; and the new GS-1 by MSA hasn't gone into production yet. They are supposed to be here next week to discuss that with us, bring us a pack and a quote sheet, we'll see where they are sitting at. The nice thing about going with the Scott again, The operation is not much different, and the air pack has some nice features on it also. He continues, I think either MSA or Scott or will be the one, but either way, when we get down to it and see which they like, whichever one they want, I don't care. Commissioner Griffin asks if any of our old stuff is compatible with the new. Chief Nisbet responds that bottles will be, the packs will not; but the problem with the bottles is that we are getting near the end of the hydro-life on the bottles, except maybe a couple. He continues, probably what we are going to be able to, and I was actually going to cover this too, so we can bring it up; is we'll probably just surplus all of the old airpacks. The AP50's have to go, there's nothing we can do with them, after this year they are going to be done. The XG2s, we are starting to get to the end of service life on those because they are 2 cycles down, and actually this will replace all of our current airpacks and give us 2 spares for repairs, and the new airpacks will have a five year bumper to bumper warranty on them. So for the first five years we won't have any expenses except for air quality and flow testing, and we are working on negotiating some deals on that also. He continues, we did look at trading in the existing air packs, the cost is rediculously low because they're two cycles out, the AP50s are even two cycles out, so when we get ready to surplus those, I'll get some direction, but I know there was some discussion about maybe the fire academy might be able to use those, that we

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might be able to make some trades off that for some training, and some stuff like that. I don't expect us to have the new air packs in until probably the first of the year. Because it is going to take a while for the order to be processed, and then whichever vendor gets approved for the purchase, they are required to come in and do three days of training with each shift personnel, and also they are required to do fit testing and all that. That was our next big capital expense item we had coming down the road. So this is going to be a huge grant for us. This is going to help out quite a bit. He asks for a motion to authorize the purchase once he receives the third quote. That will give him the opportunity to meet with the guys, and make a decision. Commissioner Klos moves to allow Chief Nisbet to move forward with the purchase of the airpacks. Commissioner Hansen seconded the motion. With none opposed, motion passed.

New Business –

- **Authorization to draw on the line of credit beginning October 1, 2014** – Chief Nisbet advises the Board that with the new budget, as tight as this budget has been, there is going to be no wiggle room; we are going to need the line of credit to make bills until we start seeing ad-valorem dollars arrive; like we did last year and the year before. Commissioner Cook moves to draw on the line of credit beginning October 1, 2014. Commissioner Hansen seconds the motion and asks if that is already open. Chief responds that it's the one we leave and just renew every year, and last month we got with them to make sure everything is in place so we are ready to move forward when we require funds ; and we only draw off it what we need. Then as soon as we get ad valorem dollars in, we pay it off so we don't get a lot of interest cost for the use. With no further discussion and none opposed, motion passed.
- **Love's Travel Plaza Account** – Chief states with the arrival of Love's Travel Plaza and their Fleet Services for fuel, DEF, and tire repair capabilities; being a 24hr. service with generator back up, he requests we entertain the prospect of opening an account there for back-up fuel and such for emergency situations, we would be able to get emergency repairs at their tire center or shop, and fuel, should needs arise. He continues, I don't think they are going to be able to help us much on our fuel prices as we do pretty well there, but as a backup, I feel it would be prudent for us to go ahead and have something there. Commissioner Cook asks if we have to have an account with them to do that. Chief Nisbet states that it would be a lot more beneficial to us to have an account with them as they would have the tax exempt info there and we would get the governmental rate for the fuel instead of just using the credit card. With none opposed, motion passed. Commissioner Klos asks if they are a 24hr. service for tire. Chief responds to the affirmative and adds the shop is 24hrs and they carry our size tires; that way if on a weekend if we need an emergency tire repair to keep one of the engines in service...we could easily go there. He adds we could go there now with the credit card, but I think we would get better prices if we have their fleet card and have that information on file. Commissioner Cook authorizes Chief Nisbet to check into it. He adds that they may have some kind of rewards, if you spend so much, you get so much off. Chief agrees to bring it back before the Board, and adds that he talked to the manager when we were doing inspections, and he asked Chief to give him a few weeks before he comes down to talk to him, but they have their over the

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road fleet service and they have governmental fleet services and they have different rates. He advises that he doesn't believe there is actually a rate to have an account either. Commissioner Griffin asks how it's going over there; he's seen they're busy. Chief states they are busy. Office Manager states their prices are good on fuel. Commissioner Cook states their air hose is always broken. It didn't take long for that to break. You can't get any air here except for Lawhon's. Theirs always works. Commissioner Griffin remarks they keep theirs inside. Commissioner Hansen asks if there's any news on fillers. Chief states he hasn't heard anything new. Doug's been keeping an eye on the Northbrook project. There've been some permits filed. That's all we know. I've heard Freightliner's interested in coming up there next to them. Right now that's down at Lucket. That would be great for us, that way we could have our warranty work done there on our Freightliner; but I haven't heard anything else yet. Commissioner Griffin asks where Freightliner is looking. Chief responds, right where the old Racetrack used to be. Commissioner Griffin says it doesn't seem very big for that. Commissioner Hansen states it is not real wide, but it is deep. Commissioner Cook asks Chief what kind of response has Chief gotten with regard to our new assessment fee proposal, and what are we going to do to get the word out? Chief Nisbet replies it has been kind of rough the past couple weeks (with the guys losing their jobs) but we have the new information on the website. Commissioner Hansen asks if we are going to hold any public meetings. Chief responds, if the Board would like to. Commissioner Cook states, I think we should. And what about the Bayshore Citizens, how do they feel, or do they even know? Chief responds, they do know, we talked about it in the meeting and I gave them the direction you gave and the answer I got was "we'll see what the voters have to say". Commissioner Cook states, so you couldn't tell what... Chief responds, "I didn't get a warm fuzzy feeling". Commissioner Hansen agrees, "they were not warm and fuzzy". Chief Nisbet states Jim was sitting there next to me and I didn't get a warm fuzzy feeling. Chief states, I think the amount is going to be a lot more palatable, but I don't think it's going to happen, we have to try, but I don't think it's going to happen. Commissioner Griffin asks, stating he noticed some other Districts raised their millage cap; did we try that? Can we go for that? Chief Nisbet replies we can't now, not in this election. He continues, we can go from 3.5 to 3.75 and it would generate only about \$70,000 total. Commissioner Griffin states, I was thinking we have, I couldn't remember but I thought we had done that. Chief states, we need roughly \$428,000 to get the six people back. My plan for them right now is; we've have been actively lobbying in DC between President Duncan down there at 1826 and the president in DC, Senator Nelson's office, of course they are back in recess again, we had a pretty frank discussion with the people at SAFER because there was a department in Georgia that got six positions funded two weeks ago that 3 of them had been left through attrition because of budget they just didn't fill them, and they just got 3 new positions for \$984,000 over a two year period. Ours was about \$880,000 over a two year period and mine were real firefighters getting laid off. So, as you can imagine, that didn't sit very well with me, so we got into a very enlightening discussion over that, but we've got a lot of people working on it. There's still \$21M sitting in the SAFER account right now that I can't tell if it has been earmarked or not. I'm starting to see some extra awards getting trickled out, I have no idea where that money is coming from; but from what we are hearing from SAFER, the next application period is not taking place until the first of the year, that was the latest we heard, and at that period in time, we will score higher on the application process and I plan on going after it to try and get these guys back. It was hard watching them walk out of here this weekend. Commissioner Cook

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agrees he is sure it must have been. Commissioner Griffin asks how the other departments like North, have we heard anything on them? Chief Nisbet states we've been meeting with them. We've actually had two meetings this week with North with our Captain and their Station 3 Lieutenant, their Battalion Chief, and Chief Noble and I; we had to take care of some rumors and some issues that were going on that we wanted to nip in the bud, and their plans right now are, this year they are going to be able to stay status quo. Chief Noble did announce he is retiring December 1st, and from that point on, we don't know what's going to take place. He continues, I know that Commissioner Ducrou made a discussion about looking at a merger with North Fort Myers, and from what Chief Noble has determined, they are not interested in that right now. So, we are going to look at sharing some operational resources, maybe kicking us an intern or volunteer over here to help us out for a while, you know, we're at 2, so we are looking to share some resources, but right now, they're broke pretty much; we're broke, and the only thing we're going to do is create a bigger mess. Commissioner Griffin states, I agree, with the merger deal, because with the amount of their calls, if we've got 2 people here, covering this area, and we end up over there, now we have nothing over here. So I'm figuring we are better off with what we have than none. Chief Nisbet adds, and the people in this department worked too hard to get it where it's at, and they've done everything I've asked of them for the past 6 years, I've worked really close with Billy, I've worked really close with everybody here, they've earned the right for us to try to figure things out to try to get them back together. So my goal right now, besides running the department, is to do everything I can to get my six firefighters back. Commissioner Cook states his agreement. Commissioner Griffin states, I was just curious, I know their assessment didn't pass. Chief Nisbet states that the new rate won't get us six back, the new rate will only get us three, but if we can get the SAFER grant to help us bridge the gap, it could buy us time to get the revenue built up to where we can keep six. Commissioner Griffin asks if Chief has heard anything on Lehigh's status. Chief Nisbet responds they are going through the same thing we're going through, they got their assessment vote coming up. They're looking at 54 people. Fifty four people by the spring, Twenty-one at Ft. Myers. Even Tice is looking at layoffs even though they got their ad-valorem. North is down, I think eighteen positions they're not looking at adding any more; and they have some retirements that they don't fill; you know; it's kind of concentrated to the north and eastern end of the county where the issues are going on right now. The southern departments, the departments that are on the beach, Iona-McGregor, they're hiring. Commissioner Griffin states, well we're looking at a bigger tax base there. Chief states, well that's just it. Commissioner Cook states a lot of growth there. They've got a lot of growth. Chief Nisbet states that a lot of their tax base isn't homesteaded; they have as many that aren't homesteaded as they do homesteaded; where a majority of our properties that are worth some money, are homesteaded. That holds us, so we end up with like a 4.62%; I mean, in my opinion, that's probably a banner year for us, that's a good year. Commissioner Cook agrees and asks, what kind of an increase they had. That was probably huge. Chief says, down south, oh yeah, they sprinkle water on the ground and houses pop up. Commissioner Cook states, they have growth, we don't; that's the difference. Chief adds that a couple departments were successful in ad valorem. The one that actually surprised me was South Trail. They had overwhelming approval, so they're going to be good. But Lehigh, really, the only department up here that's not hurting for a budget right now is Fort Myers Shores; and that's because the power plant is half their budget. That power plant, with the tangibles

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really provides quite a bit. Commissioner Griffin points out the commercial base. Chief states, that's just it, we don't have a commercial base to pull from. Love's is going to give us a little bit, but it's not going to give us what we need... Commissioner Cook states, but it's not going to fix this. Chief continues, the Northbrook Subdivision, all together when that gets built out, depending on what the property values are, that'll probably be about half a million dollars in property tax revenue; at the current rate. Commissioner Griffin notes that by the time that happens we'll need more staff. Commissioner Cook agrees, stating we'll need 9 by then. Chief Nisbet states that from what the developer said, it's going to be a ten year project, once they start construction. They're only planning on doing 100 homes a year. That's their plan. Commissioner Cook adds, that doesn't generate anything if you do the math on that. Chief states, luckily, we don't have a lot of expenses. Our operating expenses are \$178,000 a year. He adds, we still have things that aren't budgeted or aren't funded, we need to address. We still have some labor issues; labor is something that we need to address, we've got people here that have been stagnant for a long time; but my goal right now is I want to get my six firefighters back. Commissioner Griffin states, another question I have is on the SAFER grants, with us getting that awarded, I know there are stipulations on layoffs, have we heard anything on that? Chief states, oh no, we went to the end of our performance period. Our performance period ended on Sunday. He continues, since those three shifts fell up to Sunday, we actually paid them past our performance period, so we are fine. Commissioner Griffin inquires of Josh Gollieher, the one that was military; he got laid off, right? Chief states, no, he went to Iona about 6 months ago. Chief Nisbet states, when we built the budget you could really tell how much SAFER was carrying us on those positions; because when we got done we had roughly \$16,000 that was left over. I just rolled that into overtime cost because I knew that was going to be needed there. Chief states that budget line is going to be tough, but we will talk about that in executive session; we have some options to address with that. Commissioner Klos states, I know you talked in meetings past about the possibility of doing some part-time like we did 5 or 6 years ago... Chief replies, if we did a full position with part time, it's \$120,000. We just don't have it. If you did two positions with part-time, every shift would be \$240,000; pretty much half the cost of full time. The problem that you get in to; and I think some of you have seen this; is the part-timers, you don't get the dedication you get with full time personnel; full time personnel that want to be here, they put something into the Department. The full time personnel, they put the time into the department, they put in the dedication, they put in the drive and stuff like that. You get somebody that comes in as a part time job; they're just here to collect a check. Commissioner Griffin agrees, he states to collect extra money. Chief Nisbet continues, what these guys have done over the last 6 years, you wouldn't have gotten that from part-time people. Maybe a little bit, but not to the same extent; and I'd just like to say this too; as hard as this weekend was, the six people that got laid off showed nothing but professionalism, character, etiquette, just the highest quality of behavior; I mean, yeah, we had some bad days where people were upset, you could tell they were scared, stuff like that, but they were always professional; they continued to do their job up till the bitter end, and they walked out with their heads held high. I truly can't thank them enough for that, because it was hard enough as it was; for everybody; not just for them, but for everybody. Commissioner Hansen states, the news has done a couple nice stories, I wonder if we can get them back later to do a real nice story about the election. Chief states he thinks it might be possible. Commissioner Hansen continues, the thing that's on there, to educate people; I think some people voted with their

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heart, not their head. Some were just like, "I don't want to pay no more money"; they didn't look and see what it was all about. Chief asks if the Board wants him to set up a Town Hall Meeting for October. Commissioner Cook states, I think we have to. Commissioner Hansen states, I would say, yeah. Commissioner Griffin states, I think we need to, some of the feedback I heard from the last one was, "Town Hall Meeting, what's that?" A lot of people didn't know it was anything to do with the Fire Department. He continues, I feel we need to get some of these other people who are in the community that want to be involved and find out what's going on, so if we can get it out there so it is plain as day what is going on and what the meeting is about... Commissioner Klos adds, and the correct information... Commissioner Cook agrees, yes, the correct information. Chief agrees. With no further discussion offered, Vice Chairman Griffin call for any other new business. Hearing none, he calls for Public Input.

Public Input – Brett Ezel speaks after prompting by Commissioner Griffin due to some comment that was made prior to the meeting. He states, I get asked a lot, being in the fire service, they don't understand; they don't know what you guys are going for, and why. Go to the website and read the website; people don't go to the internet and read the website. I don't go to Bayshore Fire Department's website. Having that meeting might help, get the information out to the public, they don't know. I get asked all the time, hey, what are they trying to get now? Trying to save six firefighter's their jobs; just lost six guys. That means you've got two guys coming if you call 911. Commissioner Hansen states, everything I heard, well we just thought it was an idle threat. They thought it was a scare tactic that we were going to lose six guys; and I'd say "No, we don't do that. " Brett continues, I think the last vote, they didn't understand what was going on. It was just "taxes going up, taxes going up", they didn't understand what the issue was. And now for this new one, November 4th, it's the concept of getting money back in to the department and getting 6 firefighters back, or to have people to run these trucks, so when you do call 911, you have people to show up. Chief states we will only get 3 back. He continues, well, you'll get 3 back; so you have 3 and it's better than 2 and just go medical calls, that ambulance is not in this station 24/7; it's out running calls, it's gone, and so that's your first line truck coming to you, what, 2 guys. It's going back to the old days; we run rescue, but there's always an engine to call, they don't understand, that's the biggest problem you have. The people on my street even ask, Hey what's going on? Commissioner Klos states, here's an example right here. You have two public here, and when it comes to crunch time, the place fills up and they start yelling at us, how come we haven't informed them. There's nobody showing up. It's advertised that we're having a meeting, and two months ago when we were voting on all this, it was standing room. Commissioner Cook states it will happen that way again in the next election. Commissioner Klos continues, and they're going to ask again, how come we didn't inform them, and we're going to say again, well, you didn't show up to the meeting. Commissioner Hansen states, and we said that straight to them at the last meeting, when they said "well we didn't know" and we said, well, we have a meeting every second Tuesday of the month... Commissioner Cook adds, yeah, they want to know when we planned this; we planned this for 2 years, 24 meetings we planned all that. Office Manager states tonight's meeting was on the TRIM notice, it was also publicized in the newspaper because of the date change, so it was advertised extra in the paper, and the sign on the front lawn, in all 3 forms of advertising, plus it was on the website. Brett states he feels it is dangerous and people just don't understand and that's why education is so

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important, to get the community involved, get out there with brochures and tell them. Commissioner Cook states there were a couple things. We had some people saying some false stuff that was actually lobbying more than we were lobbying with the correct information. I think the number was too high. I don't think even if we had the information out there that we were going to get the majority of votes to say ok, I'm gonna raise my taxes that much. Or I'm gonna pay that much more than I pay now. I don't even know what else, there was quite a few things going on to cause us not to get it. DVP Lemieux states, honestly, NBC-2 even though their extended coverage, and they keep talking about it, the anchor comes in from video last night and he still says the same thing. They're still saying TAX. People still don't understand. These are the news people. These are people the public relies on to tell them, but they don't get it. People don't get it that it is a fee, like cable, or garbage collection. It's a fee for service. Commissioner Cook state that's another thing, they think it is a fee above and beyond what they pay now. A lot of people thought that. Commissioner Hansen notes that is what a lot of those flyers out there said. "Ad Valorem Plus..." There is some discussion because some do not understand that we cannot legally abolish ad-valorem. We can reduce it to zero but cannot bind future boards of their right to levy. As Chief Nisbet points out, we do not want to open ourselves up to litigation by exercising both millage and assessment. We cannot take on that expense, whether we win or lose, we can't afford the expense of litigation. We also can't campaign for the assessment either; we can only provide accurate information, we can't lobby. We can't do anything like that. We can only provide factual information; and the information we put out before was factual information. In response to the public we reduced the residential rate, made the institutional rate match the commercial rate, and changed the vacant/agricultural fees to a price per acre with no cap. Commissioner Cook asks if we stand to get challenged this way. Chief Nisbet responds that GSG felt this was still defensible. This system is not based on property values; it is based on where we run our calls to. That's why we have to reevaluate it every five years; to see if our commercials come up, or our brushfires come up, or residential calls go down; so that we readjust that rate to keep everything fair and equitable based upon the services we provide and to whom. Whatever that budget amount is, it can only go up the percentage of the median household income increases of the past 5 years. Commissioner Cook asks now that we are at 70% funding with that \$412, so we can exceed that 70% right, we are not stuck with that are we? Chief replies that for the first year, we are. Then after that, whatever the median household income went up average over the past 5 years, is the max we can raise it; so if the median household income went up 3% average over the past 5 years, we can raise it 3% next year. Commissioner Cook is attempting to clarify that we are not stuck funding only 70% of what we need. Which Chief confirms, it is the rate, not the percentage of funding. DVP Lemieux asks if that is a single year rate or a three year rate. Chief states it is a single year rate; originally when we were full funding the budget with the assessment, we were going to try to hold it for at least three years, but when we reduced it to 70% we had to go to a single year rate. Chief states this is how this is going to have to go, so let's lay it out right now...if we are successful in November, October of next year, that's where we'll be at, 70% for 2015, that'll get us 3 people back. October 2016, we can adjust it based on the median household income, and you can make it as high or low as you want, as long as you don't exceed the average from the past 5 years. You can make that adjustment. He continues, I think eventually with the new construction that could eventually come in, and stuff like that, I would think you would definitely see, especially on

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a recalculation, you would eventually see the residential rate come down and the commercial rate come up per square foot, depending on how many calls we get to each. Commissioner Cook asks how often we would need to revisit that. Chief replies, about every five years, they recommend every five years, and we pay GSG to do that. That's what they do. We have them manage that, and we have them do it, and that's part of the retainer we pay them to handle it. They are doing 175 of these throughout the state. They know what they're doing. That's why we went with them. Vice-Chairman Griffin calls for any other public input. Hearing none, he calls recess for Executive Session. 7:53pm

Executive Session (Pre-Contract Negotiation) 7:56-8:19

Reconvene – 8:19 Vice-Chairman Griffin calls for Motion to adjourn

Motion to Adjourn – Motion to adjourn made by Commissioner Hansen and seconded by Commissioner Klos. With none opposed, meeting adjourned 8:19pm.