

Upper Captiva Fire & Rescue District

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BOARD OF COMMISSIONERS

REGULAR MEETING

23 April 2016

COMMISSIONERS PRESENT: Zeke McDonald, Tom Jenkins, Steve Sward, AJ LaVallie, Bill Fry (by phone), and Chief Bob Kinniry.

ISLANDERS PRESENT: Bill Byrnes, Jackie Byrnes, Gene Murphy, Sandy Werner, Arthur Mason, Jo Ann Beiermeister, Deanie Sward, and CAPT Ron Givens.

1) CALL TO ORDER: Chairman McDonald called the meeting to order at 10:00 AM.

2) Chair tabled the agenda without objection and **Chair moved** that LaVallie be appointed by acclamation to fill Wildeman's seat until the next election in November, without objection. Oath of Office will be administered later in the meeting by Cheryl Bredin, Notary Public, when she arrives.

3) MINUTES: Minutes of the 19 March meeting were read; **Sward moved**, Jenkins **seconded**, and **all voted aye** to accept the minutes without correction.

4) TREASURER'S REPORT: The current status of the accounts are:

- Balance Sheet Report:
 - The Ad Valorem checking account had a 31 March ending balance of \$291,018.79. On 15 April, the Bookkeeper received \$70,468.75 net tax receipts from the County that will be reflected in next month's reports.
 - The Friend's checking account had a 31 March ending balance of \$15,271.84 (\$5,746.42 was transferred to cover ALS-related supply items with Murphy approval on 31 March).
 - The Impact Fee checking account had a 31 March ending balance of \$7,128.55 (added \$2.59).
 - The Special Assessment Fund checking account had a 31 March ending balance of \$111,123.28. On 15 April, the Bookkeeper received \$55,295.44 net tax receipts from the County that will be reflected in next month's reports. Also, note that the Budget Resolution 2016-001 to reduce the accounts receivable was posted.
 - For overall tax collections, we are at 92% through 15 April (the same percentage for EOM April last year).

- Consolidated Income and Expense Report:
 - Overall, in the Consolidated Budget, after subtracting out the current FY line of credit repayments, the District is 53.56% spent (through 50% of the year).
 - There was a slight tick up in the spending rate for Pay & Benefits but that is related to decisions at the 20 February meeting for DC Pepper's compensation (increased hourly rate from \$18 to \$22, while also providing 6 weeks of fully paid insurance without payroll deduction for his 50% share as a transition benefit). Assuming no further changes in the compensation plans, we should again revert to the budgeted monthly spend rate over the next few months. The repair and maintenance budget line will likely need to be increased, based on current information since it is at 86.4% spent YTD (65.9% if the budget resolution is approved). Most of the other areas will see similar improvements once Budget Resolution 2016-002 is approved later today.
- **Jenkins moved** to accept the Treasurer's Report, Sward **seconded**, **all voted aye**.

5) CHIEF'S REPORT: Calls to date are 56; 43% BLS, 22% ALS, and 35% were various public service responses (alarm response/reset), plus 2 small fires (golf cart and vegetation fires that were quickly extinguished). From 1 June 2015 (start of the ALS program) 49% BLS and 23% ALS (placed on heart monitors, use of drugs, etc.), with the remainder of calls for various public safety responses or 28% that weren't medically related.

- Chiefs' Transition Status: Proceeding at Chief's desired pace.
- P-191 (500 gpm pump) Status: The Division of Forestry military pump is pending decision by the Division of Forestry (DoF) for a 50/50 grant and, once approved, the repair will proceed (if we start repairs before the DoF decision, the grant will not be approved).

6) Notary Cheryl Bredin arrived to swear AJ LaVallie as the new Commissioner and LaVallie was seated.

7) CHIEF'S REPORT (Resumed):

- B-191 (Brush Truck Replacement) Status: Originally planned as T-191 Tanker Replacement but instead will now replace the current B-191 Brush Truck 2-1/2 ton 6x6 with manual transmission/manual steering with the new military 2-1/2 ton 4x4 (and Chief will work with DoF for a 5 ton military 6x6 to replace T-191). Chief finalized and submitted the cost proposal to the Division of Forestry for the 50/50 grant. **Fry moved** that, once the DoF Grants are approved or rejected, the Board authorize the Chief to proceed with both P191 and B191 repairs and modifications, no matter what the DoF grant decision is, **seconded** by Sward. Sward asked for confirmation that the B191 project would be up to \$3,142.50 and the P191 repair would be up to \$2,502.53, according to Red's AOK Auto, hopefully with as much as \$2,700 coming back to the District from the two approved DoF grants and Chief confirmed. **All voted aye**.

- Boat Updates:
 - Crew Boat Update: Vandalized at Pineland Marina on 9 April, LCSO investigation pending, and insurance agency is working with our insurance carrier for claims processing. Even though the Boat was not immediately added to the insurance policy, the insurance company will allow back-dating of the policy addition and will process the claim. Public Question: Will Pineland Marina’s insurance provide any coverage and Chief responded that was unlikely but Chief is working with the Manager for reduced Island Girl charges.
 - Carolina Skiff Sale on GovDeals.com: We placed a Reserve Price of \$1,500 and the winning bid of \$3,225 was more than double that amount and was accepted. We should see the money over the next month.
 - Old Crew Boat Sale on GovDeals.com: We placed a Reserve Price of \$2,500 but the highest bid was \$2,100 so it did not sell. If the Board approves, Chief can contact GovDeals.com to see if he can accept the \$2,100 bid or relist it with a lower Reserve. **Sward moved** that we either accept the \$2,100 bid or relist the boat on GovDeals.com with a \$1,750 reserve, **seconded** by LaVallie. **All voted aye.**
 - **Fry moved** that, once we receive the money from the sale of BOTH boats, we approve a \$250 commission to CAPT Tyrell for his work and storage of the boats in his yard, **seconded** by Jenkins. **All voted aye.**
 - Replacement Crew Boat: Chief has started looking for a new crew boat. **Sward moved** that the Board approve up to \$25,000 for a new boat (net cost no higher than \$20,000 after insurance claim and sales of the two boats), **seconded** by LaVallie. **All voted aye.**
 - Public Question: Does the District pay a commission to GovDeals.com? No, in addition to the winning bid amount, the buyer also pays a 12% commission to GovDeals.com.
- R-191 (Medical Mule): Trade-in value is at least \$6,000 for just the base vehicle, with a replacement purchase price of about \$12,000. All of the modified equipment on the current R191 would be removed and reinstalled on a new vehicle. Board tabled further discussion until final purchase of the replacement crew boat is completed.
- Staff Housing: No new update on landlord’s tax identification number. Sward again expressed concern about no resolution and Fry stated that it can be resolved if we include the housing allowance clause in the Chief’s proposed contract.
- LCSO Vehicle: No update on whether they will locate a new vehicle at the Station.

8) COMMISSION REPORTS:

A) Fry-2014 Special Assessment Update: One new payment was received from a South Banks lot owner (Lynda Grant for \$685.55 on 7 April):

Name	Island Address	Total	Status
GRANT LYNDA A	12640 SOUTH BANKS	\$685.55	Paid on 7 April
BERNS MANAGEMENT LLC	4511 HIDDEN	\$1,748.79	Resent 27 Feb

FLORIDA BROTHERS LLC	4621 ORO PESOS	\$713.86	Resent 27 Feb
SLOCUM WILLIAM D JR + MARILYN	151 HUMMINGBIRD	\$503.95	Resent 27 Feb
DEVOY SALLY + HOWICK PATRICIA	12568 SOUTH BANKS	\$580.61	Resent 27 Feb, spoke by phone on 30 Mar 2016
MANDELL AARON H 50% +	4471 PANAMA SHELL	\$639.61	Returned undeliverable Mar 2016
GROSSINGER JEROME M + LEILA	4541 ORO PESOS	\$264.06	Returned undeliverable Mar 2016
TSAKIRIDIS ANATASIOS + BAHRAMIS GUS J	4440 SCHOONER	\$225.91	Returned undeliverable Mar 2016
LEON MIGUEL A	4440 SMUGGLERS	\$491.30	Returned undeliverable Mar 2016
	Subtotal for 9	\$5,853.64	
ZANGHI CHARLES JOHN	4460 OYSTER SHELL	\$221.86	<u>Delivered 24 Aug</u> (2015 Paid 23 Feb)
MARMO VINCENT J + MARY JANE	4500 CUTLASS	\$767.41	<u>Delivered 24 Aug</u> (2015 Paid 31 Mar)
FISCHER JAMES C + SCHALL CAROLYN E	181 WHITE PELICAN	\$569.96	<u>Delivered 24 Aug</u> (2015 Paid 24 Mar)
LIBERTONE DANA + LIBERTONE LAURA	12520 SOUTH BANKS	\$808.36	<u>Delivered 24 Aug</u> (2015 Paid 16 Apr)
ROSEN, RONALD	12616 SOUTH BANKS	\$651.36	<u>Delivered 26 Aug</u> (2015 Paid 30 Mar)
ROSEN, RONALD	12617 SOUTH BANKS	\$785.80	<u>Delivered 26 Aug</u> (2015 Paid 30 Mar)
ARANEDA EVELYN MARINA	4511 CUTLASS	\$235.48	Returned undeliverable Oct 2015 (2015 Paid 30 Oct)
CUNNINGHAM JOE	721 RUM	\$311.55	<u>Delivered 16 Sep</u> (2015 Delinquent)
FISCHER JAMES C + MAZZA SALVATORE	4521 BUTTERFLY SHELL	\$1,283.98	<u>Delivered 24 Aug</u> (CERT 2013/14 & 2015 Delinquent)
NORTH CAPTIVA FISH CAMP LLC	11654 REDFISH SHORES	\$271.14	<u>Unclaimed 5 Oct</u> (CERT 2013/14 & 2015 Delinquent)
NORTH CAPTIVA FISH CAMP LLC	11650 REDFISH SHORES	\$279.49	<u>Unclaimed 5 Oct</u> (CERT 2013/14 & 2015 Delinquent)
HENKEL EVERETT III + HENKEL PENNY	12604 SOUTH BANKS	\$665.46	<u>Delivered 24 Aug</u> (CERT 2014 & 2015 Delinquent)
HERMANN G A + MYRL	12608 SOUTH BANKS	\$657.75	<u>Delivered 26 Aug</u> (2015 Delinquent)
LANZA MARK J TR	12649 SOUTH BANKS	\$2,067.39	<u>Delivered 24 Aug</u> (CERT 2014 & 2015 Delinquent)
TOTAL UNPAID		\$15,430.63	
TOTAL PAID SINCE AUGUST 2015		\$ 3,302.85	

B) Fry-Legislative Update: On page 15 of CS/HB479 is a list of new requirements for our website but the key items are a requirement to post:

- A listing of publicly scheduled meetings (rather than our “3rd Saturday of each month”)
- The public facility report
- The link to the Department of Financial Services’ website where our annual audits are posted
- All meeting materials that exist in electronic format at least 7 days in advance of each meeting or workshop (such as agenda, draft minutes, budget documents and read-aheads, contracts, etc.) and remain on the website for 1 year
- Changes to the website have to be done by 30 September 2016

C) Friends of the Fire Department: Gene Murphy stated that the money from past donations in the checking account are dwindling and he wants to continue limiting use of those funds

to ALS-related costs, which was the basis for the donations in the first place. Fry stated that we shouldn't need to use those past donations this fiscal year or even next year, especially for drugs and other consumables that we should budget for. Murphy would like to see our other priority equipment needs and that he would take that to create a new Fundraising Letter, with a target for mailing in October. Discussion then ensued about lane easements and trimming the Brazilian Pepper. Chief stated that he has presented at the two last UCCA meetings and articles in UCCA newsletters of owner responsibilities and LaVallie stated that we might need to move from those friendly reminders to something more forceful since we can't wait another 4 years until Lee County Code requires the complete eradication of Brazilian Pepper. The Chair created a Committee (Chief, LaVallie, Bill Byrnes, and Gene Murphy) to begin creating a list of equipment needs, costs, and priorities for future fundraising, completed by October. Sward stated that there were still urgent and immediate needs to trim blockages that impede the firetruck that need to be addressed by our firefighters in the interim.

9) OLD BUSINESS:

A) Proposed Contract for New Chief:

- Minor changes and updates were made to the version last posted on the website during the meeting.
- Board accepted the Final Draft, after updates identified during the meeting, and directed Fry to forward to Attorney Pritt for legal review.

B) DC Pepper's Debt Forgiveness:

- Fry stated that it is about \$6,000 left unpaid for about 13 shift days and that crediting additional shifts in July/August would be about 8+ days, further requiring the District to pay paramedics for those 3+ additional shifts, costing an additional \$2,000-\$4,000. Chair asked about DC Pepper's request to drop down to 1 shift/week. Chief stated that was at DC Pepper's request, allowing him to reset his insurance coverage with Lee County Human Resources. Chief then provided further explanation to the Board that DC Pepper needed a "qualifying event" with Lee County HR to reset his insurance from Employee & Spouse to Employee-Only by working less than 30 hours/week. Sward asked about the hourly rate and insurance coverage for May and Fry stated that we approved \$18.04/hour and up to \$425/month; since no insurance is required during May for workweeks less than 30 hours, the District should not have to pay for any insurance for DC Pepper. Chief stated that after 2 June (or later), when DC Pepper works more than 2 shifts/week, DC Pepper can start Employee-Only coverage and his spouse would rely on Medicare since she has been eligible for the last few years. Sward asked did that mean that we have been paying for Spouse insurance coverage that duplicated Medicare and the answer was yes, about \$10,000/year extra cost for Spouse Coverage. Sward then asked how many days DC Pepper would work at

overtime rates and Fry said it would be about 8+ days overtime, equivalent to 13 days regular time paid in December. Chair stated that we have provided a great deal of money to DC Pepper during his recovery period but that it hasn't cost the District any extra money, since it was paid for with reductions in DC Pepper's compensation from Housing, Retirement, and Paid Time Off, other than the December pay and insurance and that we should treat the forgiveness akin to a severance payment for DC Pepper's long service to the District. Jenkins and LaVallie agreed with the Chair's view but LaVallie was disappointed about the Medicare, insurance issues and wasted money but it was time to put this issue to bed. Sward again stated the original agreement was to repay December dollar for dollar, as opposed to debased overtime dollars. LaVallie then clarified that not all of the extra hours would be at "overtime" and Fry agreed that the first 5 hours of the 3rd shift in a week would be at "time" and the remaining hours that week would be at "time-and-a-half" rate of \$27.06/hour.

- **Chair moved** that we end remaining payroll deductions for December advance salary payments and health insurance provided instead of unpaid time off and allow DC Pepper to work extra shifts at overtime rates in July and August, **seconded** by Jenkins.
- The vote was **3-2 (Sward and Fry voted no)**.

C) DC Higgins FY16 Retirement Contribution Debt Forgiveness:

- Chair stated that DC Higgins believes that he doesn't owe the District \$1,704 but that the District owes him \$800 for the 4 months of his FY16 annual retirement contribution, before he retired. Fry stated that Bookkeeper Lynch and Wildeman completed the review of past payments after the 20 February meeting and determined that all retirement contributions were paid in advance, usually in the 1st quarter of each FY and that his FY15 payment occurred in February 2015. DC Higgins purchased the ladder truck/tele-squirt for \$2,600 cash and for his FY 2016 \$2,400 payment in lieu of retirement contribution, meaning that, if the debt is forgiven, DC Higgins bought the ladder truck for \$3,300 (not \$5,000). Public Question was whether DC Higgins would agree that the District didn't owe him \$800 if the Board votes to forgive the \$1,704 that Bookkeeper Lynch and former Treasurer Wildeman calculated as his debt to the District and should that caveat be in the motion?
- **Chair moved** that we forgive DC Higgins' repayment of the alleged debt for his FY16 advance retirement contribution, on the condition that DC Higgins waives his claim to \$800; Sward **seconded**.
- The vote was **3-1 (Fry voted no and Jenkins left the meeting before vote)**.

D) Budget Resolution 2016-002 (Mid-Year Budget Reallocations): Fry stated that the proposed resolution would implement the budget reallocations that were briefed as the Mid-Year Budget Review at last month's meeting. **Chair read** the resolution aloud for the public. **All voted aye** (with Jenkins absent).

10) NEW BUSINESS:

A) Board Vacancy Appointment: Completed at the start of the meeting.

B) FY17/Year 3 Special Assessment Contract and Methodology:

- Chair read the proposed contract/engagement agreement from Russ Weyer of Real Estate Econometrics for \$1,800 (the same as last year). **Fry moved** to accept the contract proposal, **seconded** by Sward, **all voted aye** (with Jenkins absent).
- Fry also reminded the Board that three Commissioners voted last July & August to reevaluate the methodology to consider adding the airstrip and small docks to the Special Assessment roll but time ran out to evaluate that with required notices to property owners and meeting the 1 September cutoff for the County Tax Collector to receive the approved special assessment roll for Year 2. Although the total amount collected would not increase, adding the airstrip and docks would slightly lower the individual special assessments of other owners.
- **Fry moved** that we provide guidance to Weyer and Pritt to evaluate the impacts of modifying the special assessment methodology to add the Airstrip and small docks to the FY17/Year 3 Special Assessment Roll. **Motion died** for lack of a second.

11) PUBLIC COMMENT: Comments made throughout the meeting. Questions were again raised about the damaged crew boat and possible replacements. **Fry moved** that our replacement boat be named “De Wave Meister II” and then accomplish a quick dedication, seconded by LaVallie, **all voted aye** (with Jenkins absent).

12) NEXT DATES: Regular Meeting moved to **Friday**, 20 May 2016

13) ADJOURN – **Moved by Sward, seconded** by LaVallie; meeting adjourned at 1:34PM.

Respectfully submitted,

Bill Fry
Secretary