



Upper Captiva Fire & Rescue District

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Richard Pepper, Fire Chief • Bob Kinniry, Assistant Chief

BOARD OF COMMISSIONERS

REGULAR MEETING

11 July 2015

COMMISSIONERS PRESENT: Zeke McDonald, Roy Wildeman, Tom Jenkins, Steve Sward (by phone), Bill Fry (by phone) and Chief Richard Pepper.

ISLANDERS PRESENT: AJ LaVallie

1) CALL TO ORDER: Chairman McDonald called the meeting to order at 10:01 AM.

2) MINUTES: Minutes of the 27 June meeting were read; **Wildeman moved**, Jenkins seconded, and **all voted aye** to accept the minutes without correction.

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

- Lee County Tax Collector remitted the last major Ad Valorem payment for the year in late-June (we may see a small amount from tax certificate sales during this quarter but we are essentially complete for 2015 remittances) and the two ad valorem accounts (checking and savings) had 30 June ending balances of \$133,872.28 and \$10,240.83 respectively. Commissioners discussed that this now takes us to about 99% of budgeted revenue collected through June, leaving only \$1,078 uncollected, which is great news. Salaries and fringe benefits is at 85% spent (over budget by 10%) and with 99% of the total, even though our overall budget target should be 75% through this point in the fiscal year. Treasurer will propose a budget amendment later in the meeting with his proposed adjustments.
- The Impact Fee account had a 30 June balance of \$5,222.87.
- As of 30 June, the Special Assessment checking account had \$111,274.64. Treasurer reported that \$425,647 of the \$447,400 Special Assessment (95.14%) was received as of 30 June, leaving \$21,753.10 outstanding. We are under budget on the Special Assessment at about 67% spent (while 75% through the year). The Rental & Leases line is now at 126% (50% over budget). That is likely caused by a "prepayment of lease" (with the agreement of the landlord for the District to pay for air conditioning repairs at the townhouse and subtract the costs from future rental payments) but the Treasurer

will confirm.

- Projected Year End Reserves: Total Cash on Hand as of 30 June is \$287,864.16 with \$1,078 in remaining Ad Valorem and \$21,753.10 in remaining Special Assessment uncollected taxes. Assuming 50% of that amount will be uncollectable this fiscal year and using pro rata budget data for the remaining 3 months of the fiscal year, Treasurer estimates only \$38K in year-end reserves. Fry stated that with \$750 collected in the last 2 weeks, plus \$8K-\$10K in the remaining unpaid assessments awaiting collection letters (those that owe \$100-\$1000 that still haven't paid), we should be close to collecting 50% of the remaining special assessments ... and on budget with the \$10,000 that was budgeted as uncollectable at the start of the year).
- Proposed Revised Budget for 2014/2015: Treasurer Wildeman stated that he is proposing adjustments on the income side to what has been collected Year-to-Date (since no further collections should be reasonably expected). All of the budget expense lines are adjusted to either a pro-rated expectation of the remaining 3 months of spending for the rest of the fiscal year (based on the last actual 9 months) OR what has been spent to date (no further spending expected).
- Line of Credit: Treasurer Wildeman has not had any further comment from the bank ... we are approved for \$300K for the Line of Credit for next year that will be signed on 28 July by the Chairman and Treasurer.
- Chairman McDonald wanted to thank Renee Lynch for the great work that she has accomplished over the last 9 months; all of the Commissioners agreed.
- Donations: The Friends of the Fire Department checking account had a balance of \$27,253.54 as of 30 June (collected over \$65,891 in donations so far this year). The Treasurer stated that most of the ALS bills are now fully paid (may be down to a "couple of thousand dollars left), plus the Contender initial outfitting still to be paid (about \$4000-\$5000)
- **McDonald moved** to accept the Treasurer's Report, Sward seconded, **all voted aye**.

4) CHIEF'S REPORT: Calls to date are 101.

- ALS Update/Staffing: Trending well, all supplies are in. CAPT Givens working up the estimated replacement list for consumable drugs for the next meeting, for use in the 2015/2016 budget development. For ALS, 2 children were treated on 4 July for allergic reactions (both resolved with observation and treatment; 1 resolved quickly but the other one required a medevac "stand by for transport" request ... which was declined by LeeFlight for weather, even though conditions were "crystal clear"; the patient subsequently resolved with further treatment and evacuation, in the end, was not required).
- M192 Training: Bench will be installed this weekend and the boat will become operational after that. One of our part-time firefighters is a former Coast Guard member and he will take responsibility for conducting training and "check rides" under both day-time and night-time operations on potential volunteer boat captains, before staff will be allowed to evacuate a patient.

- Update to Property Owners: Target date for completion of the update is October 2015 that will lay out all of the improvements within the District, including the expansion to four on-duty firefighters, our new ALS capabilities, the new boat, the maintenance of existing road signs and the installation of new road signs.
- Signs: John Mejia paid for really nice signs pointing out the direction to the Fire Station from 4 locations around the island and NCIC installed them. A letter of appreciation will be sent to both Mr. Mejia and NCIC for their efforts, with the thanks of the Commissioners.
- Public Facilities Report: Chief wants to finalize in October 2015, when all of the Commissioners are back on island and can have input before finalizing and publishing.
- House Numbering: Bill Byrne's project to verify that all houses have visible street numbers is now down to 10-20 homes on the north end of the island that are still not marked. The District is near the point of notifying the owners that the list will be forwarded to Lee County Code Enforcement. For the House Address/Club Number/House Name cross-reference list (and after-hours access process), the NCIC list is complete. Chairman McDonald will contact Rick Fox at Safety Harbor Club to determine if they have after-hours emergency access procedures that they would like to share with the District. After hours notification processes for Barnacles-managed homes (about 10) will be determined next Fall when the Skinners' return for the season.
- L191: A West Virginia volunteer fire department called this morning inquiring about purchase. They will discuss with their volunteers and may make a trip to North Naples to look at the Ladder Truck.
- Contender Donation: **Sward moved**, seconded by Jenkins that we "confirm and ratify the Chief's acceptance of the Contender from the Lee County Sheriff's Office and that we thank them for their donation". During discussions, the reminder was that the Contender initial outfitting would be paid from the donations checking account (either from GL 366.0 366.0 CONTRIBUTIONS-Miscellaneous or 366.1 CONTRIBUTIONS-Friends of UCFRD), and that Wildeman will coordinate which account will be used with Gene Murphy (as lead for the Friends of the UCFRD). Wildeman will update the Commissioners at the August meeting which donation account was used. **All voted aye.**
- Public Records Request: The Secretary will update a draft letter for Chief and the Chair to review, stating that a vote to "confirm and ratify the Chief's acceptance of the donation" occurred at this meeting.

5) COMMISSION REPORT: None

6) OLD BUSINESS:

A) Foreclosure Letters: Chairman McDonald contacted Mr. Pritt and asked whether the District could send the "notice of intent to begin collection and/or foreclosure". Pritt expressed no reservations but wanted to review the letter before it was mailed; Fry stated that he would send the draft to the Chief and Pritt after today's meeting for comment.

Chairman McDonald also reported that Pritt expressed reservations about proceeding with the next steps in the legal collection/foreclosure process before Pritt had a chance to discuss with the Commissioners. Fry reminded the Commissioners that a vote to delay would be required to offset the motion that we approved last meeting and that, as Fry stated at the January/February meetings that approved the demand for payment/intent to foreclose letters over Fry's reservations, Fry would become the loudest voice that we carry through with the legal consequences for those who didn't pay (that it is only fair to those property owners that paid on time without repeated letters and threats of collection). McDonald, and Wildeman stated that delaying 1 month, until Pritt provided his reservations, was a reasonable request. Sward was okay with a delay if a delay didn't negatively impact our future legal actions. Jenkins stated that he was okay with a delay but that, after the next meeting and hearing Pritt, we should proceed with legal collection/foreclosure, as we have agreed at past meetings. **Sward moved**, Wildeman seconded, "to delay the collection one more month until Attorney Pritt can attend the next meeting to discuss." **All voted (4-1, Fry voted against).**

B) Employee Manual: Final revisions were completed by Fry and returned to Chief for comment/finalization on 7 July. There were 5 areas discussed during the meeting for Commission Decision (or awareness):

1. Missing the Crew Boat: **District pays** Island Girl when an on-duty firefighter misses muster and has to travel to the island on the 11AM scheduled water taxi (it is not cost-effective for one person to bring the crew boat out and the held-over firefighter to return it ... even if both are qualified boat operators).
2. Trade Time: If a firefighter trades schedule dates with another firefighter, the only current stated limitation is that they cannot work "back-to-back" shifts. Fry asked whether we need to insert language about no trades allowed that would increase the hours worked in the pay period to qualify for overtime (since he recalled that one of the reasons to create the manual was to head-off possible Fair Labor Standards Act complaints about overtime pay).
3. Discipline Appeal Authority: As currently written, the Chief is both the decision maker for imposing discipline as well as the appeal authority. Fry asked whether the Commissioners needed to become the final appeal authority (and Fry proposed making the Commission Chairman that appeal authority, if Attorney Pritt stated that a separate appeal authority was necessary).
4. Physical Fitness (Under Code of Conduct): Fry stated that the manual says physical fitness is required but not defined; Chairman McDonald stated that a requirement for an annual medical exam could be inserted and all agreed.
5. Smoking Policy: Fry asked whether the home fire departments for our part-time firefighters limit smoking and Chief stated that a new Florida statute will implement a "no tobacco use" policy state-wide (but no idea about timing or imposition). Commissioners decided to leave our prohibition to no smoking as stated (no smoking at the Station, in UCFRD vehicles/boats, nor at incident scenes)

Fry stated that he would make the changes and forward to Chief and Attorney for comment before the District publishes officially.

C) Executive Summary M-192 was discussed. Chairman McDonald requested a change to the posted executive summary to add discussion about our legal and moral responsibility to transfer “custody of care” to a higher level of care than the District can provide (we can’t abandon treatment of a patient, discontinue care, or transfer them to a private boat, unless the patient declines further treatment in writing). Fry read the proposed change, language was approved, and Fry stated that the updated executive summary will be re-posted as soon as possible.

D) Cell on Wheels (COW): Tabled indefinitely, until a response is received from T-Mobile.

E) Escondido Lot: Tabled indefinitely, until Wildeman has new information to provide.

7) NEW BUSINESS:

A) DR-420/Budget for Fiscal Year 15/16: **RESOLUTION No. 2015-0711 (1)** A RESOLUTION OF THE UPPER CAPTIVA FIRE AND RESCUE DISTRICT OF LEE COUNTY, FLORIDA, ADOPTING THE PROPOSED LEVY OF AD VALOREM TAXES IN LEE COUNTY FOR FISCAL YEAR 2015-16, ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE AND THE BUDGET AND PROVIDING AN EFFECTIVE DATE was read by Chairman McDonald. Discussion ensued and the Commissioners set the millage rate at 3.75 mills and set the budget hearing date for 12 September 2015 at 10AM. **Treasurer Wildeman moved**, Jenkins seconded, **all voted aye** to approve the resolution.

B) Fire Assessment Methodology: Treasurer worked with Russ Weyer to complete the methodology report and the draft assessment roll. The District is required to send a letter notifying property owners newly added to the roll information about the Fire Assessment Hearing Date (there were 4 properties that were erroneously not included in the roll last year plus a requirement for notification for new homes constructed in the last year). Discussion ensued about the amount of the special assessment for this year and Chairman McDonald stated that he wanted to do a reduction of some amount (since the spending this year is under budget and the ad valorem property value increased, generating more income). Wildeman and Sward stated that it was too early to do a reduction (maybe one could be considered during the 2016/2017 budget deliberations, after 2 years of actual experience). Fry commented that **1)** most individual property owners will see approximately a 1% to 1.5% reduction next year (after 9 new homes and 4 townhouses were added to the improved property calculation), **2)** that the proposed/revised 2014/2015 special assessment budget that was briefed earlier shows a \$19,769 budget surplus that could support a reduction and suggested \$17,400 (reducing the discounted assessment from \$447,400 to \$430,000 while also recognizing that some owners will not take advantage of the early payment discounts that the Lee County Tax Collector provides), and lastly, **3)** Fry proposed that the Salty Approach LLC-owned airstrip (roughly 6.79

acres) be added to the assessment roll (which would add additional unimproved land to the calculation, further reducing the special assessment to all island owners **EXCEPT** Salty Approach LLC). Sward suggested that the docks that are also excluded could also be added back in; Wildeman stated that the amount of land is tiny (30 boat slips with a total area of .163 acres). With the need for Jenkins to depart at 1PM, Chairman McDonald suggested that we table these discussions until the 15 August meeting and everyone agreed.

C) Fire Assessment Hearing Date: The date/time for Public Comment on the Special Assessment Methodology and Acceptance of Special Assessment of Roll is 15 August 2015 at 10:00AM. **Wildeman moved**, second by Jenkins, **all voted aye**. Treasurer Wildeman and Bookkeeper Lynch, coordinating with Attorney Pritt, will create the required letter for new properties added to the roll since last year, notifying them of the scheduled Special Assessment Hearing.

D) Budget Amendment for Fiscal Year 14/15: **RESOLUTION No. 2015-0711(2)** A RESOLUTION OF THE UPPER CAPTIVA FIRE & RESCUE DISTRICT OF LEE COUNTY, FLORIDA, ADOPTING BUDGET AMENDMENT #2015-002, AND ESTABLISHING AN EFFECTIVE DATE. Fry asked if we could table this until the August meeting, Chairman McDonald asked Chief Pepper if that was allowed, and after confirmation, everyone agreed to table the discussion/vote since Jenkins needed to leave at 1PM (and our in-room quorum would disappear, requiring the meeting to end).

8) PUBLIC COMMENT: None

9) NEXT MEETING DATE: 15 August 2015

10) ADJOURN – **Move** by **Wildeman**, **seconded** by Jenkins; meeting adjourned at 12:59 PM.

Respectfully submitted

Bill Fry
Secretary