

**Upper Captiva Fire & Rescue District**

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*servicing the community with pride*

Robert Kinniry, Chief: UpperCapFD@aol.com

BOARD OF COMMISSIONERS

REGULAR MEETING

17 November 2017

COMMISSIONERS PRESENT: Zeke McDonald, Tom Jenkins, AJ LaVallie, Steve Sward, Bill Fry (by phone), Attorney Richard Pringle (until 11:19) and Chief Bob Kinniry.

ISLANDERS PRESENT: Carol Johnson, Joe Miklavcic, Hart Kelley, Travis Parker, JoAnn Beiermeister, Rick Fox, Bill Byrnes, Jackie Byrnes, FF-P Craig Denison, Georgia Murphy (by phone), Arthur Mason (by phone), and Dan Hrycyk (by phone).

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

2) Chair suspended agenda without objection and moved to Sward's Legal Representation Commissioner's Report (1:10 – 1:19:00):

- Richard Pringle with Strayhorn and Strayhorn was introduced and asked to provide information on his background and current clients
  - Practicing in Fort Myers for 29-1/2 years, a 4<sup>th</sup> generation family member in the practice, and a 5<sup>th</sup> generation Floridian
  - Represents/represented Bayshore, Iona-McGregor, Lehigh Acres, Fort Myers Shores, Tice, and North Fort Myers Fire Districts; Glades County Attorney, San Carlos Water District, and Hendry County Water District.
  - Reviews union agreements and various contracts and inter-local agreements, as well as litigation for some fire districts in the past 30 years
- Sward asked for billing arrangements and Pringle stated that he charges \$250/hour, billed on a monthly basis, with details on the work and hours performed on each task. Typically doesn't charge for travel time since he routinely conducts conference calls with other clients while in his car, billing them for that travel time.
- Sward asked whether he had paralegals or junior attorneys that could perform work for us at lower cost and Pringle stated that although his son recently joined the firm, Pringle will be our primary attorney, based on his experience and would not routinely involve other staff in our tasks.

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- Sward asked whether Pringle would expect to attend every meeting in person or attend just a portion of a meeting by telephone and Pringle said that he would be comfortable making those decisions on a meeting-by-meeting basis, depending on the agenda of each meeting. Further, Pringle stated that we live in an environment now that we are constantly connected by telephone, mobile, and emails throughout the day.
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- Jenkins asked about his views on the possibility of the District taking over maintenance and improvement of our public-use pathways. Pringle stated that generally the enabling legislation refers to that maintenance authority and that general law provides the right of access to an emergency scene. The question of what is defined as maintenance will become a key question and the answer to that question will determine how much money can be used to fund those efforts.
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- McDonald asked if Pringle was aware of the old AG Crist opinion that may limit the District's ability to maintain private roads with taxpayer funds and Pringle stated that he was and that he believes that there is an ability to address the question, based on the need for fire district access.
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- McDonald asked if most of the districts that Pringle represents have union contracts and Pringle stated that he has several of the larger districts that have multiple bargaining units in the same district. But for most of his districts, there is not a lot of controversy between the employees and district, so he would not call it a large part of his practice.
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- McDonald asked whether Pringle had much experience with Community Panels and Pringle responded that the other major area of his practice is Land Use that includes community panels.
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- Fry stated that he had no questions, until a decision was made to hire Pringle as the Board's attorney, concerning two different issues that will come before the Board during this meeting.
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- Sward asked whether Pringle has represented or currently represents anyone on North Captiva Island and he said only Peter "Fuzzy" Jeffers in a land use case but that was in the distant past and there are no current clients that would become a conflict of interest.
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- **LaVallie moved** to hire Attorney Pringle, effective immediately, **seconded by Jenkins**.
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- Sward suggested that we excuse Pringle and have free discussion but both LaVallie and McDonald stated that all of our discussions are public record
  - Fry asked to call the question
  - **All voted aye** to hire Pringle, effective immediately
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- Fry asked three questions that Pringle, as our new attorney, respond in writing to before the 8 December meeting, related to the citizen proposal for the District to start improving our public-use pathways:
    - Confirm that we have the legal authority to maintain, by grading, and improve the surface of island public-use pathways (with appropriate fill) that exist as easements from individual island property owners, and if so, what are the limits of that authority
    - Confirm that this Board has the authority to use ad valorem revenues this year to accomplish that surface maintenance and improvement of our public-use pathways, potentially costing about \$60,000 total each year, with \$20,000 for grading and \$40,000 in fill and improvement
    - What are the governance and oversight requirements needed to comply with the Sunshine Act? Specifically, can the District appoint a citizens panel to identify, prioritize, and supervise contractors performing the maintenance and improvement of public-use pathways, either with or without a Commissioner as a member of the proposed committee?
    - Pringle asked clarifying questions and then stated that he had a sufficient understanding of the questions to provide an accurate, legally defensible response before the next meeting
  
  - McDonald & Fry also asked questions related to the proposed community committee that intends to conduct a search for a replacement Chief of the District and whether that committee would be subject to the Sunshine Act if there isn't a Commissioner member
    - McDonald asked if one and only one Commissioner is a member on a citizens search committee whether the committees discussions and recommendations would NOT be subject to Sunshine and Pringle answered that he favored a conservative and strict interpretation of Sunshine that, no matter who is on the committee, it is subject to Sunshine for any topic or meeting where decisions or recommendations could be discussed
      - Pringle stated that selection of a Chief isn't one of the activities that has an exception to Sunshine
      - Pringle's recommendation is that the committee could work without public meetings to gather facts but that the committee MUST cease discussions before the point of developing recommendations or rank ordering applicants
      - Pringle recommended that, before the committee reaches that point, the meetings should end, a set of meetings should be properly noticed in the News-Press, and then those discussions must occur in Sunshine
    - Fox asked for confirmation that it would be permissible to have committee meetings to gather resumes that aren't subject to Sunshine and then schedule 1 or more future meetings that ARE subject to Sunshine to review the resumes, discuss

128 candidates, and make a committee recommendation to the Board of Commissioners  
129 and Pringle stated that was legally allowed but there were risks to the committee  
130 members if they strayed into discussing recommendations or creating a short-list of  
131 candidates. A better way to proceed is to schedule 6 or 7 or more meetings, such as  
132 on a weekly basis, advertising all of those dates once, and then you can later cancel  
133 them just by posting a notice on the meeting room door. Then there is no risk to  
134 committee members about discussions slipping into Sunshine-limited topics by  
135 mistake. Pringle reiterated that once there is any two-way communication between  
136 individuals members that discusses potential recommendations or options, that  
137 opens the risk of potential Sunshine violation complaints.  
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- 139 • Pringle then departed the meeting at 11:19AM

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### 141 3) Chief Search Committee 8E) (1:19:00 – 1:52:18):

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- 143 • Fox asked for guidance on how to conduct his committee meetings to comply with  
144 Sunshine:
  - 145 ○ Based on Board's understanding of Pringle's guidance, the Board is comfortable with  
146 the Committee meetings to finalize a proposed ad, what methods of dissemination  
147 that the ad will be published/announced, the timeline to publish/receive  
148 applications and resumes/sorting the resumes into those that meet the minimum  
149 requirements and those that do not
  - 150 ○ Once that initial work is completed by the search committee, Fox would return to the  
151 Commissioners and notify the Board that the committee was ready to begin  
152 evaluating those resumes
  - 153 ○ The Board would approve the next step and announce future dates for the search  
154 committee meetings, publishing those dates in the News-Press, in compliance with  
155 Sunshine requirements
  - 156 ○ The Search Committee would then begin properly noticed/published meetings to  
157 discuss each resume that meets the minimum requirements and develop a rank  
158 order of those candidates for a recommendation to the Board
  - 159 ○ Once the Search Committee completes their evaluations, they would provide all of  
160 the resumes to the Board, with their recommendations, for detailed contract  
161 negotiations to begin
- 162 • Fox has begun to form the Search Committee that includes Bryan Brillhart, Steve  
163 Hoffman, and Bill Byrnes as members. Each have different talents and experiences that  
164 will help them accomplish the task. The committee has not met as a group yet, until  
165 they had clarifications on how Sunshine Law impacts the committee.  
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- 167 • Fox provided his suggested minimum qualifications for a future Chief:  
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- 169 • Fox provided his suggested minimum qualifications for a future Chief:  
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- 171           ○ Professional attributes that include strong interpersonal and leadership skills,  
172           computer savviness, strong communication skills, public relations experience and,  
173           when necessary, be a disciplinarian.
- 174           ○ Our Chief will lead the pathway maintenance initiative and Chair stated that any  
175           Chief will have responsibility to oversee any activity deemed legal for the District to  
176           perform, if assigned that duty by the Board.
- 177           ○ Draft ad would be an attempt to entice and sell the island and the District to  
178           potential applicants.
- 179           ○ Minimum Requirements are:
- 180           ▪ Florida Firefighter II certification
- 181           ▪ Florida EMT or Paramedic certification
- 182           ▪ Valid American Heart Association CPR certification
- 183           ▪ Florida Fire Officer II certification
- 184           ▪ ICS 190, 200 and 300 certifications
- 185           ▪ 15 years of experience
- 186           ○ Preferred requirements are:
- 187           ▪ Florida Administrative Fire Officer (Fire Officer III) or Florida Chief Fire Officer  
188           (Fire Officer IV) certification
- 189           ▪ Fire Safety Officer status
- 190           ▪ Wildland/Urban interface (with the large amount of state park on the island)
- 191           ▪ Boating experience a plus since the District is on a bridgeless island, we have two  
192           boats, and we have a mission for water rescues. Chair stated that this should  
193           probably should move to a minimum requirement
- 194           ○ Fox recommends reducing the shifts from 8 shifts/2 weeks to 7 shifts/2 weeks or 3-  
195           1/2 shifts per week, on average
- 196           ▪ If we have a Chief and Assistant Chief, they each would work 3 shifts one week  
197           and 4 shifts the next or vice versa
- 198           ▪ Asked Fry to run numbers for a Chief at \$60,000 salary, Assistant Chief at  
199           \$50,000, and possible benefits. Fry provided data indicating that the District  
200           currently pays about \$206,000 annually for all pay and for the District to cover 7  
201           shifts/week, with Chief for 4 shifts/week and 3/shifts per week by 3 different  
202           paramedics. As long as two Chief together work at least 7 shifts/week and total  
203           salary and benefits for any new hires are limited and reasonable, there would be  
204           no budget impact.
- 205           ▪ Chair commented that would mean that neither chief would be on duty when  
206           the other was there but 4 shifts/week would allow for one shift a week as an  
207           overlap day for both chiefs to discuss issues and synchronize efforts.
- 208           ○ Compensation will be open to negotiation, with salary & benefits commensurate  
209           with experience, shifting salary & benefits around to meet the applicants'  
210           requirements while remaining within our current budget limits of \$206,000 for two  
211           chiefs.
- 212
- 213           ● LaVallie stated that we should not spend \$1 more than we need to attract and retain  
214           qualified employees.

- 215       • Fox's recruiting assumptions:  
216       ○ Housing will have to be addressed, whether that is in a Station apartment, a  
217       townhome, or the new Chiefs rent/buy their own island home, that cost will have to  
218       be in the benefit package.  
219       ○ Shifts will be 3/4 and 4/3 each two week period (7 shifts each per 2 week period)  
220       • Recruiting Budget: Intend to pay out of SHC funds and submit reimbursement requests  
221       to the Board  
222       ○ \$1000 for advertising  
223       ○ \$4000 for interviewing but doesn't believe out-of-state advertising will be required,  
224       since he doesn't know how reciprocity between other states and Florida, which will  
225       reduce possible travel costs  
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227 4) MINUTES (1:52:18 – 1:56:41): Minutes of the 27 October Regular Meeting were read;  
228 **LaVallie moved, Jenkins seconded, and all voted aye** to accept the minutes with correction.  
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230 5) TREASURER'S REPORT (1:56:41 – 2:05:42):  
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- 232       • Balance Sheet:  
233       ○ The Ad Valorem checking account had a 31 October ending accrued balance of  
234       \$7,817.77 (that's after subtracting \$70 in overdraft fees for 2 checks in October that  
235       Chief created without confirming that Bookkeeper Lynch had transferred the money  
236       from the money market to checking account to cover them)  
237       ○ The Ad Valorem Money Market Account had a 31 October ending accrued balance of  
238       \$247,368.36 (including \$140.85 in interest for October)  
239       ○ The Friend's account had a 31 October ending balance of \$15,309.79 (no change)  
240       ○ The Impact Fee account had a 31 October ending balance of \$2,219.55 (no change)  
241       ○ Fry stated that there were no unexpected outstanding liabilities other than the usual  
242       transfers of expenses between the General Fund and Special Assessment Fund, both  
243       in the current and past fiscal years.  
244       • Consolidated Income and Expense Report Ending 31 October: There are still a number  
245       of reallocations pending between FY17 and FY18 that will continue to impact our reserve  
246       carry-forward from last year and our expenditures this year. We were 8.33% into FY18  
247       with Pay & Benefits at 8.92% (after the \$34,593 in Special Assessment wages are  
248       reallocated to \$28,064 for wages, \$2147 for FICA taxes, and \$4383 for Workmen's  
249       Comp), Operating Expenses at 2.17%, and Capital Investment at 18.47%.  
250       ○ The Pay & Benefits category is high due to the Workmen's Compensation line  
251       primarily since we pay 25% for our initial down payment on the policy each year and  
252       then 10 equal monthly payments that Lynch allocates 50/50 between the General  
253       Fund and Special Assessment Fund, so that high percentage is just a timing issue  
254       ○ The Capital account will have some dramatic changes in the next few months with  
255       the purchase of the boat motor last September and installation in October, making  
256       both the purchase and installation FY18 investments, according to Lynch. The

- 257 repowering/installation cost of \$3155 is already in this FY but it still needs to be  
258 allocated 50/50 between the two funds
- 259 ○ There is also a large budget amendment that we'll talk about in new business for the  
260 \$50K cost of the high pressure/high volume pump & trailer that affects Capital and  
261 the Unrestricted Reserve this month, as well as the \$6,250 raise for Chief Kinniry,  
262 both of which decrease unrestricted reserves, that were approved last meeting
  - 263 ○ Chair asked why 522.641 and 522.643 are both over \$750 and where is capital below  
264 \$750? Fry stated that under \$750 isn't capital but an expense purchase (like fire  
265 hose with a unit price less than \$750) and that is in 522.526 about 5 lines higher on  
266 the report.
  - 267 ● **Sward moved** to accept the Treasurer's Report, **Jenkins seconded, all voted aye.**

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269 6) CHIEF'S REPORT (2:05:42 – 2:14:46):  
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- 271 ● Calls: 88 calls year-to-date, including our first illegal fire on the beach
- 272 ● Equipment:
  - 273 ○ High Volume/High Pressure Pump:
    - 274 ■ Chief stated that pump & trailer are on order from Ten-8, after updated their  
275 quote, increasing the cost
    - 276 ■ Fry asked why the Chief provided a Word document to the Board for decision at  
277 the last meeting that showed \$42,791.48, while the individual lines totaled  
278 \$43,541.48, off by \$750? Chief stated that he added incorrectly.
    - 279 ■ Fry also pointed out that the Chief had the wrong total cost that is now  
280 \$49,734.14, almost \$6,200 more than what was presented to the Board:
      - 281 ● The pump was \$42,000 and now it is \$41,500. Chief stated that is a \$500  
282 discount that Ten-8 provided, after comparison with the online price from  
283 FirePenny.com.
      - 284 ● The various hoses and connectors were \$791.48 and now total \$4,921.64 or  
285 \$4,130.16 higher. Chief stated that those items were not available from  
286 FirePenny.com, so he didn't include them in the two source comparisons.
      - 287 ● The trailer, that was included in his freight cost estimate, is now its own  
288 separate line of \$1,812.50
      - 289 ● The freight cost has doubled from \$750 to \$1,500, without the trailer
    - 290 ■ Fry stated that it was really good that Chief provided a document to the Board at  
291 the last meeting, before we approved spending, but it would be even better if  
292 the document was accurate, at the time the Board approves a purchase, rather  
293 than having a higher number become the actual cost when it is ordered. Chief's  
294 answer was that he left out roughly \$6000 of items that weren't available from  
295 FirePenny.com and he wanted to show the Board an "apples to apples"  
296 comparison, even though it may have misrepresented the total price of the  
297 purchase.
  - 298 ○ Utility Vehicle: Replacement U191 short-bed is on order and will be delivered soon

- 299                   ▪ Chief reiterated that 6-wheeled utility vehicles are no longer being manufactured  
300                   and they were starting to investigate a small pick-up truck for the next update of  
301                   R191  
302                   ▪ Fry stated that U192 that carries the slid-in tank & pump unit is also on a long-  
303                   bed utility vehicle and that would have to go on a pick-up too but Chief stated  
304                   that it will fit on a short-bed, with a small 4-6" overhang. Fry withdrew his  
305                   comment, with apologies.  
306                   ○ GovDeals.com: \$4,000 check for the old crew boat motor was received this week  
307                   ● Fire Break Maintenance: No update from Chief or LaVallie but LaVallie will contact State  
308                   Ranger Lach before the next meeting  
309                   ● The Board accepted the Chief's Report

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311 7) COMMISSIONER REPORTS (2:14:46 – 3:11:01):  
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313 A) Sward-Legal Representation: Covered in 2) above  
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315 B) LaVallie-Community Committee Update:  
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- 317                   ● IRMA Chipping: At the meeting last month, the decision was made by the Board to  
318                   spend up to \$7500 to start chipping debris along the sides of our pathways, with joint  
319                   leadership by LaVallie and Byrnes.  
320  
321                   ○ LaVallie stated that:  
322                   ▪ After 2 days of work, he decided to terminate the chipping because there were  
323                   piles on the sides of our pathways that were obvious IRMA debris from pathway  
324                   clearing, piles of cut vegetation from peoples' yards that may or may not have  
325                   been caused by IRMA, palm fronds, and even piles that had been beside the road  
326                   since last February's island clean-up. It was difficult to tell the difference, causing  
327                   islander questions about why some piles were chipped and others were not.  
328                   ▪ Started on Conch Shell, proceeding north to Bartlett the first day, started on Sear  
329                   with a plan to proceed south to SHC until it was terminated by LaVallie.  
330                   ▪ We paid \$3,490 for those 2 days of work for 3 men and the chipper (Cottrell and  
331                   2 laborers from MAJ Contracting, billed and paid to MAJ Contracting).  
332                   ○ Byrnes stated that:  
333                   ▪ Received many questions from islanders about why the Board was approving the  
334                   spending of District funds to clear IRMA debris when it should be an individual  
335                   property owner, County, or Crowder Gulf (the County's contractor for the rest of  
336                   the County) who should be paying the bill.  
337                   ▪ Pulled the minutes from 2004 & 2005 after Hurricane Charley and found that:  
338                   ● The County and Crowder Gulf initially refused to come to North Captiva to  
339                   perform post-Charley debris removal  
340                   ● The District obtained a Line of Credit from SunTrust to pay for debris removal  
341                   and contracted with Utelco, who worked for about 1 week



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- Then Crowder Gulf came back out and said it was their responsibility as a FEMA contractor and they ultimately began removing both foliage and construction debris, paid by FEMA
  - UCFRD was ultimately reimbursed for about \$250,000 from FEMA to cover the Utelco bills, as well as overtime, attorney costs, and other Charley costs
  - Crowder Gulf has agreed to return to North Captiva after Thanksgiving to survey any additional piles of debris “curbside” that were not originally surveyed 2 weeks after IRMA. NCIC is the only contractor that Crowder Gulf has subcontracted to for work on North Captiva, and their reimbursement limit is still \$2.30/cu yard of debris, even though that mainland reimbursement rate is too low to cover actual costs on this island
  - Kelley asked the District to confirm that the County would not institute an MSTU/MSBU to charge islanders for debris clean-up, like they did after Charley
  - Chair plans to call Commission Manning to press for complete reimbursement for our costs for debris clean-up
  - Chief reminded everyone that for the original piles of debris, Crowder Gulf’s reimbursement rate would have been about \$2000 for clean-up of the entire island, which is unreasonably low, and that Crowder Gulf should just bring their own equipment out and do the work themselves for that
  - Miklavcic stated that the west end of Seair had significant storm debris and between the debris from road clearing and his neighboring yards, there were a number of significant piles of debris on Seair. Miklavcic coordinated with Cottrell to have his piles chipped, which started the afternoon of 27 October, after the Board approved for Cottrell to begin chipping for the District, up to that \$7500 limit. Those piles were chipped and Miklavcic directed Cottrell to submit the bill to the District for payment. Cottrell was told that only District-supervised work was covered and that Miklavcic would have to pay the bill. Miklavcic asked why Justice was paid \$3500 for chipping when Miklavcic, using Cottrell, was actually the first to start chipping. Miklavcic stated that he paid Cottrell and asked whether he would be reimbursed by the District or FEMA.
  - LaVallie responded that:
    - Cottrell and Justice combined to accomplish the work with Cottrell running his chipper and Justice providing 2 laborers to pull the debris for Cottrell to feed into the chipper, so it was a joint effort, with Justice billing and receiving the payment and then paying Cottrell for his share of the work
    - Stated that he didn’t believe that it was any intention for the District to chip every pile, that some owners came out and told LaVallie and Byrnes that they were already paying for their piles to be chipped, and those piles were bypassed
  - Sward stated that the \$7,500 was just a start of the work, that there was no process to reimburse anyone for work that they undertook on their own, and that we need to determine whether the District is going to be reimbursed for anything
  - Chair asked LaVallie to contact Pringle to determine how we will go about getting reimbursed for IRMA debris chipping that the County/Crowder Gulf contract wouldn’t cover with their low, mainland-based rates

- 386           ○ Byrnes stated that since the discussion had morphed to Old Business I, we should  
387           also discuss Old Business J (Road Trimming). We only have one proposal in writing  
388           for any trimming or chipping work. Chair asked if he was suggesting that Clean Cut  
389           should do both jobs and not Cottrell?
- 390           ○ LaVallie stated that we need to define what needs to be done, what that will cost,  
391           whether we decide to set aside some work for Cottrell, and where the money will  
392           come from.
- 393           ○ Chair asked whether we needed to hold a special meeting in 2 weeks to discuss this  
394           and Fry stated we are already meeting on 8 December, 3 weeks from now.
- 395           ○ Fry stated that all of these problems were why he proposed at the last meeting to  
396           solicit bids for chipping ALL piles on the side of our pathways, that we would have  
397           been discussing those proposals & costs at today's meeting instead of discussing  
398           how fouled up the last 3 weeks have been, and we could have made a decision to  
399           have the work completed nearer Thanksgiving, instead of nearer to Christmas now.  
400           That after 2 months since IRMA struck, we may now be too late to get any  
401           meaningful FEMA reimbursement. **Fry moved** again that we solicit all vendors for  
402           costs to chip EVERY pile on the side of our pathways and that we plan to award a  
403           contract at the 8 December meeting, **seconded by Jenkins, all voted aye.**
- 404           ○ Fry asked if Byrnes would take care of contacting Clean Cut, Cottrell, MAJ, NCIC, SHC,  
405           and Tortuga for quotes by 7 December, so that we can discuss and award a contract  
406           on 8 December? Byrnes said that he would take the lead.
- 407
- 408           ● Pathway maintenance tabled until the December meeting, after our new legal advisor  
409           provides his written opinion and we can then determine the path forward
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411 8) OLD BUSINESS (3:11:01 – 3:49:29):

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- 413 A) Repair or Replace the Station Generator: Tabled until January when Chief provides  
414 further information about alternatives, costs, and whether building a wooden/tin-roofed  
415 shelter will protect the generator sufficiently.
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- 417 B) Officer Chain of Command/Organization Chart and **H) Officer New Hire: Organization**  
418 **Chart and duties** tabled until 8 December when Chief provides further detailed  
419 information about duty descriptions, what the 4 officers' (Cook, McMullen, Givens, and  
420 Denison) additional duties will entail and how frequently those duties will need to be  
421 performed.
- 422
- 423           ● Chief proposes hiring part-time FF/P Denison to work 2-1/3 shifts per week as a full-  
424           time employee and promoting him to "Operations Officer/Shift Captain"
- 425           ● Fry stated that the Board approved funding and the hiring of an EMT or Officer in the  
426           FY18 budget, that Denison has been an Acting Officer for a large number of shifts for  
427           the last 12-18 months, that he remains a full-time employee of Fort Myers FD with  
428           benefits, including health insurance, and that paying him the same \$20/hour that our  
429           other part-time Captains receive without benefits has no budget impact.

- 430 • Sward asked where Denison would sleep and Denison responded in the Station bunk  
431 room, as he has the last 2-1/2 years.
- 432 • Denison asked how the Board decision to replace Chief Kinniry would impact his  
433 decision to work full-time for UCFRD (2-1/3 shifts or every 3<sup>rd</sup> day on C Shift). Chair  
434 stated that if he met the minimum requirements for the next Chief, he was welcome  
435 to apply and Denison stated that he started this with the idea of supporting Chief  
436 Kinniry, not to help push him out of the job.
- 437 • Fry stated that the funding exists for a full-time officer, with or without a new chief.  
438 Fry also stated that neither Chief Kinniry nor Capt Denison currently meet the  
439 requirements of the proposed search process, since both were only Fire Officer I, not  
440 the Fire Officer II minimum certification.
- 441 • **LaVallie moved** that we approve the Chief's request to hire Denison as Captain at  
442 \$20/hour, without benefits, **seconded by Fry, all voted aye.**
- 443 • Fry stated that he would notify Bookkeeper Lynch after the meeting that, effective 1  
444 January 2018, Denison is promoted to Captain, moves from the Special Assessment  
445 Fund to the General Fund, and will be paid \$20/hour, without benefits.

446  
447 C) Sol Vista Fire After Action Review (AAR) Update and Improvements – Future updates will  
448 move into the Chief's Report, starting in December:

- 449 • [http://ucca1.com/images/08112017\\_After\\_Action\\_Review\\_Final.pdf](http://ucca1.com/images/08112017_After_Action_Review_Final.pdf) (Updated)
- 450 • Updates:
  - 451 ○ Chief updated his mobile phone and eliminated the competing notification
  - 452 applications and believes it is now functioning properly
  - 453 ○ Created a new daily checklist for firefighters to record any issues with fire lane or
  - 454 draft point blockages during their daily patrols. As part of that process, GPS readings
  - 455 have been taken for all of our draft points and designated landing/assembly
  - 456 locations for mutual responders. Sward asked whether all of our draft points were
  - 457 accessible and Chief stated that they were clear.
  - 458 ○ Sward asked about the cell phone drop and taking the Station landline off of call
  - 459 forwarding at night.
    - 460 ▪ Chief responded that the reason it was forwarded to the Duty Officer's cell
    - 461 phone is that, if the crew is out on a call, there is no staff to answer the phone
    - 462 ▪ Fry said that wasn't the question; the question was why the phone can't be taken
    - 463 off forwarding at NIGHT when the team is in the Station?
    - 464 ▪ Chief again stated that it didn't make sense and Fry responded that if are he is
    - 465 rejecting it as a solution, it should be updated on the matrix, and the Board
    - 466 needs to discuss your rejecting that potential solution.
    - 467 ▪ Board agreed with Chief's decision to reject the solution and will leave the
    - 468 landline on call-forward to the Duty Officer cell phone at all times
    - 469 ▪ Chair asked Chief to check with CenturyLink to determine if they could make
    - 470 both the landline and cell phone ring at night.
    - 471
    - 472

- 473           ○ Chief has purchased additional bottled water to store at the Station and on the  
474           vehicles  
475           ○ Chair asked if Chief had contacted LCEC about moving the electric transformer box on  
476           Point House Trail/Sol Vista and the Chief said not yet, it was a more complicated  
477           action  
478           ○ Chair asked why the improvement document says that the width of the pathways  
479           should be 20' but the Clear Cut proposal says they will cut to 15'. Chief explained that  
480           15' was the minimum necessary and what was attempted during last year's road  
481           trimming. LaVallie stated that some roads might be more appropriate to be 30', like  
482           on Rum Road, where multiple water trucks may be shuttling water, going both  
483           directions. LaVallie stated that could be a future topic for our proposed road  
484           committee.

485  
486 D) IRMA After Action Review Update and Improvements – Future updates will move into the  
487 Chief's Report, starting in December:  
488

- 489           • [http://ucca1.com/images/Hurricane\\_Irma\\_Issues-Solutions\\_10132017.pdf](http://ucca1.com/images/Hurricane_Irma_Issues-Solutions_10132017.pdf) (Updated)  
490           • Chief contracted with Suburban Propane to add our tank to their schedule for annual fill-  
491           up at the start of hurricane season  
492           • Chief created a new checklist for hurricanes covering shutdown procedures that now  
493           identifies checking the propane level and turning off the generator if the station is closed  
494           • Rejected the proposed solution to use Social Media since he believes that a Public  
495           Information Officer would be required and we don't have funds for that  
496           • Chair asked about Reverse 911 and Chief stated that the County did use Reverse 911 to  
497           island landlines, starting the evening that mandatory evacuations were ordered, which  
498           was 2-3 days after Chief started his pre-evacuation notices to islanders.  
499

500 E) Search Committee for Future Chief: Covered in 3) above  
501

502 F) New Proposed Volunteer Program Identified Tasks & Training Plan: Tabled until 8  
503 December when Chief provides further detailed information.  
504

505 G) Station Repair Plan, Schedule & Costs: Tabled until 8 December when Chief provides  
506 further detailed information.  
507

508 H) Draft Ad for New Full-Time Hire: Covered in 8B) above  
509

510 I) Hurricane IRMA Vegetation Clean-Up: Covered in Commissioner LaVallie update  
511

512 J) Pathway Trimming Project Proposals & Bids: Covered in Commissioner LaVallie update  
513

514 9) NEW BUSINESS (3:49:29 – 4:03:10):  
515

- 516 A) Budget Amendment #1 Resolution: Chair read aloud the proposed resolution in its  
517 entirety, **LaVallie moved** to adopt, **seconded by Jenkins, all voted aye.**  
518
- 519 B) Commissioner McDonald Resignation: Plans to resign from the Board as a  
520 Commissioner on 8 December. McDonald would be happy to open the December  
521 meeting and will then yield the meeting to the new chairman.  
522
- 523 C) 5<sup>th</sup> Annual Fun Run on 29 December 2017: **Jenkins moved** for Board approval to pay for  
524 event insurance of \$165 and state park fee of \$200, **seconded by LaVallie, all voted aye.**  
525

526 10) PUBLIC COMMENT (4:03:10 – 4:18:12): During the recent past, a firefighter was asked to  
527 document a possible blockage of beach access at the end of Oro Pesos and the firefighter  
528 reportedly responded “Which road is Oro Pesos?”. Kelley was disappointed in that question  
529 from the firefighter and suggested that Chief should test all of our part-time firefighters on the  
530 names of our main island roads and locations of draft points. Kelley asked and Board approved  
531 Fry to send an email to the all-island list announcing the vacancy and asking for names of  
532 interested District-registered voters. Will there be any further delays with the District taking  
533 responsibility for our pathway surface maintenance? The online petition has over 60 signatures,  
534 which is more than 50% of registered voters, who agree that the District should fund surface  
535 maintenance of our public-use pathways. LaVallie stated that the 3 questions that Fry asked  
536 Pringle, with a response in writing, should put to rest any questions of the legality of the District  
537 spending taxpayer money on the proposed project and we should have those written answers  
538 before the next meeting. Will Pringle address the legality of a fixed \$100/property assessment  
539 fee for pathway maintenance. Fry stated that the first step to determine the legality of District-  
540 funding for pathway surface maintenance, and the follow-on steps were whether it will be  
541 financed by a special assessment requiring a referendum or the general ad valorem fund, and if  
542 special assessment, we would have our Real Estate Economist develop another methodology  
543 and proposed assessment roll, just as we do every June – August for the existing Fire Services  
544 special assessment ... and we are least 3-6 months from that point. Once we make the decision  
545 to go to referendum, that is the point when we start spending that estimated \$50,000 - \$70,000  
546 in referendum costs. And we are not there yet.

547

548 11) NEXT DATE: The next Regular Monthly Meeting is Friday, 8 December at 10AM.

549

550 12) ADJOURN – **Moved by LaVallie, seconded by Jenkins;** meeting adjourned at 2:19 PM.

551

552 Respectfully submitted,

553

554

555

556 Bill Fry  
557 Secretary/Treasurer