

Upper Captiva Fire & Rescue District

4511 Hodgepodge Lane

P.O. Box 322

Pineland, FL 33945

Phone: 239-472-8899 / Fax: 239-472-1582



servicing the community

BOARD OF COMMISSIONERS

SPECIAL MEETING

2 January 2018

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

ISLANDERS PRESENT: Richard Gross, Arthur Mason, and Rick Fox

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

2) VERIFICATION OF REQUIRED PUBLIC NOTICE: Vice-Chair asked Chief Kinniry to confirm that public notice was properly published in the News-Press and Chief confirmed

3) ADDITIONS/CHANGES TO THE AGENDA & PUBLIC COMMENTS ON AGENDA: None

4) NEW BUSINESS:

A) ELECTION OF BOARD OFFICERS:

- Chairman:
 - **Jenkins nominated** Byrnes, **seconded by** LaVallie, accepted by Byrnes
 - **Sward nominated** LaVallie, declined by LaVallie
 - **All voted aye** for Bill Byrnes as new Chair

- Vice-Chairman: **Jenkins agreed** to remain as Vice-Chair, **seconded by** Sward, **all voted aye** for Tom Jenkins as Vice-Chair

- Secretary: **LaVallie nominated** Fry, **seconded by** Sward, **all voted aye** for Bill Fry as Secretary

- Treasurer: **Jenkins nominated** Fry, **seconded by** Sward, **all voted aye** for Bill Fry as Treasurer

B) PATHWAY TRIMMING PROPOSALS:

- Chair stated that only one proposal was received during October, November, and December and that was from Clean Cut Tree Service, the same company as last year. Their proposal had two pricing options:
 - Trimming and chipping as they go down the lane for \$17,500
 - Trimming only, with piles left for post-IRMA contractor to chip for \$12,500
- Since the December meeting, Crowder Gulf, the Lee County post-IRMA contractor has contracted with Clean Cut Tree Service for \$11,000 to chip all post-IRMA tree/landscape debris in place, and no additional piles can be added
 - Chair thanked our former Chairman, Zeke McDonald, for his continued work with the County that caused Crowder Gulf to recognize their contract included North Captiva for post-IRMA clean-up without additional costs to our District
 - That contract has nothing to do with the District since we won't pay anything further but between Crowder Gulf and Clean Cut for direct payment
 - Clean Cut is working through 300+ pages of forms and instructions to comply with FEMA requirements but plans to start the project this week
 - Clean Cut would like to do both jobs at the same time, trimming the pathways to a 15' wide x 15' high envelope, and then chipping both those cuttings and post-IRMA debris along the side of the lanes at the same time
 - Chair reminded Islanders that the post-IRMA debris piles were surveyed a second time by Crowder Gulf, by GPS and street address, that any piles added after that date are the responsibility of property owners and their landscapers to properly dispose of, and that complaints will be made to Lee County Code Enforcement for any piles that remain for extended periods
- Sward asked whether UCCA was still donating any funds toward the project and Chair stated that UCCA President had polled their Board and would provide up to \$5,000 towards the project.
- Based on that, **Sward moved** that we approve up to \$12,500 for trimming of cart paths, **seconded by LaVallie**.
- Discussion:
 - Sward stated that he believed that we had budgeted \$15,000 between the two funds for pathway trimming and maintenance and that we had spent about \$3,500 of that for the initial chipping of post-IRMA debris, leaving about \$11,500 in the budget.
 - Fry confirmed the number, stating that with the UCCA contribution and the \$3,500 spent to date, we would have to spend about \$1,000 over the approved budget that could come out of reserves or donations and we can afford to approve spending \$6,250 for road trimming from each fund.
- **All voted aye** to approve \$12,500 to Clean Cut, with remainder of \$5,000 from UCCA
- Sward asked Chief to have firefighters survey the island every two weeks after the trimming project is completed to identify any future piles that aren't being quickly disposed of. Chief agreed.

5) PUBLIC COMMENT: Mason and Fox asked questions about what had been previously discussed, since they had just arrived. Chair reiterated that what had been discussed and approved was trimming of pathways and chipping of those trimmings throughout the island, except for Safety Harbor Club roads, as in years past. Mason then asked the Board to reconsider the approved motion that funded \$12,500 for trimming non-SHC pathways, that taxpayer money was being spent to maintain non-SHC pathways, that SHC members were taxpayer too, and they were not receiving any benefits from the trimming project. Jenkins reminded Mason that nearly every SHC member travels on island paths outside of SHC, while non-SHC members are excluded from all paths except Harbor Bend between the north and south of SHC. Mason asked why SHC wasn't going to be reimbursed for doing their own pathway trimming and chipping since they pay for their own and asked for \$2,000 to reimburse SHC for their past work. LaVallie stated that a precedent should not be set to pay those property owners who maintain their trimming and they should not get a rebate. Fox stated that he agreed with Jenkins that every islander uses all of the roads, that SHC already funds their own roadwork including trimming, and that their past trimming of the SHC roads could be like a SHC contribution to the District for island-wide work, without the need for reimbursement to SHC, just as UCCA is contributing. Chair stated that the agenda was only for elections and non-SHC trimming but that future meetings would be the time for SHC to make their case. Mason asked why the discussion couldn't occur now when the meeting notice allowed for "any and all business" that might come before the Board to be discussed. Fry stated that since Agenda Item #3 for ADDITIONS/CHANGES TO THE AGENDA & PUBLIC COMMENTS ON AGENDA was over 15 minutes ago and neither the Board nor the public asked for additions or deletions at that time, that time had passed to add agenda items. Mason continued to repeat that the meeting notice allowed for any and all topics, ignoring that he wasn't at the meeting at the appropriate time to propose additional agenda items and that we are past that point in the agenda. Sward reminded Fox and Mason that pathway maintenance, what would be included, what the costs would be, and how much would be funded annually was a future topic after we receive our Board Attorney's opinion confirming whether District funds could be legally spent on performing pathway surface maintenance and that additional detailed discussions would occur at future meetings to address SHC issues. Fry reminded SHC that they failed to provide a cost proposal when we asked for proposals in October, November, and December to include SHC pathways and that wasn't done until 10 minutes after the Board has passed the point to approve additional agenda items for this meeting.

6) NEXT DATE: The next Regular Monthly Meeting is Friday, 19 January at 10AM.

7) ADJOURN – **Moved by Byrnes, seconded by Sward**; meeting adjourned at 10:33AM.

Respectfully submitted,

Bill Fry
Secretary/Treasurer