

# Upper Captiva Fire & Rescue District

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*servicing the community*

## BOARD OF COMMISSIONERS

### REGULAR MEETING

19 January 2018

COMMISSIONERS PRESENT: Bill Byrnes, Tom Jenkins, AJ LaVallie, Steve Sward, Bill Fry, Attorney Richard Pringle (10:00 – 11:20) and Chief Bob Kinniry.

ISLANDERS PRESENT: Arthur Mason, Rick Fox, JoAnn Beiermeister, Zeke McDonald, Richard Gross, Jackie Byrnes, Sue Ann Cousar, Erin LaVallie, Ed Condon, CAPT McMullen and CAPT Givens (by phone).

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

2) LaVallie requested that the agenda be modified to allow Pringle's presentation of his opinion on the District's ability to use taxpayer funds for surface maintenance of island public-use pathways. Without objection of the Board, Chair asked for public comment on the agenda change, and none were expressed ~~(0:03:43 – 1:19:36)~~.

- Pringle stated his opinion that the codification legislation allows the District to perform pathway maintenance, which is unusual for most fire districts and may have been originally inserted since Lee County doesn't provide that service on the island and that emergency response for fire and rescue requires maintained pathways to perform the District's missions.
- District currently performs pathway maintenance to trim vegetation to allow the safe passage of fire equipment throughout the island and the question now is whether pathway maintenance can also include surface maintenance; Pringle believes that it can maintain the surfaces to some reasonable extent.
  - The District probably doesn't have the authority to pave a 2-lane asphalt thoroughfare down each pathway but a lesser surface enhancement would be appropriate and legal
    - Chair asked whether a property owner could stop surface maintenance, if they notified the District that it was private property and they did not grant permission for the work on their property? Pringle responded that the District's authority to perform the work for safety concerns for all property owners would likely over-rule the property owner's objection.
    - Chair asked if a property owner puts up a fence, pavers or exotic landscaping/trees inside the easement, limiting passage on the pathway or causing an inability to make a turn, does the District have the authority to order

42 the owner to modify or take out the obstruction? Pringle provided examples of  
43 what other fire districts have done:

- 44 • In other Districts, there are gated communities, and those Districts have told  
45 those communities that they will respond to an emergency call and the  
46 community can either provide a key, a code, or the gate could be crashed,  
47 causing damage to the gate and fire equipment
- 48 • Fry clarified that the issue is within the easement, not the part of the  
49 property not subject to the pathway easement, where owners have installed  
50 pilings, fencing, pavers, palm trees, etc. And that Fry can't get a building  
51 permit to install ANYTHING in the easement but Code Enforcement won't  
52 enforce the easement. So the real question is how can the District take  
53 proactive action rather than reactive actions during an exigent/emergency  
54 situation, to use a chainsaw or the truck to clear the obstruction, that delays  
55 the emergency response.
- 56 • Sward stated that easements were documented in various individual  
57 property owner deeds and the existing pathway now meanders and deviates  
58 from those easements. Fry clarified that even though that was true, most, if  
59 not all, of the pathways seem to be within an easement, it just may be fully  
60 on only one property, rather than shared 50/50 between across-the-street  
61 neighbors.
- 62 • Pringle responded that the object of the District is to provide rapid response  
63 in emergency conditions and the authority to accomplish that is a pretty  
64 broad authority. In most instances, property owners are cooperative and  
65 want to work with the District since the emergency may be theirs and they  
66 want you there as quickly as possible. In the event that a property owner  
67 doesn't allow use of the pathway easement, the District might have to go  
68 through the steps of establishing where the easement is, getting Code  
69 Enforcement to take actions, or to go through the condemnation process.
- 70 • LaVallie stated that the District has a legislatively identified power and there  
71 is some legal risk for not maintaining the privately-owned, public-use  
72 pathways that our legislative codification allows.
- 73 • Mason stated that most of the easements are unrecorded in the County and  
74 Fry clarified that he believed that the easements are recorded in unrecorded  
75 subdivisions, except maybe Safety Harbor Club as a Planned Unit  
76 Development, and that the easements are shown on the Lee County  
77 Geographic Information System's mapping software. LaVallie showed an  
78 example of a printout that shows yellow property lines and purple easement  
79 lines. Mason asked, even if the pathways were not actually in the identified  
80 deed's easement, whether a prescriptive easement actually exists where the  
81 pathways currently exist? Pringle stated that would require a court action.
- 82 ○ Fry recapped and said that Pringle's opinion was that the District could perform  
83 some level of surface maintenance to some currently unstated standard and Pringle

- 84 again said yes, after reading the section allowing pathway maintenance from our  
85 enabling legislative act.
- 86 ○ Gross asked whether there was authority to improve the standard of the roads for a  
87 “puddle free” ride and both LaVallie and Fry stated that the standard was currently  
88 unknown, that it was a future recommendation from a future committee, and that a  
89 future decision is required by the Commissioners, after a legal opinion that the  
90 proposed standard is reasonable.
- 91 ● Fry stated that the next specific question from October that needs to be answered is  
92 whether we can use Ad Valorem general revenues to perform surface maintenance,  
93 does it have to be a referendum approved special assessment funding for surface  
94 maintenance, or must it be an individual bill to individual owners for specific work?
- 95 ○ Pringle stated that the answer was in the enabling legislation allowing for ad valorem  
96 revenue, special assessment, or impact fees and it isn’t limited to only those types of  
97 fees but were authorization words to add additional fees, over and above ad valorem  
98 revenues.
- 99 ○ Fry recapped that Pringle’s opinion was that either ad valorem or referendum-  
100 approved special assessments were authorized for pathway surface maintenance  
101 and Pringle agreed.
- 102 ● Fry stated that the third specific question from October that needs to be answered is  
103 what is the governance structure that we can implement and that, based on past  
104 opinions concerning the Chief Search Committee, it appears that we can establish  
105 whatever we want, that a pathway committee would have to operate in Sunshine, and  
106 the Board has the final decision authority on pathway committee recommendations. Is  
107 that correct?
- 108 ○ Pringle confirmed that the Board is the final decision maker.
- 109 ○ That any number of methods for recommendations to the Board can be  
110 implemented, including an appointed committee with expertise in engineering, road  
111 construction, background in fire service for apparatus requirements, or any other  
112 expertise.
- 113 ○ Fry stated that he is trying to get an answer about the level of detail of a committee  
114 appointment process. And Pringle responded it is whatever the Board decides.
- 115 ● LaVallie stated that he believed the next point to discuss was whether to go to  
116 referendum and Fry stated that his reading of the statute requires a detailed plan be  
117 developed BEFORE a decision is made to propose a referendum, that that detailed plan  
118 is usable whether work is funded by special assessment or ad valorem revenues, and  
119 that future decisions are required that detail the standard to improve each pathway,  
120 what the priority of effort is proposed to be, what the annual schedule would be, and  
121 what the annual cost would be, since not every pathway would be improved every year.
- 122 ○ Fry stated that he believes that requirement would be similar to the Methodology  
123 document that the Board reviews and approves every year for the existing Fire  
124 Services Special Assessment, that the proposed committee could develop a rough  
125 draft of that document, and that we would have to pass that document over to our  
126 Real Estate Economist, Russ Weyer, to finalize, if we decide to proceed to  
127 referendum rather than fund out of ad valorem revenues.

- 128           ○ Mason asked Pringle whether a single fixed fee was permissible for vacant land and a  
129           \$3 million home, as proposed by Kelley, is legal. Fry stated that we are 12-18 months  
130           away from answering that question that would be answered by our Real Estate  
131           Economist AFTER a decision to proceed to referendum. Pringle stated that he  
132           believed that a single fee is permissible since the use of the pathways for providing  
133           fire and rescue service is necessary, whether the pathway crosses a vacant or  
134           improved lot.
- 135           ○ Pringle described one possibility is going to court to validate the methodology before  
136           the referendum is held, that after the judge makes final judgement that it is a valid  
137           methodology, the plan is then verified. After that, the ability to challenge after the  
138           appeal time elapses is pretty much over. LaVallie asked whether it was required to  
139           do a pre-validation, based on the expense, and Pringle said it wasn't required.
- 140           ○ Fry read aloud Florida Statute 191.011(3) that seems to require operational plans,  
141           specifications and a cost estimate for the proposed service or improvement BEFORE  
142           any referendum resolution is considered or adopted. Specifically "191.011(3) **At the**  
143           **time of the adoption of the resolution** provided for in subsection (2), **there shall be**  
144           **on file at the district's offices an assessment plat showing the area to be assessed,**  
145           **with construction and operational plans and specifications, and an estimate of the**  
146           **cost of the proposed service or improvement,** which assessment plat, plans, and  
147           specifications and estimate shall be open to the inspection of the public." So again,  
148           prior boards created similar documents for the past 2 referendums and we update  
149           and approve that document every August, as part of the Methodology and Roll for  
150           the Fire Services Special Assessment. And again, we would need the data in this  
151           proposed document to accomplish surface maintenance, whether we fund it with ad  
152           valorem or special assessment funding.
- 153           ● LaVallie asked whether Pringle could describe what is necessary for inter-local  
154           agreements and Chair agreed:
- 155           ○ For the District to perform functions not in our enabling legislation that are the  
156           County's responsibility to perform and, if the District wants to perform them, we  
157           should develop an inter-local agreement delineating those responsibilities for the  
158           District to perform. If there are some concerns that the County may not be providing  
159           the services that Islanders expect, an inter-local agreement would become a contract  
160           between the District and the County.
- 161           ○ Pringle described the difference between County "home rule" powers and the  
162           Districts more limited powers.
- 163           ▪ LaVallie asked if money would come with the District and although possible, may  
164           not be likely.
- 165           ▪ LaVallie asked if an inter-local agreement could authorize the District to perform  
166           code-enforcement actions and Pringle said that might be a bit of a stretch unless  
167           the District personnel had the appropriate training certifications but the  
168           agreement could identify that there is an Island requirement and they agree to  
169           satisfy it.

- 170                   ▪ Pringle stated that the Board would need to decide what would be desired in an  
171                   inter-local agreement before approaching the County and that the Board should  
172                   be specific about what is being asked for.  
173                   ▪ Sward asked whether there would be an expectation of funding being provided  
174                   and Pringle again said that would complicate any negotiations.  
175                   ▪ Cousar asked if we ask for County funding to do pathway trimming or surface  
176                   maintenance, would that require public access on our roads? The answer was  
177                   that County funding would likely come with requirements for full public access.  
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179 | 3) MINUTES ~~(1:19:36 — 1:30:24)~~:  
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- 181                   • Minutes of the 8 December Regular Meeting were discussed; **LaVallie moved, Jenkins**  
182                   **seconded**, and **carried 4-0** (Byrnes abstained since he wasn't a member) to accept the  
183                   minutes with corrections.  
184                   • Minutes of the 2 January Special Meeting were discussed and Board identified  
185                   corrections; Mason stated that Fry's draft was inaccurate and that his comments were  
186                   mangled or omitted entirely. Mason asked for the minutes to be tabled until he could  
187                   propose different language to the Board. **LaVallie moved, Fry seconded**, and **all voted**  
188                   **aye** to table the minutes.  
189                   • Mason asked for a copy of the meeting recording and Fry said it would be provided after  
190                   the meeting.  
191

192 4) Fox asked if his update on Chief Search could be advanced from Old Business A, Chair asked  
193 | whether there was any public or Board objection, and hearing none, the topic was advanced-  
194 ~~(1:30:24 — 1:45:06)~~:  
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- 196                   • Advertisement was reviewed by Pringle and finalized  
197                   ○ Pringle recommended that, instead of Fox using his SHC email address that would  
198                   then be subject to Public Information Requests, for emails that might not be related  
199                   to the Chief Search, he might consider using a different email account; Fry created a  
200                   new email account for Fox on the UCCA1.com website.  
201                   ○ Fry stated that the email address and password can then be provided to the Search  
202                   Committee members or Fry could convert all of the emails to PDFs and post them on  
203                   a hidden page on the District's website that only the search committee members  
204                   would know about. Fry stated that the negative would be that he would also see the  
205                   resumes and applications before anyone else on the Board.  
206                   ○ Board decision was that Fox and his committee would access the new email account  
207                   and Fry would not be involved after providing the password to Fox after the meeting.  
208                   ○ Fox published the ad on ZipRecruiter.com and FireRecruit.com, with a cutoff date of  
209                   28 February for applicants to submit resumes and applications.  
210                   ○ Fry asked if the revised final ad could be resubmitted on AList and Fox said that he  
211                   would.  
212                   • Chair asked whether there was any interest in advertising in military base newspapers:

- 213           ○ Fry stated that he originally suggested that when we were talking about a full-time  
214           EMT hire, where a retiring Special Forces medic would be a highly qualified  
215           EMT/Paramedic after 16 years of combat operations and multiple combat zone  
216           deployments but it's a more limited population for Government Civilian or Military  
217           firefighters that have a Florida Fire Officer II certification or higher.  
218           ○ Fry stated that he would provide website and contact information to Fox to evaluate  
219           whether a military ad made sense.

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221 | 5) TREASURER'S REPORT (~~1:45:06~~ ~~1:47:02~~):

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- 223           • Balance Sheet: Fry asked if the Board wanted him to continue reading into the record  
224           the financial account details or post the details into the record and just ask for  
225           questions; decision was to just ask for questions:
- 226           ○ The Ad Valorem checking account had a 31 December ending accrued balance of  
227           \$5,544.89
  - 228           ○ The Ad Valorem Money Market Account had a 31 December ending accrued balance  
229           of \$862,268.88 (including \$278.43 in interest for December, \$340,059.84 and  
230           \$219,101.00 in tax & special assessment revenues on 15 & 29 December  
231           respectively, and \$13,209 in contributions for the annual fun run)
  - 232           ○ The Friend's account had a 31 December ending balance of \$15,315.58 (increase of  
233           \$5.79 in interest)
  - 234           ○ The Impact Fee account had a 31 December ending balance of \$2,221.26 (increase of  
235           \$0.83 in interest)
  - 236           ○ Fry stated that there were no unexpected outstanding liabilities other than the usual  
237           transfers of expenses between the General and Special Assessment Funds
  - 238           ○ There were no questions about the Balance Sheet
- 239           • Consolidated Income and Expense Report Ending 31 December: We were 25% into FY18  
240           with Pay & Benefits at 23.7%, Operating Expenses at 25.8%, and Capital Investment at  
241           16.8%. All are within the ballpark of being on the straightline path except for:
- 242           ○ In Pay & Benefits, the Workmen's Compensation line will continue to be high until  
243           August since we pay 25% for our initial down payment on the policy each October  
244           and then 10 equal monthly payments that Bookkeeper Lynch allocates 50/50  
245           between the General Fund and Special Assessment Fund, so that high percentage is  
246           just a timing issue
  - 247           ○ In Operating Expenses: Nearly all of the lines above 25% are front-loaded payments  
248           (for Tax Collector Fees, Leases, Insurance, Books & Subscriptions, and Training &  
249           Education) and are also timing related
  - 250           ○ Fry stated that he would like to add a Budget Amendment Resolution to the agenda  
251           during new business.
  - 252           ○ There were no questions about the Consolidated Income & Expense Report
- 253           • **LaVallie moved** to accept the Treasurer's Report, **Sward seconded, all voted aye.**

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255 | 6) CHIEF'S REPORT (~~1:47:02~~ ~~2:30:47~~):

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- Calls: 8 calls year-to-date, including a medical emergency on Cayo Costa and, due to weather, the fireboat ran aground and it was collected last night, without any apparent damage.
  - Equipment:
    - Purchase Status of High Volume/High Pressure Pump: Sward asked if it would be wrapped by next meeting and Chief said that he hoped so.
    - Ez-Go Cart: Couldn't start it and it was scrapped as unsellable and moved off the island.
    - Old HV/HP Pump & Trailer: Scrapped as unsellable and moved off island.
    - Purchase Status of Replacement U191 Utility Vehicle: Fry asked why the small tank & pump unit wasn't placed back on the new utility vehicle; response was that Chief wants to put it on the old 6x6 (former Rescue vehicle) but there are still damages/repairs that need to be made and the weight would be a problem. Fry asked why the tank & pump unit wasn't loaded on the new 4x4 utility vehicle, since the Board was told it would fit on the shorter cargo bed of the smaller vehicle. Chief said that he was intending to replace that old 6x6 and Fry reminded him that it couldn't be replaced this year, since his capital budget is fully spent for the year, after purchase of the \$50,000 high pressure/high volume pump trailer that wasn't initially budgeted for. No decision was reached about when the small tank & pump unit would be mounted on the new 4x4 utility vehicle. Fry then said if acquiring parts are becoming difficult for the old 6x6, we need to discuss selling it after it is repaired, while it is still worth \$4K-\$6K and reduce our utility vehicles down to 2, since the old 4x4 was just replaced. After limited discussion, no decision was made.
    - New 5-ton Military Vehicle from Forestry: Our truck has been identified and will be shipped down from Lake City shortly. Working with Matlacha/Pine Island FD in designing a skid-mounted 1000+ gallon tank & pump unit that they can fabricate (cost and schedule unknown). Having the system skid mounted means that, when it is time to replace the 5-ton, it will be as easy as forklifting the equipment off the bed of an old truck and moving it a new truck. Fry reminded Chief that he couldn't start any work until he had a full estimate for repairs/modification, including painting if desired, and he submits/gains approval of a Forestry 50/50 grant. That means it could be many months before it is on-island, ready to replace T191.
    - Replacement Engine/Pumper for E191 (1988 Pierce): Matlacha/Pine Island FD has now voted to excess their 1995 Pierce engine, donating it to us, and we are having it serviced before bringing it out to the island. Pump testing is being scheduled, tires may need to be replaced, etc. LaVallie stated that this engine also has an aluminum clamshell over the hoses that eliminate the problem of trees near the lane pulling the hoses off the truck, as occurred at the Sol Vista fire. And it has a 4-man cab that is fully air conditioned, compared to our current open cab in the back. Public question was whether we were going to sell our existing engine/pumper and Chief stated that he wasn't sure what it was worth. LaVallie reminded everyone that we were receiving the Pine Island truck for free since they received it for free and we might also want to "pay forward" our existing truck. Fry stated that if Chief is going to ask around for interest in a free donation, we needed to make a decision today.
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- 301 Otherwise, Chief might find someone that is interested in a free truck and we decide  
302 to sell it later, the Chief and the District will look bad. Decision was that Chief would  
303 NOT discuss donation of the existing engine/pumper but would bring a  
304 recommendation to the Board in February.
- 305 ○ Firebreak Update: IRMA took down a large seagrape and, once it was cut out of the  
306 firebreak, it was drug behind the military brush truck, which cleared and smoothed  
307 the entire firebreak. LaVallie staked the only turtle nest and avoided that.
  - 308 ○ GovDeals.com: Old Skiff Tower moved off island and listed for sale
  - 309 ● Sol Vista Fire AAR Updates/Improvements:
    - 310 ○ Many of the remaining open items are budgetary issues and Fry suggested that Chief  
311 be directed by the Board to identify sources, models, and costs for the FY19 budget  
312 that the Board would then decide to fund, defer, or reject as part of the FY19 budget  
313 process. Sward stated that the other alternative, if urgent, would be a budget  
314 amendment and fund it out of the reserve this year.
    - 315 ○ Fry asked if the items requiring County or other Fire District changes or approval  
316 have been raised and addressed at the Lee County Chiefs meeting. The response  
317 was inaudible on the recording.
    - 318 ○ Fry asked if the Chief had contacted LCEC to move the transformer on Point House  
319 Trail that makes the turn difficult, if not impossible, and Chief said that he had not.  
320 Fry suggested that the Chief write a letter to LCEC and, failing their action, later the  
321 Chair or Attorney write a letter, demanding movement of the transformer box.
    - 322 ○ Sward asked again whether the Chief is getting reports at least every 2 weeks on  
323 blocked water sources and reduced access down firelanes and Chief said yes and  
324 there were no blockages found. Fry stated that when Sward asked the same  
325 question at the last meeting, Chief's response was he "has the guys" check it every  
326 week or two. How Fry interprets that is that there is no real process and Fry asked  
327 whether Chief had 2 checklists on file from the last month and Chief said that he did.  
328 McMullen stated that if an issue is found on a checklist, the Officer emails McMullen  
329 and, if it requires Chief's action, McMullen notifies Chief.
  - 330 ● IRMA AAR Updates/Improvements:
    - 331 ○ Fry made the same comments about the budgetary issues in the Sol Vista AAR
    - 332 ○ Fry stated that it seems that there are at least 2 additional tasks that should be  
333 added to the AAR matrix:
      - 334 ■ Submitting the initial FEMA Request for Public Assistance within 30 days of the  
335 event.
      - 336 ■ Submitting follow-up submissions to FEMA within required timeframes.
    - 337 ○ Fry stated that the matrix shows the checklist is tentative but, if it is still tentative  
338 and not final, the AAR item can't be closed. And Fry raised other questions:
      - 339 ■ Reverse 9-1-1: Has Chief coordinated with the County to see if the District can  
340 use the Service BEFORE the County declares an emergency, how to do that and,  
341 once he determines that it is possible, this becomes another checklist item with a  
342 written SOP on file. Chief stated that he has not coordinated with the County.
      - 343 ■ Chair stated that the County has a 32-page checklist and one of the main lines is  
344 making sure there are addresses visible on every house and that remains a



345 challenge for a small number of our homes on the island. He will update his last  
346 survey, will create a letter to affected owners, and Chief will mail it out.

347 ○ Fry asked for the current versions of all checklists and SOPs that have been created  
348 or updated due to the Fire or IRMA be provided to the Board for the February  
349 meeting.

350 ● The Board accepted the Chief's Report

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352 | 7) COMMISSIONER REPORTS ~~(2:30:47 – 2:53:30)~~:

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354 A) Jenkins-Fun Run Close-Out: Ran out of t-shirts

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- 356 ● The total in contributions and donations were \$13,959
- 357 ● The total costs are estimated at \$3,168
- 358 ● The net "profit" was almost \$10,800
- 359 ● Will probably schedule it for Friday, 28 December 2018 next year

360

361 B) LaVallie- Pathway Surface Maintenance:

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- 363 ● Proposed Pathway Committee: LaVallie stated that he would like an odd number in a  
364 proposed committee, probably 5.
- 365 ● Sward reminded everyone that the key standard is to make the pathways adequate for  
366 fire safety requirements and not beyond that. Public comment was that the standard is  
367 for patient evacuation, as well as fire safety requirements.
- 368 ● Fry stated that the first Board decision is whether we are going to proceed, **LaVallie**  
369 **moved** that the Board appoint a committee, **seconded by Fry**. Sward stated that we  
370 need to set the rules of the road for the proposed committee and no vote was taken on  
371 the motion.
- 372 ● **Fry moved** that we appoint LaVallie as the Chair of a proposed pathway committee, and  
373 that LaVallie will create a draft written committee charter with proposed committee  
374 membership, including completed legal review, before the next Board meeting on 16  
375 February meeting, **seconded** by Byrnes.
  - 376 ○ Chair asked for public input or comment on the motion or the discussion.
  - 377 ○ Motion carried **4-1 (Sward opposed)**

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379 | 8) ADDITIONS/CHANGES TO THE AGENDA & PUBLIC COMMENTS ON AGENDA ~~(2:53:30 –~~  
380 ~~2:53:50)~~: No comments

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382 9) OLD BUSINESS:

383

384 A) Search Committee for Future Chief: Covered in 4) above

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386 | B) Hurricane IRMA Debris Chipping Update ~~(2:53:50 – 2:59:00)~~:

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- 388 • Chair suggested that B & C are closely related and started the update that  
389 commingled both projects.
- 390 • Clear Cut/Jon Kennedy has been working for about 2 weeks now and everything  
391 south of Safety Harbor Club for both pathway trimming and IRMA debris is complete.
- 392 • Chair stated that Kennedy has questions about trimming mangroves on Point House  
393 Trail:
  - 394 ○ Chair discussed with Pringle before the meeting, who thought that there was an  
395 exemption from Governor Scott for this year due to IRMA clean-up, after  
396 notification to the Florida Department of Environmental Protection. Pringle will  
397 contact DEP to confirm.
  - 398 ○ **Sward moved** that Chair should direct Pringle to contact DEP, **seconded by Fry, all**  
399 **voted aye.**
  - 400 ○ Public comment was that, once the approval was received from DEP, that the  
401 District should contact the affected owners on Point House Trail; Jenkins  
402 volunteered to make the contact(s).
- 403 • Chair stated that with the Board's approval for \$17,500 in total costs for trimming and  
404 chipping, Chair proposed three progress payments of \$5000 each plus a remainder of  
405 \$2500 for final acceptance. If Board agrees, the first progress payment of \$5000 is  
406 due for the pathways trimmed and chipped south of Safety Harbor Club, while the  
407 chipping of IRMA debris is a separate payment process that the District is not involved  
408 in.
- 409 • Public comment was that NCIC water taxis have brought out the team every day at no  
410 cost and Davenport barged out all of Clear Cut's equipment, also at no cost. District  
411 thanked Davenport and NCIC for their support.

412  
413 C) Pathway Trimming Update: Combined with IRMA update above

414  
415 | D) Status of Request for Public Assistance (RPA) from FEMA ~~(2:59:00 - 3:20:20)~~:

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- 417 • Chief stated that IRMA wasn't as intense as Charley, so there are comparatively fewer  
418 IRMA-related costs that reimbursement will be requested for.
- 419 • Chief stated that he was unaware of FEMA's cutoff dates for submitting the RPA, the  
420 wrong date was publicized by various TV stations, and he actually missed the filing  
421 deadline by 1 day. Chief submitted a justification of lateness with his submission and  
422 hasn't heard back from FEMA yet.
  - 423 ○ Chief tentatively identified \$13,357: generator fuel of \$966, road debris chipping of  
424 \$3490, additional chipping of \$1840, UTV repair of \$2311, UTV use of \$408,  
425 propane of \$3002, generator use of \$1286, and chainsaw use of \$54, where the use  
426 costs are from a schedule on usage in the FEMA RPA instructions.
  - 427 ○ Chief stated that the cost details haven't been turned in yet and won't be until  
428 FEMA identifies an agent to visit the Chief and discuss the details.
  - 429 ○ Chair stated that NCIC, Tortuga, Cottrell, SHC, and MAJ Contracting did pathway  
430 clearing immediately after IRMA that could be billed and included in a final FEMA

- 431 submission. If reimbursed by FEMA, the invoices would be paid; otherwise, we  
432 could provide a receipt for a donation in services/in-kind to the companies.
- 433 • LaVallie and Fry again stated that it appears that there are at least 3 more activities  
434 that should be added to a post-Hurricane checklist:
    - 435 ○ Implement process to capture hurricane recovery costs and report them to the  
436 Board monthly
    - 437 ○ Submit initial Request for Public Assistance to FEMA within 30 days of the event
    - 438 ○ Submit final RPA to FEMA within 45 days of the event, if the initial request wasn't  
439 complete
    - 440 ○ LaVallie then added a fourth that the Chief coordinate with appropriate County and  
441 on-island contractors about the process to clear island pathways
  - 442 • Fry stated that there were a number of categories not shown on Chief's initial list that  
443 he put in front of the Board today:
    - 444 ○ Lynch had a pay & benefits spreadsheet with the 15 September and 30 September  
445 payroll documents that identified potential IRMA-related costs. Why wasn't that on  
446 the sheet today?
    - 447 ○ Fry also highlighted a payment of \$219.78 for Courtyard by Marriott that Lynch  
448 identified as IRMA-related on the Stonegate credit card. Chief stated that was after  
449 his off-island home in Zone B was evacuated by County order and that he worked  
450 with Matlacha/Pine Island Fire Control District at that hotel.
    - 451 ○ Are there other costs that were either not captured or were omitted for some  
452 reason? When will Chief and Lynch sit down and finalize the total IRMA-related  
453 costs, especially if the FEMA agent arrives next week?

455 | E) Officer Additional Duty Descriptions ~~(3:20:20—3:38:25)~~:

- 456
- 457 • Chief collected example Duty Descriptions from various departments, as well as the  
458 old descriptions previously on-hand for Assistant Chief and Deputy Chief for the new  
459 Deputy Chief and 3 Division Chiefs but has not completed any draft documents.
- 460 • Fry stated that if Chief isn't able to write the job descriptions on his own, he should  
461 have the 4 new Chiefs to write their draft on what they THINK their new duties entail  
462 and Chief can then discuss with them and finalize the job descriptions. Fry suggested  
463 that Chief should provide at LEAST the first draft of the 4 new positions at the  
464 February meeting.
- 465 • Secondly, Fry stated that there are 6 times in January where there are 2 officers on  
466 Shift C (where we promoted CAPT Denison). Fry asked why that is the case since, if it  
467 continues, it increases our General Fund Pay & Benefits costs \$5,000 - \$10,000 per  
468 year. With 4 officers on Shift C, we may now have 1-2 officers that we no longer  
469 need.
- 470 • Chief stated that he scheduled them to be "fair" and it wasn't fair to not schedule the  
471 other C-shift officers if they wanted to work. Fry asked again, where is Chief  
472 proposing to fund the 2<sup>nd</sup> officer on nearly every C-shift, instead of hiring new EMTs  
473 for those shifts.

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- Sward stated that there are times when there are no other staff to fill the schedule and two officers might be scheduled and Fry said that was a change to schedules after the schedule is published late the prior month. It really indicates that we need more EMTs on some shifts but Fry is concerned with the “fairness” position that seems to be that, even if an EMT or Paramedic bids for a C-Shift, Chief will schedule each part-time officer for 2-4 shifts/month each for fairness.
  - LaVallie stated that Fry’s point is that there are two issues:
    - We may have too many officers on C-shift now with Denison’s 8 workshifts/month and you either have to hire new EMTs or demote people who can be paid as acting officers when Denison is unavailable.
    - We don’t have enough EMTs on C-shift (and other shifts) that requires Chief to schedule higher hourly rate personnel, causing a 2<sup>nd</sup> officer or a 2<sup>nd</sup>/3<sup>d</sup> paramedic instead of a lower cost EMT, when our desired schedule is 1 officer, 1 paramedic, and 1 EMT, plus Chief ... and a 2<sup>nd</sup> EMT on Chief’s days off.
    - And those costs would be an additional \$5,000 – 10,000/year for the 2<sup>nd</sup> C-shift officer, depending on how many times each month it occurs.
  - Fry asked for a plan on how Chief is going to eliminate the 2<sup>nd</sup> officer from every C-shift by the next meeting and Board agreed that Chief would develop a plan, without delaying or carrying it forward to future meetings.

494 | F) Volunteer Program Identified Tasks & Training Plan Update ~~(3:38:25 – 3:49:58)~~:

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- Chief has scheduled monthly training for anyone interested every 3<sup>d</sup> Thursday, before a Friday Board meeting, at 11AM.
  - But with our changed island demographic make-up, we may not have enough interest in possible volunteers, even though we need volunteers to man check-points, move arriving off-island firefighters from the docks to the fire, running a rehab site, driving secondary vehicles to the scene, etc.
  - Board agreed to close this agenda item without further action, unless something occurs.

505 G) Station Generator Repair/Replace: Deferred until the next annual maintenance in June.

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507 | H) Station Repair Plan, Schedule & Costs ~~(3:49:58 – 3:51:48)~~:

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- Chief received two proposals bidding on the work:
    - Jason Odette, one of our firefighters, proposed doing the project for \$5,475 with material costing \$678, his labor costing \$4797, with a cash deposit of 50% or \$2,737.50 on award of the contract and final payment on day of completion of \$2,737.50.
    - NCIC proposed \$1,570 in materials, \$10,332 in labor, \$700 in Bagster/Waste Removal, and \$225 in shipping/skiff operations totaling \$12,827 with 50% due on contract acceptance and balance due on completion, with 3% additional fee if paid by credit card.

- 516 • Sward asked if Odette was insured and Chief stated that Odette worked under a  
517 supervising contractor's license and that he would provide appropriate insurance  
518 documents to the District.
- 519 • Fry reiterated that this amounts to a \$4000+ increase in the budgeted amount when  
520 Chief originally proposed this as firefighter labor, making the only cost for materials, and  
521 paying this bill will have to be addressed in a future budget amendment.
- 522 • **Fry moved** that we accept Jason Odette's bid proposal, once he provides evidence of  
523 appropriate insurance coverage, **seconded by LaVallie, approved 4-0 (Jenkins left the**  
524 **meeting before the vote).**

525

526 9) NEW BUSINESS:

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528 | A) Need for a 2nd Station Apartment ~~(3:51:48 — 4:12:28)~~:

- 529
- 530 • Fry provided concept drawings for 2 options to convert the current meeting space and  
531 office into a second, smaller apartment, either for a new Chief, Assistant Chief, or the  
532 part-time firefighters, with the full-time Chief/Assistant Chief moving into the existing  
533 apartment, along with very high level specifications.
- 534 • LaVallie stated that there are a few questions that should be answered by the Board  
535 first:
- 536 ○ Philosophically, should we be providing housing to a new Chief or Assistant Chief?
  - 537 ○ What the requirement entails such as 1 or 2 bedrooms, among others?
  - 538 ○ Are there are alternatives for spending money, such as adding a new bay for a future  
539 piece of equipment that won't fit in our existing bays?
- 540 • Fry stated that he believes that we have:
- 541 ○ A close-in issue on what we will do for housing the next Chief or Assistant Chief but if  
542 we don't start the Request for Information (RFI) process before interviews begin for  
543 the next Chief, it'll be months more before we can start, potentially many months  
544 after a hiring decision is made.
  - 545 ○ And a longer term issue of 5-10 years or longer when it is time to replace the new  
546 1995 Pierce engine pumper and we might need a larger bay to park it in.
- 547 • **Fry moved** that we submit a Request for Information to island builders on the level of  
548 detail they would be required for a possible future District Request for Proposals and  
549 rough order of magnitude costs to convert the existing space to a 2<sup>nd</sup> apartment,  
550 **seconded by Sward, approved 4-0 (Jenkins left the meeting before the vote).**

551

552 | B) Fire Alarms in Private Homes ~~(4:12:28 — 4:22:01)~~:

- 553
- 554 • Sward asked for this topic to be added to today's agenda about the feasibility of an  
555 alarm system making a call to the fire department, since the Sol Vista fire reportedly had  
556 started many hours before the first 9-1-1 call.
- 557 • LaVallie stated that there are companies like ADP that receive the alarm from the system  
558 and call the police or fire department, depending on the type of alarm.

- 559 • Fry stated that SimpliSafe apparently connects via wireless and automatically calls up to  
560 4 phone numbers but Fry agrees with LaVallie that every solution is a private company  
561 that property owners contract with and pay individually, not the District.
- 562 • McMullen stated that on the mainland, other Districts aren't involved in either selecting  
563 a home system, certifying the system, or doing anything related to the system.
- 564 • Fry suggested that this could be a topic for a UCCA and SHC meeting and, if there are  
565 questions from the public, they can stop by the Station and ask a firefighter or Chief for a  
566 list of possible companies that they can contact and price services on their own.

567  
568 | C) Resolution 2018-011918(1) for Disposition of Fixed Assets ~~(4:22:01 — 4:28:30)~~:  
569 Resolution was read in its entirety by LaVallie, **moved by Fry** to approve, **seconded by**  
570 LaVallie, **approved 4-0 (Jenkins left the meeting before the vote)**.

571  
572 | D) Resolution 2018-011918(2) for Budget Amendment 2018-002 ~~(4:28:30 — 4:36:55)~~:  
573 Resolution was read in its entirety by LaVallie, **moved by Fry** to approve, **seconded by**  
574 Sward, **approved 4-0 (Jenkins left the meeting before the vote)**.

575  
576 | 10) PUBLIC COMMENT ~~(4:36:55 — 4:48:30)~~: Public comment was that the Board and the Chief  
577 are doing a great job. The 40+ part-time employees that the Chief manages to run in a cohesive  
578 way is laudable. Fry stated that, to that point, he was shocked when he left the island in early  
579 October where everyone agreed that the Chief was doing an acceptable job, a job performance  
580 that Fry rated him as a C+/B- back in mid-July before the fire, hurricane, and flooding, and said  
581 the same thing at the mid-September meeting. But at the end of October meeting, the Chair  
582 proposed replacing the Chief since he apparently couldn't handle the job ... and that the Chief  
583 agreed. Fry still believes that Chief's job performance was acceptable but not stellar or  
584 outstanding. McDonald said that it was a discussion between him and the Chief that he was  
585 ready to be replaced and revert to Assistant Chief, while the Chief stated that he was ready to  
586 begin succession planning that turned into replacement. Fry stated that wasn't clear until the  
587 December meeting, 6 weeks later, that Chief wasn't intending on submitting his resignation or  
588 being immediately replaced. But that decision is now working through the process to replace  
589 him. Chair again thanked McDonald for his efforts as the former Chair and the work he did  
590 post-IRMA with the County and Crowder Gulf.

591  
592 11) NEXT DATE: The next Regular Monthly Meeting is Friday, 16 February at 10AM.

593  
594 12) ADJOURN – **Moved by LaVallie, seconded by Fry**; meeting adjourned at 2:48PM.

595  
596 Respectfully submitted,

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599  
600 Bill Fry  
601 Secretary/Treasurer