

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 with pride

Robert Kinniry, Chief: UpperCapFD@aol.com

BOARD OF COMMISSIONERS

REGULAR MEETING

20 August 2016

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

ISLANDERS PRESENT: Sue Ann Cousar and Arthur Mason (by phone).

1) CALL TO ORDER: Chairman McDonald called the meeting to order at 10:02 AM.

2) MINUTES: Minutes of the 16 July meeting were read; **Sward moved**, Jenkins **seconded**, and **all voted aye** to accept the minutes with corrections.

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

- Balance Sheet:
 - The Ad Valorem checking account had a 31 July ending balance of \$193,258.47 (a decrease of \$73,830.88).
 - The Friend's account had a 31 July ending balance of \$15,277.55 (no change from last month).
 - The Impact Fee account had a 31 July ending balance of \$ 8,079.34 (an increase of \$474.00 from impact fees).
 - The Special Assessment Fund checking account had a 31 July ending balance of \$95,688.05 (a decrease of \$22,678.40).
 - Fry stated that there were no unexpected outstanding liabilities other than the usual transfers of expenses between the General Fund and Special Assessment Fund.
 - Fry also stated that based on current spend rates, the Line of Credit will probably not be used until early-October for the Special Assessment Fund and mid-November for the General Fund (and possibly later for both).
- Consolidated Income and Expense Report:
 - Overall, in the Consolidated Budget, the District is 83.81% spent (and we are through 83.33% of the year).
 - We are below spending in two of our major categories: Pay & Benefits was at 81.52% and Operating Expenses was at 75.98% (so all except Capital are under our straight-line expectations of 83.33%). We expected to be at 100% spent with purchase of the new utility vehicle, but Capital is now at 103.8%. Capital is over because of modifications to the new Military Brush truck that were charged to

42 Capital where money was budgeted in Repairs & Maintenance. Fry confirmed with
43 the Bookkeeper that the expenditure should be capitalized (rather than expensed in
44 Repair & Maintenance) and depreciated in future years but still working with Chief
45 on why it isn't a shared cost with the Special Assessment fund. And for Insurance
46 (for the various liability policies, not health, dental, vision, or temporary disability),
47 there is no answer yet about why this year's bills are 40% higher than last years but
48 Fry will have an answer for next month's meeting. There will be another \$1500 for
49 the Volunteer Accident coverage in September (if we still have volunteers). Sward
50 asked for details of all of the insurance policies so that he can better understand
51 what each of our policies cover and would like to review those policies with our
52 Agent after he returns to the island in October. Chair asked about the overspending
53 in Travel & Per Diem and Fry confirmed that was caused by increased Island Girl costs
54 after the crew boat was vandalized and the bill was finally received and paid in July.
55 For expected revenues, we are 100.1 % for overall tax collections through 31 July and
56 no major additions to revenue will occur for the rest of the year, other than the
57 Division of Forestry Grant (up to \$2750 to reimburse repairs and modifications for
58 our new military excess equipment), and excess equipment sales (\$4500 received for
59 the vandalized crew-boat's motor from the govdeals.com website auction).

- 60 • **Jenkins moved** to accept the Treasurer's Report, Sward **seconded, all voted aye.**

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62 4) CHIEF'S REPORT: Calls to date are 104 (18 since last meeting), with two (2) life-saving events
63 and Chief read letters for the staff that responded on 21 July MERT call in Captiva Pass
64 (Bolen/Edwards) and on a 1 August MERT call in Boca Grande Pass (Shogren/Pinto) and the
65 letters of appreciation are posted on the website with the August meeting documents.

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- 67 • The total DoF grant-funded work is nearly done:
 - 68 ○ B-192 (Brush Truck Replacement or "New Beast") Status: The DoF brush truck
69 modifications have been completed and the truck was returned to the island. Chief
70 requested the first payment of the DoF grant last month.
 - 71 ○ P-191 (500 gpm pump) Status: The military pump modifications may not complete
72 since adaptors/components may not be available. Chief will provide details to Fry for
73 further research. There may also be 50/50 grants available for purchase of new
74 pumps that Chief is continuing research.
- 75 • Boat Updates:
 - 76 ○ New Crew Boat: New service contract established (100 hour service), even though
77 we have only used it about 30 hours, to establish a maintenance baseline
 - 78 ○ Contender: New service contract established, also on a 100 hour cycle,
 - 79 ○ Old Crew Boat Update: The old motor sold for \$4500 on govdeals.com, with
80 payment received this month.
- 81 • R-191 (Medical Mule) Replacement: Replacement utility vehicle has been received and
82 bed has been transferred from the old vehicle. The former rescue vehicle will receive
83 the bed from the old red Club cart (U192), and once complete, the old red Club cart will
84 be listed for sale on govdeals.com).

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- Legal Update: Chief Kinniry continues to provide information to our insurance company providing legal liability coverage and they have also received a statement from Chief Pepper. Board is reminded that no further discussions with our attorneys or islanders about this should be occurring since our legal liability policy requires the insurance company to take the lead in future discussions, and any actions that we take interferes with that (and generates billable activity with Attorneys Pritt & Northon) and that all questions on status should be sent to Chief Kinniry. Chief Kinniry stated that our claim for the initial investigation was denied.
 - 9/11 Remembrance at Harborside Convention Center at 8:30AM – 10AM on Sunday, 11 September 2016
 - **Jenkins moved** to accept the Chief’s Report, LaVallie **seconded**, **all voted aye**.

97 5) COMMISSION REPORTS:

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99 A) Fry-2014 Special Assessment Update: No new payments this month but Fry created new
100 letters to rebill owners again that will be mailed next week.

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102 B) LaVallie-Community Committee Update: The committee is proposing a letter this fall to lot
103 and home owners that lays out the Fire District’s requests for individual owners to maintain
104 their own vegetation in the utility & lane easement, leaving at least 7-1/2 feet from the
105 property line on each side of the lane for fire vehicles to pass (a minimum of 15 feet total).

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107 6) OLD BUSINESS:

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109 A) Line of Credit: Approved for up to \$500,000, effective 26 July 2016 – 25 July 2017, after
110 McDonald and Fry signed the loan documents today, without objection from the Board.

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- LaVallie asked whether we can do this bi-annually rather than annually and Fry restated what former Treasurer Wildeman had stated that we can’t do a multi-year/long-term loan without referendum approval
 - Fry stated that he would meet with our Bankers to see if we can reduce our annual fees in future years or other improvements in Cash Management to offset those fees

118 B) FY17 Budget Worksheets: We are making good progress through the budget process this
119 year, with preliminary decisions on Pay & Benefits that makes up about 70% of the overall
120 expenditures to the District. The budget presentation provided to the Commissioners and
121 posted on the website is meant to show what those preliminary decisions are, with the goal
122 of making the two September meetings less painful for everyone. To recap:

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- Tax revenues are expected to be up \$17,677 over last year for overall tax revenue of \$1,078,859, net after early payment discounts, if the 3.75 millage rate is approved in September and no changes are made today in the Special Assessment amount.

- 127 • Pay & Benefits are preliminarily set at \$402,675 for the General Fund (down almost
128 \$41,000 from this year) and \$347,350 for the Special Assessment Fund (up only \$30
129 from this year).
- 130 ○ Fry recapped the various Commissioner comments from the recording about past
131 COLA adjustments, salary comparisons, and future housing concerns, as stated during
132 the July meeting, including a \$5000 tentative salary increase for Chief Kinniry
133 ○ Chief asked for \$5500 to be added to the Special Assessment Pay & Benefits budget
134 to begin “Company Drills” for 1 drill/shift during FY17 (up to 8 hours each shift) for
135 team training, raising Special Assessment Pay & Benefits to \$352,500 that was
136 tentatively approved
- 137 • Operating Expenses: Most of the proposed changes in the General Fund are for Chief
138 Kinniry’s training requirements of about \$2000 as our new Chief, plus increases for
139 liability insurance and a new proposal for Fire Lane Maintenance.
- 140 ○ Fire Lane Maintenance: Fry proposed adding money for Fire Lane Maintenance, in
141 anticipation of the next ISO survey to trim Brazilian Pepper, since that was the last
142 time any island-wide vegetation trimming occurred:
- 143 ■ LaVallie stated that we shouldn’t use UCFRD funding that rewards bad behavior
144 on the island, where owners refuse to maintain their own easements and that, if
145 the District trims pepper and other vegetation, we should bill them for what
146 trimming we do
- 147 ■ Chair stated that Fire Lane Maintenance should be spread more broadly to the
148 UCCA and the rental companies and that then-Attorney General Crist’s opinion
149 that fees could be imposed for trimming on private property
- 150 ■ Sward stated that he would want Attorney Pritt’s opinion for precedents in
151 Florida court cases on the ability to collect and establish liens
- 152 ■ Fry stated that, if he remembered correctly from a meeting more than 3 months
153 ago, Pritt did provide a recap of what was allowed, that we would have to pass a
154 resolution establishing minimum fire lanes and heights, that we might have to
155 take that resolution to the County for inclusion in the Land Use Code and
156 County Commission approval, that we would then have to hold public hearings
157 to establish fee schedules, and that we would still have the problem of actually
158 collecting the fees, just as we still have outstanding fees for the 2014 Special
159 Assessment that haven’t been paid.
- 160 ■ Based on the these comments, Treasurer proposed removing the \$7,500 from
161 both budgets, letting those dollars fall down into the Reserve, if required for
162 emergency trimming that was agreed to by the Board.
- 163 ■ Jenkins added that maybe roads and/or road trimming could be the donation
164 theme for the 31 December 2016 Fun Run.
- 165 ○ Communications: Chair asked why we would reduce Communications by \$4000 when
166 we have continuing issues with our radios that cost up to \$4000 each:
- 167 ■ Fry stated that these are two different issues with a Capital requirement to
168 purchase radios, where this is Operating costs for things like Satellite TV, Mobile
169 Phones, CenturyLink Phone/DSL service, etc., that may have been unspent for

- 170 Chief Pepper's townhouse services when the lease was terminated on 30 Sep
171 2015
- 172 ▪ Chief stated that he would work at the Chiefs' Meetings to see how to acquire
173 replacement radios
 - 174 ▪ Board agreed to tentatively reduce the Communications budget by \$4000 in Ad
175 Valorem and increasing \$1000 in Special Assessment
 - 176 ○ Legal: Chair asked why we should reduce the budget when we know that we have
177 higher legal fees this year, even though we shouldn't have the same issues next year
 - 178 ▪ Fry stated his recommendation was to reset the budget level to where we
179 started FY16, before the employment issue began, to reestablish our baseline
180 but Sward and McDonald believed that reducing our legal budget was
181 inappropriate
 - 182 ▪ Board tentatively decided to not reduce the Legal budget, keeping it at \$10,000
 - 183 ○ Travel and Per Diem: Sward asked why the Travel & Per Diem was being increased
184 such a large amount, when we wouldn't have the Island Girl costs next year.
 - 185 ▪ Fry stated that the only reason the number was increased was an unknown cost
186 to cover our new Chief's training, with an unknown division between online
187 training that doesn't impact Travel & Per Diem and classes in Ocala that would
188 require travel costs
 - 189 ▪ Based on the discussion, the Board tentatively decided to increase Travel & Per
190 Diem was increased \$2000 for Ad Valorem and \$1500 for Special Assessment
 - 191 ○ Rentals & Leases: There was no funding in the Ad Valorem budget for Pineland
192 Marina and the Special Assessment budget included Chief Kinniry's housing in FY16;
193 Board tentatively agreed to an increase of \$3150 in Ad Valorem and decreasing
194 \$15,000 in Special Assessment was tentatively approved by the Board.
 - 195 • Capital is preliminarily set at \$41,500, a decrease of \$500 from FY16, remembering that
196 FY16 included a donated crew boat of \$9,000, so this budget is actually proposing an
197 \$8,500 increase in cash budget authority over FY16. The proposed funding level covers
198 all of Chief Kinniry's capital purchase requests, including annually replacing our oldest
199 utility vehicle and building maintenance, with \$14,000 currently unassigned to a
200 particular requirement at this time.

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202 7) NEW BUSINESS:

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204 A) FY17 Special Assessment Methodology and Roll and Resolution 2016-082016(1):
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- 206 • Fry recapped the changes that occurred to the initial draft that was approved at the 16
207 July meeting to become the final version of the document:
 - 208 ○ Four townhouse properties that had been previously excluded were added to the
209 roll
 - 210 ○ Appendix A was re-sorted by Owner Name and a header was created for each page
 - 211 ○ Appendix B was created that now lists all properties that are in Group B (Docks),
212 Group C (Submerged/Unbuildable), Group D (Tax-Exempt), Group E (Airstrip), and
213 Group G (Government)

- 214 ○ Board accepted the final version of the Special Assessment and Methodology and
215 Roll
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- 217 ● Chair read Resolution 2016-082016(1) aloud and asked for public comment or
218 questions. Hearing none, **Jenkins moved** to accept the final report and forward the roll
219 to the Tax Collector for inclusion in the fall property tax bills, **seconded** by Sward, **all**
220 **voted aye.**
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- 222 B) Wildeman Proposed Resolution to Settle with Chief Pepper and Replace Chief Kinniry by
223 30 September 2017: Chair read the proposed resolution aloud and, after discussion, the
224 proposed resolution failed without a second. Chair proposed to table the resolution
225 indefinitely, without objection. **Jenkins moved** to reject this proposal, Fry **seconded**, and **all**
226 **voted aye.**
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- 228 8) PUBLIC COMMENT: Comments made throughout the meeting.
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- 230 9) NEXT DATES: Preliminary Budget Hearing on Saturday, 10 September 2016 and Final Budget
231 Hearing/Regular Meeting on Saturday, 17 September 2016, both beginning at 10:00 AM.
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- 233 10) ADJOURN – **Moved by Fry, seconded** by Jenkins; meeting adjourned at 1:15PM.
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- 235 Respectfully submitted,
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- 239 Bill Fry
240 Secretary/Treasurer