

LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT

COMMISSION WORKSHOP

MINUTES

January 14, 2017

The January 14, 2017 Commission Workshop of the Lehigh Acres Fire Control and Rescue District Board of Commissioners was held at the Lehigh Acres Fire Control and Rescue District Station 104, 3102 16th Street SW, Lehigh Acres, FL 33976. The meeting was opened at 9:00am by Chairman Kruse. Present are: Commissioners Carter, Smith (9am – 11:25am), Anderson, Cunningham and Kruse; Interim Chief DiLallo, Division Chief Nickell, Administrative Director Platas and Attorney Pringle.

After the Pledge of Allegiance, Commissioner Kruse gave the invocation.

Commissioner Kruse handed the meeting over to Chief Dilallo to start with the first agenda item, Station Facilities Report.

STATION FACILITIES REPORT – Chief Dilallo gave an update on the condition of all stations. His intent was to update all Commissioners and to get direction on how to proceed. Chief stated he feels we need to put out RFP's and/or RFQ's to have someone come in and look at our stations and give us recommendations on how to proceed. Commissioners had a lengthy discussion on the conditions of the stations and on whether to bulldoze the stations or refurbish them. Chief stated an environmental and safety company can be brought in and evaluate each station. Commissioners need specifics and the cost for each station. Commissioners would like a short list and long list of items that need to be done at each station. Discussion was on having a "semi-permanent quick fix" for the station 2 kitchen.

Chief has enough direction from Commissioners to get started. This will be placed on a future Agenda when a vote can take place.

FEASIBILITY STUDY - Chief Dilallo gave an update of the Feasibility Study. Chief has a rock bottom price for the property he is recommending to purchase that is across from Veteran's Park. He has a letter of intent for a Feasibility Study. The company selling agreed to \$10,000 down so we can perform a feasibility study. They are giving us 120 days to get in and do this feasibility study. Worst case scenario possibly \$10,000 to do a feasibility study. Chief doesn't feel it will cost that much because a lot of the stuff that has to be done has already been done. The property is 15 acres. Good access in/out off Homestead Rd. Plenty room to grow. Chief recommends to secure the property and look at a phase out down the road. This property is approx 20 seconds down the road from the current Station 2. We have first right of refusal on the property at this time. For a purchase price of \$575,000. This item is on the January 17, 2017 Agenda.

CELL TOWER – Chief Dilallo stated when he moved up to this seat, he was trying to consider ways of additional revenue. He was approached by a cell tower company wanting to install a cell tower on some of our properties. The company was not happy with where Chief said the only place to put one at station 4 was, so they pulled out their offer to Station 4. Station 3 they have an area and we were fine with that. Chief asked Commissioners if we wanted to consider moving forward with this. There are a lot of questions. Will this interfere with our radio's; will this jeopardize our tax exempt status. This person has not gotten back to Chief in a timely fashion so we are at a standstill. Discussion was on some of our vacant properties that we own in Lehigh. Chief will have a discussion with the cell phone company regarding this. Chief will pitch the property on Sunshine Blvd where we will never build on.

ITEMS FOR LEGISLATION – Commissioner Carter received an email and it states regarding the Lee County Delegation, Rep. Matt Caldwell is putting a couple items on the agenda that was not brought to the Board of Fire Commissioners. LAMSID vs Lehigh Fire - regarding the charging of fees; and the second is Alva Fire and Lehigh Fire Dept – Alva Fire District annexing Lehigh Acres Fire District's land north in Alva's District.

Attorney Pringle stated regarding the land annexation and the LAMSID matter, we had a couple of items that needed attention but Decembers meeting was canceled. Atty Pringle stated he spoke with Chief Tiner from Alva Fire District who is being told to do a boundary change. The boundary change is as follows: Taxpayers in Alva have come to Rep Caldwell to annex the strip of land in Lehigh Acres Fire District's service area, that goes up to the river and lies north. Atty Pringle stated it's about a \$6000 tax increase for Alva. The impact monetarily is a very small factor. Alva Fire now responds to that area. Atty Pringle stated it makes sense, there is not a big revenue lost because a lot of that area is Hickey Creek Park and it will clean up the boundaries. The legislation can enact this legislation even without our approval. Atty Pringle stated local bills are now dealt with differently than they used to be. Recent years they passed new procedures for local bills, if the delegation supports the local bill, then it moves forward. A local bill doesn't even have to go through Committees. Commissioner Smith stated we need to merge Alva Fire and Tice Fire into our District. After some discussion, Atty Pringle will tell Rep. Matt Caldwell the Lehigh Acres Fire Board approved but to let the Representative know that next time you propose something like this, allow Lehigh Acres Fire District the courtesy to have knowledge of this. This will be on the Agenda on Tuesday to be voted on. Atty. Pringle will find out when Alva Fire knew about this legislation.

Atty Pringle continued, stating the LAMSID legislation has been withdrawn yesterday afternoon. Atty Pringle went into detail regarding the reason why it was withdrawn. Atty from LAMSID stated she wouldn't enter into an Interlocal Agreement. LAMSID's atty stated they filed a timely objection to our fee, but when they enacted their fees, we did not file an objection. Therefore, they stand on the thought that Lehigh Acres Fire owes LAMSID the fees but LAMSID doesn't owe Lehigh Acres Fire any fees. Atty. Pringle would like to get Chapter 191 amended to take care of this issue.

Atty. Pringle continued stating an Act Relating to Lee County – this is the Consolidation of Fire Districts. This is on the agenda for Lehigh Acres' regular board meeting. Chief level – all are opposed to the legislation. Atty Pringle said on Tuesday for Comm's to make a decision on whether they support or oppose legislation. Every Board Atty. Pringle has proposed this to have opposed the legislation. During discussion, Atty Pringle stated the Commissioners will need to create a letter, signed by all Commissioners, opposing this legislation and reasons why – sending this to Rep. Caldwell. Atty. Pringle stated he isn't taking an adverse position against LAMSID. They provide a service, LAFD provides a service. Atty. Pringle is just trying to minimize the cost to the same people who are served - to the least cost possible.

COMMISSIONERS AS EMPLOYEES – Commissioner Anderson asked if Commissioners were considered employees or not. Chief Dilallo stated Atty. Joshi 's opinion is Comm's are not employees. Commissioner Anderson has a memo stating Commissioners can have insurance along with being paid. There is a legal opinion stating they can have insurance as long as the Board votes yes.

ASSESSMENT FEE – All Commissioners received an email regarding the high cost of the assessment. People are concerned as to why their cost is so high. Commissioner Anderson thinks it should be back on the Agenda so we can have a long talk. Atty. Pringle stated there is the fixed fee and a variable fee. The decision was to not go with the fixed fee because it did not apply to ambulance service, only fire service. The Variable rate route allows you to collect the assessment for emergency rescue services along with fire services. Under the variable rate plan, you have to get a company like GSG to break everything out . The only way to change it is to go to a fixed fee scenario – which is a new process or, after the variable fee is established, create a step plan for residential that is just related to that only or, go to the ballot for vacant land only.

COMMISSIONER HANDBOOK – Attorney Pringle quickly reviewed the handbook and entertained questions. Commissioners questioned certain items in the handbook. Major focus was on Agenda lineup, voting, Attorney calls, Board/employee discussion.

SUNSHINE LAW/PUBLIC RECORDS LAW – Attorney Pringle quickly reviewed the Sunshine Law and Public Record Law.

Motion to Adjourn by Commissioner Anderson: 1:47 pm

A handwritten signature in black ink, appearing to be 'Anderson', written over a horizontal line.

Commissioner Anderson, Secretary