

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
April 13, 2010

Meeting called to order at 7:00 p.m. by Chairman Ducrou

Pledge of Allegiance

Moment of Silence – Chief Nisbet asks that we think of our two volunteer members who are now serving in the military with one being deployed to Afghanistan.

Roll Call: Commissioner Ducrou – Present
Commissioner Hansen – Absent
Commissioner Cook – Present
Commissioner Griffin – Present (est. 07:12)
Commissioner Klos – Present
Chief Larry Nisbet - Present
Office Manager - Theresa Sharp - Present
Attorney Ian Mann - Absent

Others Present: Union DVP & Guest Speaker-Matt Plachta of Foster & Foster, Inc. (Actuaries).

Guest Speaker - Office Manager introduces Matt Plachta of Foster & Foster who is here to answer any of the Board's questions regarding GASB45 and the need for the District to this regard, as well as answer any questions regarding his proposal which was the lowest offer to provide these actuarial services. Mr. Plachta explains that the GASB45 intent is to provide better transparency by accounting of the anticipated medical, dental and/or vision benefit obligations offered to retirees of the District. He explains that Florida Statutes require all public entities to offer any employees reaching retirement age the opportunity to buy into the group medical, dental or vision coverage offered to active members, and in addition the statutes require that the benefits must be offered to the retiree at the same premium charged for active members. He goes on to explain that the difference between that premium and what that retiree could individually purchase the coverage for is termed an Implicit Subsidy. GASB45 then requires a measurement of the size (dollar value) of that subsidy, the likelihood that an individual might take it, and an accounting of the overall liability that might be assessed to the District. Commissioner Ducrou asks that since the Department pays for the employee's health, then we must offer any retirees the option to be on the health plan but they pay the cost that the Department would pay to cover them? He goes on to explain that we have a hard time knowing from year to year what the employee would cost; he inquires how you cost out such an unknown. Mr. Plachta's reply is that that is where their expertise comes in to play, and that a good bit of the information will come from the premiums that the current health insurance carrier is charging. He goes on to explain that they will be using the alternative measurement method which does streamline the methods and assumptions to develop the liability using the health insurance premiums as a base for many of the calculations. As far as Commissioner Ducrou's concern with the fluctuations going forward, one of the factors they use is the developing trend for healthcare costs for a specific type of entity forecasting those shifts on a yearly type basis, and since it is re-measured at minimum every two to three years, those fluctuations are adjusted for over time. Mr. Plachta asks if Commissioner Ducrou's question is answered. Commissioner Ducrou's reply is yes and he summarizes it as they kind of use what we have as a baseline and then tack a guessed percentage on it every year. Mr. Plachta responds that while he hates to use the term "guess" he explains that yes, it is their best idea as to what that percentage is going to be, and the biggest factor in calculations, even before the fluctuations from year to year, is the estimate of the difference in the benefits that are being offered as compared to the actual premiums being charged and that difference is where they come up with the implied

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subsidy, the ground for all the liabilities that they measure. Once that is established Mr. Plachta agrees that there is some "guesstimation" as to what that trend is going to be, going forward. He adds that the good news is, that number keeps getting lower and lower and they see that trend going down more and more. Commissioner Ducrou asks if we will be required to fund this liability in our budget every year. Commissioner Cook adds he was also curious about that and asks what this does for us? Commissioner Ducrou replies that it fills a state requirement. Mr. Plachta adds that it does that but it also increases the transparency in the financial statements so that any interested party can further see the underlying expenses that the District has going forward. It's a way to split the liability up on an annual basis since we're only required to accrue a portion of the total liability in any given year. He gives the example that it might only be \$10,000 next year, and it would go up from there. He goes on to explain that the only way to keep that number down would be to fund the liability. Commissioner Ducrou states that it is his understanding that in funding the annual health insurance that we do for the employees; we in essence fund the legacy costs for future retirees. Mr. Plachta explains that the interesting thing is that the money doesn't really go anywhere. The District is essentially setting that money aside, and whenever the actuary deems that a benefit payment has occurred over the course of a year, basically it turns into a refund that gets credited back to the District. The Office Manager asks if an example of that would be when a retiree becomes eligible for Medicare benefits, would they be removed from that liability since they now qualify for Medicare and we're no longer their primary insurance. Mr. Plachta explains that it would depend on the District's policy with regard to Medicare eligible retirees and that actually because of the cost share arrangement with Medicare, there is no real liability associated with retirees once they hit 65. The Office Manager then adds that additional or new staff would likewise increase the liability. Mr. Plachta confirms. Commissioner Ducrou then adds that anyone who quit today would be eligible to pay for their insurance so that in effect they would continue to affect this liability and could potentially never be off the books. Mr. Plachta states that again, that would depend on District's policies to that regard, such as policies on maintaining continuous coverage from an employee in order to be eligible for continued coverage as a retiree. Mr. Plachta goes on to say that while it is not frequent that an employee would make such an election, somewhere in the neighborhood of 20%, because it is there and is measureable, it bears disclosure in the financial statements. Commissioner Ducrou asks if they would have to qualify under the FRS 55/25. Mr. Plachta reminds Commissioners that there are options for early retirement at partial benefit which would also be considerations. Commissioner Ducrou then clarifies that that being the case, any current employee would then be a liability. Mr. Plachta agrees and states that that is where the liability comes up; that if we had any retirees taking advantage of that benefit, they would be a consideration, but that a majority of that liability is measured based upon active employees potential to impact the liability. Chairman Ducrou asks for further questions. Office Manager asks if Foster & Foster would look at present policies and advise the District of anything that we as a District should address in the policies to clarify these benefits and subsequent liability. Chief Nisbet answers that the bargaining unit pretty much covers that. Commissioner Ducrou answers that since we don't fund it, it really doesn't have...the District doesn't really Fund anything for legacy cost or retiree benefit. Mr. Plachta states that that is what they're seeing in some of the local Districts, that they are considering funding it so that they don't have to show the liability on their books. Commissioner Ducrou asks the purpose of showing the liability on the books, is it for loan/credit purposes? Mr. Plachta states it's actually a separate line item. Commissioner Ducrou explains that right now it is very difficult for the District to set money aside that we can't touch, for a liability that is going to encumber those funds. He asks what the benefits are of us doing that. Mr. Plachta explains that the only number we will have to show in the financial statements is the unfunded liability. So any money set aside for this benefit (line item: contributions to a trust) goes to eliminate this emerging liability and every year this liability will continue to grow if it's not funded,

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so it becomes a bigger & bigger part of our financial statement. Office Manager asks that if this fund never goes anywhere or is paid to anyone, and you don't have access to those funds, wouldn't you do better to keep that liability down? Mr. Plachta responds that each year whenever any benefits are administered to or for the benefit of a retiree, that amount is freed from the trust and is basically returned back to the District. So all that a funded arrangement would do is set aside money that would cover the emerging liability and as these benefits are paid the money comes back to the District. Chief Nisbet explains that basically, funding that would keep the unfunded liability number down so it isn't going to technically look bad on the audit, even though we don't have a liability per se, it just shows that this is an implied benefit that the employee is receiving. Mr. Plachta advises that is correct, that it would be like FRS who shows Pension Plan obligations, they need to make sure that money is being set aside now for benefits that are to be paid in the future. Commissioner Ducrou states he would agree with that if these were benefits that we would pay in the future, but we don't pay it. He goes on to clarify that if our plan costs \$1000 per month for each employee and next year we have 3 people who retire and stay on the plan and the cost goes to \$1100 per member somewhere in that \$100 per is the cost of retirees using the plan with greater risk and that's where the liability comes in; but it's a pay as you go thing, and each year we fund and pay those premiums, he doesn't understand the bank account thing. Mr. Plachta agrees it's a really confusing topic. He says it's a lot easier to think about it in terms of pretending the district is actually paying the money directly to the retirees, from the accounting standpoint, it's the same thing. Commissioner Ducrou asks if COBRA is included in these calculations and Mr. Plachta responds that it is not included in GASB45. With all questions answered, Chairman Ducrou thanks Mr. Plachta for his time and information and he is permitted to leave if desired.

Awards Presentation - Postponed until May

Minutes - Review and Acceptance of the Revised February 9, 2010 Board of Commissioners Meeting - Motion made by Commissioner Cook to accept minutes. Motion seconded by Commissioner Klos. Call for questions or comments. With no further questions or discussion and none opposed. Motion carries.

Minutes - Review and Acceptance of the March 9, 2010 Board of Commissioners Meeting - Motion made by Commissioner Cook to accept minutes. Motion seconded by Commissioner Klos. Call for questions or comments. With no further questions or discussion and none opposed. Motion carries.

Financial Report: Commissioner Cook motioned acceptance of the March 2010 Financials. Commissioner Griffin seconded the Motion. Call for questions or comments. With no further questions or discussion and none opposed. Motion carries.

Admin/Ops/Fire Marshal's-Report (attached) – Chief Nisbet reads Fire Marshal and Administration Reports into the record. As an addendum Chief Nisbet announces that at the time of prep of the Admin Report Chief Nisbet was awaiting 3 copies of the CAM Agreement; he has since received those copies, they have been executed by our Chairman of the Board and himself and the check is in process with the County Financial Division. Chairman Ducrou calls for questions for the Chief. Commissioner Griffin asks for more information about the North Olga Community Plan. Chief Nisbet states that The North Olga Community Group has applied for their own COPC very similar to what the Bayshore Comprehensive Development Plan is, and the Alva Development Plan. Since the North River Village issues that happened with Bonita Bay, they have decided they wanted to develop their own plan for the North Olga

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area. Their area runs from 31 & North River Road east to the Caloosahatchee Regional Park. County Commissioners approved \$50,000 for them, gave them some money to develop their plan and they are currently working on developing their own community re-development plan, and their own community profile plan. The reason why Alexis went to Chief is she is working on some grants and Chief has offered to assist her if she needed some assistance in putting in for those. She has also discussed some of their strategic plans about a fire station location for us out there and potential grants they are looking for in federal community development; which would be a community fire station somewhere in that area in the distant future. He states he read over the plan and it is a very good plan which pretty much mirrors the Alva Plan with some language changes with regard to density which they will look at each project individually instead of a blanket policy on what they're going to do with development. Chairman Ducrou calls for questions and further discussions. With none heard he calls for Petitions.

Petitions before the Board – None

Union Petitions/Discussions – None

Old Business:

- **CAM Agreement** - Chief states he covered it in Administration Report and just invites any questions or discussion. Hearing none Chairman Ducrou calls for the next item.
- **Civic Center Special Detail Rates** – Chief points out a letter each of the commissioners have in their packet that was sent to Alta Mosley at the Civic Center after a discussion with Capt. Underwood; and cost research with the Office Manager. New rates took effect immediately. Chief adds that that went very well and was handled just by a phone call. He covers the rates as noted in the attached letter. Out of those fees the Chief increased the special detail compensations by \$1 across the board since the rates had been the same since 2007 for those who work the details. Commissioner Cook asks how much the increase was. Chief Nisbet states the increase was \$8.00 which averages out to about \$2 per year increase.
- **Strategies Plan Revisions** - Chief states that this was tabled from last month and inquires if everyone had a chance to go over it and he invites any questions or discussion. Chairman Ducrou calls for questions or discussion. With none stated Chief Nisbet requests a motion to adopt the revised strategic plan. - Motion made by Commissioner Griffin to accept the Revised Strategic Plan. Motion seconded by Commissioner Klos. Call for questions or comments. With no further questions or discussion and none opposed. Motion carries.

New Business:

- **Review & Acceptance of Actuarial Bid & Appointment of Actuarial Consultant** – Commissioner Ducrou confirms that the Foster & Foster proposal was the least expensive. Office Manager confirms that there was quite a difference between their proposal and the other proposal received. (A third company had declined to bid due to the small size of our group). The second proposal is from the firm that is handling Alva and Fort Myers Shores and they did match the fees they charged those two departments but it was significantly higher. Commissioner Klos inquires as to the frequency required of the study. Office Manager explains that we could actually do it ourselves but the involvement and the lack of information readily available to us would make it very difficult. Chief Nisbet accurately describes that our research found basically that “we undid the box and an elephant fell out” that quite honestly there was so much we didn't know about how to get the projections. Commissioner Cook asks if it's a once

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every three year thing. The Office Manager explains that it is revisited annually and re-vamped every three. The numbers are required current for the audited financial statements annually. Commissioner Ducrou inquires if the cost is an annual expense. Commissioner Cook inquires "with an increase of 5% each year". Office Manager confirms that is the fee. Commissioner Klos inquires as to how much it would cost to send the Office Manager to school for that. Commissioner Ducrou asks if the agreement is for one year or three years. Office Manager replies that she believes that we are after a three year and adds that she would rather take it from the start than to try to pick it up next year trying to figure out where they got their numbers since she believes much of it will be subjective based. Commissioner Ducrou agrees that that is no doubt the case. He theorizes that if insurance goes up 5% in a year, then you would essentially increase all of the resultant numbers by 5% and that since we pay as we go there wouldn't be an unfunded liability since we are not putting money aside for legacy costs at this point. Chief states at this point we are basically spending \$2250 to document an unfunded liability on our audit. Commissioner Ducrou still believes that it is not an unfunded liability because we do pay it every year. He feels it would only be unfunded if we had retirees for whom we picked up a percentage; like vacation, that's a liability you have to fund. Chief Nisbet explains that he believes the transparency that Mr. Plachta is referring to is, say like when the news looks at somebody who, for an example, went into the DROP for 30 days, and now they're back to work and they're picking up the retirement, they have the transparency to see "well this is how much money the guy made". He states he believes it puts transparency in the funding of the District where, for example, the DVP is retired and he is paying at our rate but if he was paying it on his own he would be at that higher rate, then he's getting the difference as a benefit, even though no money is actually changing hands, this is his benefit because it's almost like an income. Commissioner Ducrou agrees that it is definitely an unseen benefit but you still pay it every year; it doesn't roll over into some unfunded liability. No matter what the number is, every year when you go to negotiate insurance costs that will be in what we pay per month for the employee. It's not like this amount is what the employees cost and for the guys that are retired we have to set this money aside, that's why it doesn't continue like that. Commissioner Griffin agrees, it's not like sick time or vacation time, that if it doesn't get used, it rolls over, that money will have to be there for them when they're ready to use it. Chief Nisbet states that the unfortunate aspect of this is that it is going to be a requirement of us that starts this year. Commissioner Klos asks if we can get in touch with Chief Becker down at the beach and kind of pick his brain on it. The gentleman said he went down there and talked to Ft. Myers Beach. Chief Nisbet states that he has actually spoken to several of the fire chiefs at the 5 Bugle meeting last week and they are all doing this, even though everyone is in agreement that this is hog wash, they know it's something that we have to do. Commissioner Ducrou states that some of the Districts actually have benefits that this would make sense on. He continues that Chief Duncan who uses Tuscan & Associates says that Tuscan was adamant that they have this done beginning this year. Commissioner Cook asks what happens if we don't do it. Chief Nisbet and the DVP simultaneously reply that we will get flagged on our audit. Chief Nisbet continues that to not do so would cause a report to be generated to the state. Commissioner Cook asks what happens after that. He says he always wondered what trouble means. Chief states that it could affect us in state grants and state reimbursement funds; it could affect us on brush fires, because our audits would not be state compliant. Commissioner Cook agrees that that makes sense. Commissioner Ducrou inquires why we couldn't do this the first year and then do it

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ourselves in years two & three. Chief says we could do that. Commissioner Cook wants to point out that we need to make sure that they do everything we need in the \$2250. It only says they provide four copies of the report. He points out there are 5 things listed that they do for \$300 per hour on top of the \$2250. He wants to be sure that what we need is completely covered in the \$2250. He points out that if we need anything else it costs \$300 per hour. He wants to make sure that we are comparing apples to apples. Commissioner Ducrou points out that they are providing the information and their name is on the report so the liability is on them. Commissioner Cook states we are at a disadvantage because they know way more about it than we do, so there may be other things involved in this. Office Manager states that the reports that Alva & Shores received for the fee were $\frac{3}{4}$ page reports, but they have all the basic essentials to prepare these reports since our size group takes us into the general county numbers as far as insurance costs averaging etc, so they already have their basic numbers. Commissioner Ducrou states it's impossible to prove them wrong. He adds that it will have an effect if we have 5 employees that are retired who are still on the plan that are heavy use as it would cause our plan rates to go up. Office Manager agrees but adds that we would already be behind the 8 ball. Commissioner Ducrou says there's nothing to owe, you're paying it every year. It's just how much it goes up. Chief suggests that we proceed to award them the bid, contingent upon review of the contract by the chief so that we can see it and make sure that we are not getting locked into anything we don't want to be in. Commissioner Ducrou wants to only go with 1 year for now. Chief Nisbet wants to just accept the proposal and get the contract which he will review and maybe he can see some points that will require negotiation. He will bring the contract in for the next board meeting. Then we will know if we are locked into a 1 year or longer arrangement. Commissioner Cook reaffirms that he wants to be sure that we are getting everything we need to satisfy what we are after. Commissioner Griffin says that what Chief is asking is that if we will just accept what we have on paper, then he'll get on paper what their contract is and we can vote on it next meeting. Chief says he will put a copy in each packet so each commissioner has a chance to review it before the next meeting. Commissioner Cook reminds the board what happened when we took the lowest bid on an auditor and got nicked & dined to death by 100% of the bid price. Commissioner Ducrou seems confident and points out that it says in the proposal that they can provide everything we need to satisfy the GASB 45 for the \$2250, that the report will cost \$2250. There is some discussion about trying to get through years two and three without having any update performed. Chairman Ducrou calls for a motion to accept the proposal from Foster and Foster for actuarial services subject to board review and discussion of the contract at the next board meeting. Motion made by Commissioner Klos to accept the Motion as stated. Motion seconded by Commissioner Griffin. Call for questions or comments. With no further questions or discussion and none opposed. Motion carries.

- **Fleet reduction/surplus R-131 & T-132 (depending on ISO Audit)** - Chief Nisbet states that there are fleet issues with the rescue truck and Tender-132 in that the maintenance issues are beginning to outweigh the usefulness of both of those vehicles. He requests authorization to surplus R-131 & T-132 depending on the ISO audit. He says he would like to get rid of T-132 after the ISO audit but could get rid of R-131 anytime as it has no impact on the ISO rating. He does not believe that we need the second tender for our water supply but he would like it to remain through the audit to

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make certain of that. If the audit goes as he expects he would like to surplus both those units. As it is now, they are only generating additional expense as the usefulness of those vehicles is beginning to fall short. We have an apparatus committee in place to look at replacing engine 133. Commissioner Ducrou is also involved in that committee and we are looking into the possibility of an urban interface pumper. He states that we are doing this for two purposes, first is that if we get the grant, we have the product review done so we can go to replacement of the engine quicker should we get the grant. If we don't, it gives him the cost of anything we may potentially do in the future as he eventually wants to surplus that truck as well. They are just old & tired. The tanker is a 1976, the rescue is a 1995. Commissioner Griffin asks if we are looking to replace that or what's going to be used? Chief replies that initially he would like to use brush 132 in its place. That's the small brush truck that we can put the EMS equipment on and run it in its place until we find a suitable vehicle. He explains his goal is, if we are able, to get a new commercial pumper to combine the rescue and the second out pumper into one vehicle and get two functions out of one vehicle. He goes on to explain that one of the issues he's had with the rescue since he came here is that due to the District size he really doesn't like that the guys don't have any water with them. If they are on a rescue call like on Shirley Lane and a house fire comes in on say Ruden Road, they are going to pull up there and if there's potential for a rescue, they're going in. They're going to go in and try to find that victim and I rather see them have at least some water available to take a hose line with them to search at least somewhat safer than they would in the vehicle now. That vehicle would be great if he had a fire station every three miles because he can get a pumper to them quickly. Commissioner Cook confirms that we will have water with the service truck then? Engineer Lemieux confirms it's the small brush truck to which they refer. Commissioner Ducrou states that he assumes that unless we had a known life hazard, we wouldn't just do a search. Chief confirms that is correct, but if there was a known life hazard, they would be going in. Commissioner Ducrou asks about the insurance on the vehicles in question, if it is paid through a certain date. Office Manager replies that the insurance will do an addendum to the policy and prorate any unused portion of the policy and refund any savings. Chief Nisbet adds that they have been very, very good with that. Chairman Ducrou asks if Chief feels we could make a decision at the next meeting or if it would be the one after that. Chief responds that it would probably be the one after since ISO will be here during the time of our next meeting. He states that he wanted to acquire the authorizations now so that when he gets the ISO dictates he can go ahead and proceed with the surplussing next month. He advises he had Jim Bradford here from Tri-County (who was the one who purchased the skid unit) and he kind of gave us a rough estimate as to where we should be starting as a baseline bid for the Rescue Truck (\$5,000) and the Tanker (\$8,000). The Rescue truck is the price it is since the chasis isn't really worth a lot, they would mostly be buying the box. Commissioner Ducrou asks if it would be better to wrap the disposal into the acquisition in an effort to get more money out of the vehicles. Chief states he hopes to get the apparatus committee to meet next week where that could be looked into, but he goes on to say that last year in working with E-One there really wasn't a lot of money for the trucks; we could possibly roll the 3 trucks (the engine, tanker & rescue) in together, but right now the used fire truck market is flat. He adds that if someone were to buy the tanker it would more likely be some sort of vegetation company or somebody who needs a water truck. The rescue he adds might be purchased by a company that wants to use it for a plumbing company or something like that. He says the used fire trucks, unless

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they're only a couple years old, are just not moving because the manufacturers of fire apparatus are coming down so far on their prices just to stay in the market. A truck five years ago that would go for \$225,000-235,000 now prices out at \$149,000.

Commissioner Ducrou asks what Chief feels we could get for the trucks if we sold them outright and Chief replies \$5,000 & \$8,000. Commissioner Cook asks if Bradford wasn't the one who sold us the rescue truck. Engineer Lemieux replies that it was a trade. Chief also states Bradford had also suggested that if we're going to sell the rescue truck we keep the small generator and flood lights on it to sweeten the deal, and keep some of the adapters on the tanker, not to strip it, in case a small rural fire department wants it for that cost. Commissioner Ducrou states he assumes that if we have a major mechanical failure on either vehicle that we will not be making that repair. Chief confirms that is correct he does not intend to put any more money into either truck. Chairman Ducrou calls for further discussion and with none mentioned Chief Nisbet requests a motion from the board to authorize the surplus of the trucks post ISO audit. Commissioner Cook asks what the hurry is to move the trucks. Chief Nisbet replies that they are revenue and there are insurance costs. Office Manager points out that if these trucks break they will be more difficult to sell and bring less money already requiring repairs to drive. She clarifies that Chief Nisbet was trying to get the authorization handled now so that the topic will not be discussed with ISO here and as soon as the determination is made that the tanker is not an impact on the rating Chief can proceed to liquidate that truck as soon as that knowledge is acquired. Chief states that he can liquidate the rescue without even impacting the ISO rating and the sooner he can get these trucks off the books the sooner we can get the money in the bank and begin to earn at least some more interest. Chairman Ducrou passes the gavel to Vice Chairman Griffin and motions to allow Chief to sell the rescue and tanker 132 as described at said meeting based upon the ISO report. Commissioner Klos seconds the motion. Vice-Chairman Griffin calls for questions or comments. With no further questions or discussion and none opposed. Motion carries.

- **Fire Chief Performance Review** - Chief Nisbet announces that next month is his 2nd anniversary and he has enclosed an annual performance review in each of the commissioner's packets and asks that they complete them and let him know if they would like to meet with him or go over anything with him, he welcomes that and he requests that they have them prepared for next month so we can do them then. He adds that the employees are having theirs now and adds that we are conducting 360's this year, up and down. Commissioner Cook states that there is so much to evaluate on and he only sees the Chief for an hour once a month, how does he fill it out? Chief makes it simple by suggesting he just circle all the 5's. (laughter). Commissioner Griffin asks if a packet was left for him since he was out of town. Chief Nisbet replies to the affirmative and since he didn't receive it Chief provides him with an evaluation.

With no further discussion, Chairman Ducrou calls for Public Input.

Public Input – None

Motion to Adjourn – Motion to adjourn made by Commissioner Cook, Seconded by Commissioner Griffin. Vote Called. Motion passed unanimously. Meeting adjourned at 8:08pm.