

BAYSHORE FIRE PROTECTION & RESCUE SERVICE DISTRICT  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
September 10, 2024

**Meeting called to order** at 7:12 p.m. by Chairman Mere

Commissioner Griffin – Present  
Commissioner Ducrou – Present  
Commissioner Hansen – Present  
Commissioner Cook – Present  
Commissioner Mere – Present  
Chief Doug Underwood – Present  
Office Manager – Present  
Attorney Ian Mann – Present

**Others Present:** some staff

**Public Input Agenda Items** – None

**Minutes** – Review and acceptance of the August 13, 2024 Board Meeting minutes – Motion made by Commissioner Cook to accept the minutes. Commissioner Griffin seconded the motion. With no further discussion offered, vote is called and with all in favor, motion passed. Chairman Mere calls for Review of Financial Reports for August 2024.

**Financial Reports** – Review and Acceptance of the Financials for August 2024 - Motion made by Commissioner Ducrou to accept the financials. Commissioner Hansen seconded the motion. Chairman Mere calls for any discussion. Hearing none, he calls for vote and with all in favor, motion passed. With no further discussion offered Chairman Mere calls for Fire Marshal report.

**Fire Marshal Report** – Chief Underwood states inspections performed are as in the provided report and there will be quite a few for this month and next as we do annuals. Chairman Mere calls for questions on the Fire Marshal's report and hearing none, calls for the Administrative Report.

**Administrative Report** (attached) – Chief Underwood reads the Administrative Report into the record. Chief adds that yesterday he received the approval from the county on the fence permit and has scheduled installation to begin next Tuesday through Wednesday. He plans to have the electrician here to get everything wired up. Commissioner Mere asks if we are rebuilding or replacing the pump on B-131. Chief states we began rebuilding it, but as it goes, the more he gets into it, the more problems he finds, so he has had to order more parts. Commissioner Ducrou asks how old are the air conditioning units that we had to put dehumidifiers in. Chief Underwood responds they're only a couple years old, but they had been replaced under warranty just prior to Ian, one a few months before. Those are Champions, they have a 10-year warranty and though they are not the highest SEER units, they are the only ones that allow warranty under commercial use. They don't pull as much humidity out, but the doors are opened frequently plus these steel buildings aren't like a normal house. Commissioner Ducrou asks if they are single stage. Chief

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responds they are, and adds, plus when they run calls in the middle of the night, they have to open the bay doors which lets a lot more humidity back in. Commissioner Ducrou asks if they are helping. Chief responds they are installed but not completely hooked up yet. The units are in, the electrician that is doing the gate electric is hooking the electrical up for those. Chairman Mere asks if there are any other questions for the Administrative Report. Hearing None, He calls for Union Petitions.

**Union Petitions** – Union DVP states none, but thanks the Board for their consideration on the contract. Chairman Mere calls for Old Business

**Old Business –**

- **PERC Update** - Chief states he did hear an update via email from the hearing examiner on the Captain's unit; the hearing examiner has cancelled their unit hearing because we have a joint stipulation filed again as we did a few months ago so it will probably be sent back to the Commission this week for an approval and then they go through their voting process, so we're probably another month and a half to 2 months before we get that approval, and that's the same with the re-classification on the Engineers with District 12. He will also have to post the notification from PERC giving notice of their rights to bargain.
- **New Engine Update** – Chief states E-One came down and Chief and Captain Swindle went through all the specs with them. We had a handful of questions they are going to check into for us; but at this time, we are expecting the unit to be delivered to E-One in August next year to get the body put on. Once that has been done it will be sent to Matheny Fire for the final outfitting, so we are looking to the end of next year. A lot faster pace than originally anticipated (2 ½ years) but along the same timeline as it appeared when we took the factory tour; which if we take delivery the end of next year it will be less than 2 years. We just received approval from the County Attorney's office to use Impact Fees for this purchase. Chief anticipates early to mid-next year to have discussions for the financing plans for the engine.
- **LDO on Perimeter Fence** – Chief states he covered that with the Admin Report. Commissioner Mere asks if we're still having to stay off the property line 15 feet on this side or what. Chief states we are coming off the front side of the dumpster to the property line; and that did not trigger the environmental study doing that. Beyond that we will do the hedges down the fence line and doing field fence with the help of the neighbors burying the poles for the field fence. Commissioner Cook asks if we're doing anything over on the other side. Chief states we will go from the building to the neighbor's field fence, and put a man gate in on that side.
- **MW Lien Update** – Chief states we are going to save that for executive session. The attorney being present, states the executive session won't be necessary. He states he received a call from Chief stating that counsel for the owner of the property might be reaching out to him, because apparently there's a sale either underway or under contract or they're in due diligence period or something; he's not exactly sure

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where they are in the process. He received a call from the County Attorney's office about a week later saying about the same thing. He notes the County has settled their litigation; and the Attorney was inquiring if our lien was going to be covered in that settlement. She correctly told him they had nothing to do with each other. She was calling me to give me a head's up saying "I gave him your number, so expect a call." He called my office last week; I called him the day after, didn't get him, left a message; I was in trial today until about 3:30, called him again today, hoping to get some information to provide you, didn't get him; left another message. That conversation has yet to take place. I don't have anything to relay in a confidential setting. Given the gap between our meetings, I am going to suggest if the Board wishes to consider a) authorize the Chief to negotiate on the lien; because it would expedite things; because I'm almost certain they are trying to find out what it would take to settle our lien. He admits he does not know if they are under a time crunch or not, but this would allow expedited negotiations if the Board is inclined to do that; but he is certainly not making recommendations one way or the other. He does not feel insecure about the validity of our lien. He states nothing is for certain except for death and taxes; but he states we are well within our rights to say we want every penny and we are well within our rights to decline to negotiate. It is noted that they drug this out from the beginning and during all this time we had extensive wear and tear on vehicles due to the responses and prolonged efforts to extinguish the fires and mitigate the hazard. The Board does not see any reason to negotiate at this point. It is determined since the Chairman at the time signed the Lien, The Chairman at the time will be the appropriate person to sign the release when the time comes.

- **E-131 Mechanical Update** – Covered in Administrative Report. With no further discussion or Old business, Chairman Mere calls for New Business.

**New Business –**

- **Ratify Union Contract** – Chief is requesting Board approval for Chairman to execute CBA (Collective Bargaining Agreement) He adds everything went well in negotiations with the direction the Board had given. The Agreement is in line with those directives. Chief did make a few non-monetary adjustments in the form of language cleanup. He offers to answer any questions pertaining to that. Hearing none, he requests the Board to ratify. Commissioner Ducrou moves to ratify the agreement. Commissioner Cook seconded the motion. Vote is called and with all in favor, motion is passed.
- **Impact Fees Study** – Chief states though we fared very well through that study and would have been able to gradually increase our rates over a four year period to the maximum permitted (\$1,049 max) by law; our current rate is \$766; nearly half the districts would have been able to go to their max; but the study is being pulled and re-evaluated as some districts were not included due to lack of response which yielded zero impact fees, and there were some discrepancies in the study. They are going to start over in October. Hopefully, our impact fees should still go up. He states they will definitely have to go up as the cost to build the new station and put apparatus in it will

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definitely surpass the fees. There is some discussion of the use and inappropriate use of Impact fees and the requirement to potentially refund them.

**Chief Items –**

Chief states he has a couple Chief Items. He informs the Board of the digital tones where everything will be automated through a computer-generated voice. It's currently being tested over Tac 47 so our guys can get used to it. Our normal tones that we hear will be no more. There will be 5 tones county-wide, dispatched on the same channel. It's slated to go into effect October 8<sup>th</sup>. We're also going to put into effect the closest unit response mutual aid with a 90-day test run on that. Commissioner Ducrou asks if they provided any historical data demonstrating what it would look like, if for the last two months, we had been on closest unit response, to say this is what you would have been doing? Chief states yes, they gave us some numbers when we first had that conversation. Since then, North has been added. This would be North, Shores, Tice, Alva and us. And we're creating the North East Lee Group, which does not include Lehigh. We didn't want to get into the East Lee Group which includes Lehigh, Shores, Tice and Alva. If we get a call in our area and E-131 is on a call, Bayshore will be looked at first in the auto response; if none of our units are available, it will automatically roll over to one of the other units in our group, the closest available appropriate unit; if none are available, say we have a large event, then it will roll over to the next closest unit county-wide. This is in an effort to keep us local rather than responding all over the county. Chief explains further this is only for high priority calls, and some other nuances on how it differs from a county-wide closest unit response. He states after the first of the year EMS, Fire, and Sheriff dispatchers will all be housed together. They will remain separate for now but will be housed together at the EOC.

Chief requests Board approval to have his updated contract with adjusted PayScale signed by the Chair. Commissioner Ducrou moves to approve the Chair to sign Chief's amended contract. Commissioner Cook seconded the motion. Vote is called and with all in favor, motion passed.

Chief states he will be out of town 3 days next week for a lithium-ion symposium which comes into play much heavier now with the Tesla and EVs. He states they created a dashboard after the storm to report related fires and they are working toward getting that data into NIFRS. He has had a lot of input through his fire investigation and Florida has been a driving force to that effect since Jan. It should be quite informative.

Chairman Mere calls for Commissioner Items.

**Commissioner Items –** With no other Commissioner Items offered Chairman Mere calls for Public Input.

**Public Input – None -** Chairman Mere calls for Motion to Adjourn.

**Adjournment –** Commissioner Hansen moves to adjourn and motion is seconded by Commissioner Griffin and with none opposed, meeting is adjourned 8:02 p.m.