



Pinellas Suncoast Fire & Rescue

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FIRE CHIEF
SALVATORE A. D'ANGELO III

**MINUTES
JULY 18, 2017
WORKSHOP AND REGULAR MEETING**

**Held at the Indian Shores Municipal Center
19305 Gulf Blvd., Indian Shores, FL 33785**

**WORKSHOP MEETING CALLED TO ORDER AT 7:00 p.m.
PLEDGE OF ALLEGIANCE**

ROLL CALL: Commissioners answering roll call were Chair Joe Bruni, Vice Chair Lou Snelling, Secretary/Treasurer Larry Schear, and Commissioner David Gardella. A quorum was present with Chair Joe Bruni presiding. Attorney Jeff Albinson, Interim Fire Chief John Mortellite, and Finance Director David Martin were also present. Commissioner Laura Martin was excused.

ADDITIONS OR DELETIONS: None.

DISCUSSION ITEMS:

16-16 Property for Station 26

Discussion: Commissioner David Gardella discussed PSFRD's discussions with the property owner, and explained that the cost is too high for the District's budget. Discussions will continue with potential developers.

ADJOURNMENT

The meeting was adjourned at 7:05 p.m.

REGULAR MEETING CALLED TO ORDER AT 7:05 p.m.

ADDITIONS OR DELETIONS TO AGENDA:

Executive Assistant Kimberly Fugate discussed that the first budget hearing must be between after September 3rd but prior to September 19th. The regularly scheduled meeting is on September 19, 2017. The Board agreed to hold the first budget hearing on Wednesday, September 13, 2017. The regularly scheduled September Workshop and Regular Meetings will be rescheduled to immediately follow the special budget hearing. The hearing will begin at 7:00 p.m. at the Indian Shores Municipal Building. There will be no meeting on September 19, 2017.

MONTHLY BUSINESS:

1. Approval of Minutes: June 20, 2017 Workshop and Regular Meetings

Discussion: None.

A motion to approve the minutes of the June 20, 2017 Workshop and Regular Meetings.

**MOTION: COMMISSIONER GARDELLA SECOND: COMMISSIONER SCHEAR
All in favor, motion passed unanimously.**

2. Treasurer's Report: June, 2017

Discussion: Secretary/Treasurer Larry Schear stated that there is \$1,347,465 in the Money Market, \$760,782 in the Florida Investment Pool, and \$1,325,000 in fixed income CDs, for total assets of \$3,433,247. Current liabilities for this month are approximately \$81,700. Fund balance reserves are slowly declining, as inflow from the non-ad valorem assessments do not meet the operational expenses. Cash and management programs continue to provide prudent stewardship of the District's assets. There is still a small deficit of revenues over expenditures. A \$545,500 budget amendment will be presented to the Board for approval next month. There is currently a budgeted surplus of \$20,000, which is expected to increase. Fire assessment fees are complete, with a \$32,600 surplus from tax certificate sales. Personnel compensation expenses continue to be higher than anticipated, due to arbitration and overtime costs. Benefits expenses are in line, and operating expenses show a negative variance of \$222,500. The projected Unassigned Fund Balance is \$908,600, representing 17%.

A motion to approve the June, 2017 Treasurer's Report.

**MOTION: COMMISSIONER SNELLING SECOND: COMMISSIONER GARDELLA
All in favor, motion passed unanimously.**

3. Correspondence: Secretary/Treasurer Larry Schear read a letter from Chief D'Angelo to St. Petersburg Fire Rescue thanking them for the use of their engine while PSFRD's apparatus was out of service.

GENERAL REMARKS FROM THE AUDIENCE:

Bill Thomas – Indian Rocks Beach – Mr. Thomas inquired as to who is representing the County [the District] as the buyer for the Station 26 property. Commissioner Gardella stated that PSFRD is having direct conversation with the seller. Mr. Thomas then inquired as to the amount of commission or referral fees. Commissioner Gardella stated that there are no commissions nor referral fees involved. Mr. Thomas asked if PSFRD is required to file a disclosure form to show that negotiations were done in good faith, to which Commissioner Schear responded that they do, after the fact.

John Pfansteil – 448 Harbor Drive South, Indian Rocks Beach – Mr. Pfansteil stated that he feels Chief D'Angelo's accomplishments included the District's first street protest, a lawsuit against the District's largest taxpayer, and deceptive ballot language. Mr. Pfansteil stated that he would like to urge the Board to seek a new chief with "integrity and common sense."

Kelly Cisarik – 448 Harbor Drive South, Indian Rocks Beach – Mrs. Cisarik stated that she would like to see the Commission begin working toward collaboration with neighboring districts. She discussed that she hopes the Board selects a chief that is a "collaborator and not an instigator." She added that she does not believe PSFRD will receive Penny for Pinellas funds without citizen support and the trust of their neighbors.

Carol Britz – 466 20th Avenue, Indian Rocks Beach – Mrs. Britz stated that she hopes that when the Board chooses a new chief that "proven, excellent communication skills" are a top priority. Mrs. Britz stated that she feels the Holiday Inn lawsuit and the property for Station 26 are examples of issues handled with poor communication.

Randy Britz – 466 20th Avenue, Indian Rocks Beach – Mr. Britz stated that he is concerned about all of the "if" statements, such as the Penny for Pinellas, settlements, and lawsuits, and he feels that decisions should be put on hold until there are more answers. He added that the new fire chief may have a different direction that he would like to take and perhaps the Board should not make any decisions yet and let him make his mark.

REPORTS:

1. **COMMISSION:** None.

2. **ATTORNEY:** Attorney Albinson stated that, regarding the lawsuit with Mr. Hoofnagle, Mr. Hoofnagle's new attorney has filed a Renewed Motion for Summary Judgment, and the District's counsel will prepare a response to that document. He discussed that the judge has indicated that additional hearings should not be necessary; however, after reading everyone's documents, he may want to hold one. A meeting with the District's counsel is forthcoming and Attorney Albinson stated that he will have more information after that.

Attorney Albinson stated that at the Special Meeting on July 11, 2017, some suggestions were made regarding revisions to the proposed settlement agreement with the EMS Authority. The District's counsel will draft those into the agreement, and that document is being presented to the Pinellas County Board of County Commissioners/EMS Authority for approval.

3. **CHIEF'S REPORT:** Interim Fire Chief John Mortellite stated that PSFRD is still waiting to hear about AFG for the aerial device. He discussed that he has been working with Pinellas County and has secured three (3) Train the Trainer spots for Marine Operations and Search and Rescue, which will take place in September. He discussed that personnel are also preparing for upcoming water rescue trainings with neighboring fire districts. Interim Chief Mortellite stated that he has also been working with the County to develop a wet team for PSFRD, which would consist of rapid diver and near surface rescue. East Lake currently has a wet team and they are trying to space them out throughout the County. The new MSA air packs are being trained upon currently and will be in service soon. He discussed that Executive Assistant Kim Fugate has secured a Firehouse Subs Public Safety Foundation grant in the amount of \$4,560 which will be used to purchase 12 Thermal Imaging Cameras that will be on the first-line air packs. He added that he did receive word earlier that the Pinellas County Board of County Commissioners/EMS Authority did approve the settlement agreement.

Chairman Bruni discussed that he and Finance Director Dave Martin have reviewed the resumes for the fire chief position and four (4) candidates will be interviewed. The Board agreed to hold the interviews on Saturday, August 12, 2017, beginning at 9:00 a.m. at the Indian Shores Municipal Building.

ACTION ITEMS:

17-11 Impact Fees – Jude Hendershot

Discussion: Jude Hendershot, 14395 Oliver Street – Mr. Hendershot stated that, approximately one year ago, he built an addition on his home. He stated that he went to the County Building Department and paid the required fees at that time, but was not made aware that he would be responsible for impact fees to PSFRD. He explained that he has just recently paid his impact fees in full, but is requesting that the Board waive his accrued interest, as he did not budget for the approximately \$160 that has been charged. Life Safety Inspector

Marshall Eiss stated that PSFRD has had multiple conversations with the Building Department regarding the need for them to inform citizens of the impact fees, but they still do not do this. He explained that he typically drives around the District and, upon finding construction going on, he contacts the owner. On July 27, 2016, Inspector Eiss stated that he visited Mr. Hendershot and advised him of the impact fee, at which time he asked him for his plans and informed him that he would send him an invoice. On July 29, 2017, Mr. Hendershot sent the plans to Inspector Eiss, and on August 2, 2017, he was sent an invoice. At that time, Mr. Hendershot asked if he could set up an arrangement to pay the impact fees. Inspector Eiss informed him that he could speak with the Fire Chief about setting up a payment plan, but Mr. Hendershot never came in. Inspector Eiss explained that Mr. Hendershot continued to receive monthly notices, which he never paid, nor did he contact PSFRD about. An invoice was sent that indicated Mr. Hendershot's account would be sent to collections, at which point he again stated that he wanted to speak with the Fire Chief, but did not come in again. At this time, discussion ensued amongst the Commission.

A motion to waive Mr. Jude Hendershot's interest fees.

**MOTION: COMMISSIONER GARDELLA SECOND: COMMISSIONER SNELLING
4-1 vote, with one nay by COMMISSIONER SCHEAR
MOTION PASSED**

**17-03 Commission By-laws Revision (Resolution 2017-03)
(Second Reading)**

Discussion: Attorney Jeff Albinson read Resolution 2017-03 by title only.

REMARKS FROM THE AUDIENCE:

Kelly Cisarik – 448 Harbor Drive South, Indian Rocks Beach – Mrs. Cisarik stated that she has concerns about the public input section of the proposed by-laws. She read, “...consistent with applicable law. Failure of the Board to allow for public input on any matter shall not be a basis for invalidation of any action taken by PSFRD as a whole, or the Board.” Mrs. Cisarik stated that she feels that statement should be removed, as the Board does have an obligation to provide for public input at its meetings. Attorney Albinson stated that the paragraph tracks applicable law, as well as the standard language used by other governments. He explained that the phrase “consistent with applicable law” means if there is a failure of public input, there is law that applies; therefore, consistent with that law, it by itself, the by-laws document will not invalidate it. He added that it is a reminder that state law controls, not the by-laws.

A motion to adopt Resolution 2017-03 and adopt the revised Commission By-laws.

**MOTION: COMMISSIONER SCHEAR SECOND: COMMISSIONER GARDELLA
All in favor, motion passed unanimously.**

**17-06 Truck 28 Purchase (Resolution 2017-04)
(First Reading)**

Discussion: Attorney Jeff Albinson read Resolution 2017-04 in its entirety. He added two corrections: Under the third “WHEREAS” clause, the word “described” should be inserted between “otherwise” and “herein.” Additionally, the paragraph immediately following the third “WHEREAS” paragraph, the word “WHEREAS” should be inserted prior to the first word of the paragraph.

REMARKS FROM THE AUDIENCE:

John Pfansteil – 448 Harbor Drive South, Indian Rocks Beach – Mr. Pfansteil stated that he does not understand the rush to purchase this truck when other districts spend less for their ladder trucks. He stated that he also feels the District should wait to find out the Penny for Pinellas outcome. He added that if the District continues to use the current truck, then the District will also need to continue paying for repairs of that apparatus. Mr. Pfansteil made suggestions as to how much the new truck would depreciate over a five year time period. He also made the suggestion to purchase a truck with a bucket at the end of the ladder.

Kelly Cisarik – 448 Harbor Drive South, Indian Rocks Beach – Mrs. Cisarik stated that she would like to see the District purchase a new ladder track in the next couple of years, but before draining the capital fund, she would like the public be given a proper accounting of that fund. She inquired as to if any other governmental agency has received Penny for Pinellas funding retroactively. She also suggested using the impact fee funds to purchase a quick response vehicle.

Carol Britz – 466 20th Avenue, Indian Rocks Beach – Mrs. Britz suggested that the urgency to purchase the truck is due to the District fearing losing \$300,000, and also suggested purchasing a quick response vehicle.

At this time, Commissioner Gardella inquired as to if this resolution gets approved after its second reading next month, if that means that PSFRD is entering into the agreement. Commissioner Snelling stated that by approving the resolution quickly, it will hold the price. Commissioner Gardella stated that he spoke with the Pierce salesman and he stated that the price will stay in effect until December 31, 2017. He added that he does not feel that the District should purchase the truck until there is a resolution to the referendum lawsuit. Finance Director Dave Martin discussed that the truck repair costs for the year are nearing \$40,000, and the impact fees will expire September 30th.

Tom Bruno – 2401 8th Avenue North, St. Petersburg – Mr. Bruno identified himself as PSFRD’s mechanic. He explained that Truck 28 is 17 years old. Safety items are now becoming a concern. He stated that they just recently found internal parts broken in the pump transfer case, which is a potential threat to the firefighters’ lives, as well as citizens’ lives and property. He explained that the truck is beat up and needs to be replaced.

Todd Best – 8140 42nd Street North, Pinellas Park – Mr. Best identified himself as a PSFRD firefighter. He explained that the truck was out of service for three hours that day because the break system was malfunctioning. He stated that the week prior, PSFRD firefighters were responding in a St. Petersburg Fire Rescue engine because their apparatus were broken down. He mentioned that quick response vehicles are great equipment, but they do not put out fires. He also discussed that the District would very much like to have a bucket truck, but they are even more expensive. Chair Bruni stated that, beyond maintenance, having a truck company replaced with an engine eliminates the capability for elevated stream or rescue work above the second floor.

Marshall Eiss – Inspector Eiss discussed that the District is more than single-family dwellings. He explained that PSFRD must serve the whole community and, in that respect, it needs the appropriate apparatus. He also stated that ISO, which helps determine residents’ homeowners’ insurance rates, requires the District to have specific apparatus.

Commissioner Gardella stated that he agrees PSFRD needs a new truck and that the current truck is beyond its life expectancy. He stated that he was going to ask about when the impact fees had to be spent. If there was more time, his preference would be to wait on the purchase; however, he stated that there is no question that the District needs the truck.

17-09 SOP 217 DRAFT – Compensation During Declared Emergencies

Discussion: Interim Chief Mortellite stated that the Commissioners had received the draft of this SOP previously, and he would like to ask for a motion to approve it.

A motion to approve SOP 217 – Compensation for Declared Emergencies.

**MOTION: COMMISSIONER SCHEAR SECOND: COMMISSIONER SNELLING
All in favor, motion passed unanimously.**

17-12 Laura Donaldson Engagement Letter – Constitution Revision Commission

Discussion: Attorney Albinson gave a brief background on the Constitution Revision Commission. He explained that, once every 20 years, the Constitution Review Commission (CRC) reviews the state constitution to decide if amendments or revisions need to be made. Special districts are typically a big topic during this time. Keeping abreast of this information can be challenging. Chief D’Angelo had a contact, Laura Donaldson, whom Attorney Albinson met with recently. She is more than qualified and comes highly recommended. Her normal hourly rate is \$425 an hour; however, Lealman Fire District has recently retained her services to monitor the CRC proposals and advocate on behalf of the districts, and she is only charging \$200 per hour. Additionally, she has agreed to keep the \$200 rate in place, but to split it among however many districts would like to participate, which she suggested might be up to seven, and they would all share the cost. He also clarified that she would be hired as a lobbyist and not an attorney. Discussion ensued amongst the Commission, which decided not to move forward with retaining Ms. Donaldson’s services at this time, but to leave the item open for discussion later.

There being no further business to come before the Board, the meeting was adjourned in due form at 8:49 p.m.

APPROVED:


Joseph V. Bruni, Chair
8/15/17
Date Approved

ATTEST:


Kimberly G. Fugate, Executive Assistant