



Pinellas Suncoast Fire & Rescue

304 FIRST STREET
INDIAN ROCKS BEACH, FLORIDA 33785-2508

(727) 595-1117 FAX: (727) 595-5879

www.psfrd.org

FIRE CHIEF
SALVATORE A. D'ANGELO III

MINUTES SEPTEMBER 27, 2017 SPECIAL BUDGET MEETING

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

SPECIAL BUDGET MEETING CALLED TO ORDER AT 7:02 p.m. PLEDGE OF ALLEGIANCE

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

ADDITIONS OR DELETIONS: Chairman Joe Bruni assigned Vice Chair Lou Snelling as the Acting Secretary/Treasurer in Commissioner Larry Schear's absence.

ACTION ITEMS:

Chairman Joe Bruni informed attendees that, due to the high number of speaker cards, one representative will be chosen to speak for five minutes on each agenda item on behalf of the group. Due to disorder by the attendees, Chair Bruni called for a brief recess at 7:05 p.m.

17-21 Adoption of Final Millage (Resolution 2017-10)

Discussion: Finance Director David Martin read Resolution 2017-10 in its entirety. Finance Director Martin then explained that the budget process was completed by Fire Chief D'Angelo and Assistant Chief John Mortellite. Once the budget is adopted, PSFRD will operate on a status quo basis until the October Commission, at which time the Board will decide if they wish to appeal the ruling of the judge on the referendum lawsuit. Until then, nothing is going to take place that is currently in the budget other than current operating expenditures. Mr. Martin listed the items that will currently be placed on hold. He explained that the new Fire Chief will have the ultimate decision on changes to the budget, and any changes will be presented to the Board by a budget amendment in October. Chair Bruni asked Mr. Martin to explain the ad valorem tax and the process with the Tax Collector and TRIM notices. Finance Director Martin explained that the TRIM notices had been prepared and the half mill is on the notice. He continued that ad valorem taxes collected by the Tax Collector will be set aside and those funds will not be used until either an appeal is processed and a decision is made by the Appellate Court or if a different route is chosen. If the taxes need to be refunded, the Tax Collector will be notified and refunds will be issued.

REMARKS FROM THE AUDIENCE:

Ed Hoofnagle – 2 5th Avenue, Indian Rocks Beach – Mr. Hoofnagle wished to clarify that this discussion is in regard to the levy of the ad valorem tax. He stated that he is rooting for the Commissioners to make the right decision. He suggested holding workshops to identify cost savings measures, and if that is not possible, work with the community to raise the non-ad valorem rate. Mr. Hoofnagle added that PSRD should “stop the lawsuits” and stop spending money on bad legal advice. He stated that if the appeal fails and the tax has been levied, he believes that it will be an unlawful taking.

Chair Bruni interjected that the budget must be approved prior to October 1, and the TRIM notices are already in motion and cannot be stopped. He continued to explain that the Tax Collector will decide whether they keep those monies and return them to the taxpayer, or turn them over to the fire district to hold in a special account until they can return the money from the tax office to the tax payer. He explained that a notice has been filed as a placeholder for an appeal, on recommendation from PSFRD's attorney, to inform the court that PSFRD will decide as a Board at the next monthly meeting whether or not to follow through with the appeal.

The Chair then stated that each person wishing to speak could do so, for one minute on each agenda item.

Bob Linderman - 455 20th Avenue, Indian Rocks Beach - Mr. Linderman stated that he can see how PSFRD got to where it is, and also suggested that PSFRD intentionally hired professionals to craft a question that looked like a tax reduction. He stated that the Board has an opportunity to stop this and do the right thing.

Phil Wrobel - 112 13th Avenue, Indian Rocks Beach - Mr. Wrobel stated that it is the Board's responsibility to not approve this and not appeal, as they are spending taxpayer money.

Kelly Cisarik - 448 Harbor Drive South, Indian Rocks Beach - Mrs. Cisarik stated that the Board can reject the millage and not vote yes. She discussed that Attorney McLaren filed a notice of appeal yesterday and the Commission hadn't voted on it. She suggested the Board not appeal the judge's ruling.

Frank Hartzell - 411 12th Avenue, Indian Rocks Beach - Mr. Hartzell stated that the Board cannot approve the millage because they do not have authorization to do so. He suggested finding another way to raise money ethically.

Nancy Obarski - 708 Beach Trail, Indian Rocks Beach - Mrs. Obarski stated that there is no appeal because there was no meeting at which the Commission voted on it. She stated that there was either a Sunshine Law violation or the responsibility was delegated to someone else.

Ed Hoofnagle - [Did not state address] - Mr. Hoofnagle stated that the agenda item can be voted down and urged the Board to not approve it.

Carol Britz - [Did not state address] - Ms. Britz stated that she finds it concerning that decisions have been made such that a private citizen filed a lawsuit against them. She stated that she feels using tax money and appealing the ruling is wrong.

John Cox - 348 La Hacienda Drive, Indian Rocks Beach - Mr. Cox stated that fire service is an important part of community. He stated that he read the Commission duties on the website, being that all discussions are held in an open forum, and that Commissioners should represent the community and not themselves.

Tom Rask - [Did not state address] - Mr. Rask stated that the Chair mentioned putting money into escrow, but that is not authorized. Mr. Rask also stated that the flat fee isn't mentioned in this resolution, and if an appeal is struck down, he suggested that PSFRD had no authority to levy any tax. He also suggested that it is suspicious that PSFRD's counsel was not in attendance.

Finance Director Dave Martin stated that, in his conversations with the Tax Collector, all monies would be returned to the taxpayers.

A motion to adopt Resolution 2017-10 adopting the Final Millage.

MOTION: COMMISSIONER MARTIN SECOND: COMMISSIONER SNELLING
3-1 vote, with one nay by COMMISSIONER GARDELLA
MOTION PASSED

**17-22 Adoption of Final Budget
(Resolution 2017-11)**

Discussion: Finance Director David Martin read Resolution 2017-11 in its entirety. Commissioner David Gardella asked if there were contingencies for not having the ad valorem income. Finance Director Martin stated that a budget amendment will be done to strip down expenditures to meet the remaining income. He explained that the new Fire Chief, who will be on board October 9th, will be the appropriate person to make that decision, which will then be presented to the Board. He explained that it is not the place of the Finance Director or the Interim Chief to make those final decisions.

REMARKS FROM THE AUDIENCE:

Kelly Cisarik – [Stated “address on file”] – Mrs. Cisarik stated that she did not see this resolution in the agenda packet, and asked why [It was posted in the agenda packet on the website 9/20/17]. She stated that she has received no answers regarding discrepancies in the capital projects fund. She stated that she also asked the Board to remove the authority of the Finance Director to make budget amendments for unlimited amounts before the budget was adopted and that is not being done. She stated that the budget should not be approved based on unknown revenue sources.

Ron McVety – 1520 Gulf Boulevard, Indian Rocks Beach – Mr. McVety discussed being grateful for PSFRD’s response to an emergency at his home. He then stated that he should not be up there speaking and the Board should be able to figure this out on their own.

Phil Wrobel – [Did not state address] – Mr. Wrobel thanked Commissioner Gardella for voting no on the last resolution. He stated that he feels the Board is arrogant and has no respect for the taxpayers. He discussed that he had experienced a fire and that the firefighters did a great job, but that doesn’t give the Board the right to be arrogant and go against the law.

Ralph Montgomery – 2618 Gulf Boulevard, Indian Rocks Beach – Mr. Montgomery stated that PSFRD does a great job, but the judge’s ruling doesn’t leave much room for an appeal. He stated that he wishes them the best and he hopes for a constructive outcome.

Nancy Obarski – 708 Beach Trail, Indian Rocks Beach – Mrs. Obarski stated that the budget doesn’t include legal fees for a new lawsuit that was just filed against PSFRD regarding public records requests. She added that the citizens said they would give PSFRD more money, but now their trust is broken. She also stated that two readings are required of resolutions.

Gordon Obarski – 708 Beach Trail, Indian Rocks Beach – Mr. Obarski stated that he knows what it takes to prepare a budget and adhere to it, and he feels that PSFRD’s financials are backwards. He stated that if the Board approves the budget before voting on the appeal, it is basically approving a budget with no assurance of revenue.

Paul Kleeman – [stated 20th Avenue only] – Mr. Kleeman stated that the need for police officers in attendance at this meeting shows you have disgruntled residents. He also suggested the firefighters use their vehicles excessively.

Randy Britz – 466 20th Avenue, Indian Rocks Beach – Mr. Britz asked if this is government transparency, and thanked Commissioner Gardella. He stated that he was shocked nobody else had a comment.

John Pfansteihl – [stated Indian Rocks Beach only] – Mr. Pfansteil stated that the losses suffered by PSFRD’s legal advice were not stated, and he then recapped previous lawsuits and stated that only the lawyers are winning.

Bill Thomas – 470 20th Avenue, Indian Rocks Beach – Mr. Thomas said that he hasn’t seen any discussion on how to work with the taxpayers to resolve the issues. He stated that he is frustrated that there is no interaction and that he doesn’t get emails back.

Marcel Turner - 2618 Gulf Boulevard, Indian Rocks Beach - Mr. Turner stated that the Commission has relied on poor advice and urged them to take a different approach. He stated that he is a consultant with fire district experience and offered his services to help. He also stated that he thinks Laura Martin being on the Board is an ethics violation.

Ed Hoofnagle - 2 5th Avenue, Indian Rocks Beach - Mr. Hoofnagle stated that the Board had a choice to make and they acted in contempt of court. He stated that they do not need to approve the budget which is invalid. Mr. Hoofnagle told Finance Director David Martin that he should be fired, and that Laura Martin should resign, because he feels that she does not represent the residents of Indian Rocks Beach. He told Chair Bruni and Vice Chair Snelling that he feels like they have made a grave error.

Tom Rask - [Did not state address] - Mr. Rask discussed that this resolution corrects what he had said earlier about the flat fee. He stated that he is now a property owner in the District and that the Board does not represent the people of the District.

Carol Sampey - 434 Harbor Drive North, Indian Rocks Beach - Ms. Sampey thanked the firefighters, and thanked Ed Hoofnagle for his representation. She stated that it is irresponsible to vote on the ad valorem and budget.

Commissioner Gardella stated that since there are no contingencies built into the budget, he cannot vote in favor of it.


A motion to adopt Resolution 2017-11, adopting the FY 2017/2018 Final Budget.

**MOTION: COMMISSIONER SNELLING SECOND: COMMISSIONER MARTIN
3-1 vote, with one nay by COMMISSIONER GARDELLA
MOTION PASSED**

At this time, Chair Joe Bruni attempted to hold general remarks from the audience, but due to the disorder, was unable to do so. Chair Joe Bruni stated that the October 17, 2017 meeting will be rescheduled for October 10, 2017. [To avoid confusion, this has since been changed to October 11, 2017 and has been advertised appropriately.]

There being no further business to come before the Board, the meeting was adjourned in due form at 8:21p.m.

APPROVED:



Joseph V. Bruni, Chair Date Approved

ATTEST:



Kimberly G. Fugate, Executive Assistant