



**MINUTES
GREATER NAPLES FIRE RESCUE DISTRICT
BOARD OF FIRE COMMISSIONERS MEETING
November 9, 2021**

I. MEETING OPENED

Chairman Gerrity called to order the regular meeting of the Greater Naples Fire Rescue District's Board of Fire Commissioners at 6:15p.m., on November 9, 2021 at Administrative Headquarters. Present were Commissioners Duffy, Cottiers, Stedman, Biondo, and Gerrity. Staff in attendance: J. Nolan Sapp, Nicole Chesser, Shawn Hanson, Sal D'Angelo, Janice Monteagudo, Sharon Sickels, James West, Chris Diaz, Tim Sims, Jamie Popiol, Charlotte Johnson and Charles Heweker. Public in attendance: George Danz, Randy Ward, Michael Ramsey, Tabatha Butcher, Renee Szabo, Wayne Martin, Robert Lang, Tom Bothe and Deborah Martin. District Attorney Laura Donaldson was in attendance. Others attended meeting but did not sign in.

A. Pledge of Allegiance and Invocation

Commissioner Gerrity opened the meeting with the Pledge of Allegiance followed by the Invocation by Commissioner Stedman.

B. Consent Agenda

1. Treasurer Report
2. Disposition of Fixed Assets 22-001

Commissioner Duffy moved to approve the Consent Agenda as presented. Commissioner Biondo seconded. Motion passed unanimously 5-0.

C. Approval, Additions and Deletions to the Agenda

Commissioner Duffy moved to approve the Agenda. Commissioner Biondo seconded. Motion passed unanimously 5-0.

D. Approval of the GNFD Board Minutes for October 12, 2021

Commissioner Biondo moved to approve the GNFD Board minutes for October 12, 2021 as presented. Commissioner Cottiers seconded. Motion passed unanimously 5-0.

E. Fire Chief's Report

Fire Chief Sapp presented his report as submitted.

1. Line of Duty Deaths Moment of Silence
Chief Sapp announced 8 firefighter line of duty deaths for the month of October.
2. Awards and Recognition
Fire Chief Sapp announced the Service Awards for the month of November.

H. Chapter 175 Firefighters' Pension Plan – Tim Sims

Tim Sims gave a verbal report on performance of the pension plan. The next 175 Firefighters' Pension Plan Quarterly meeting is November 18, 2021.

I. Local 2396 Report - Chris Diaz

President Chris Diaz, new President for Local 2396 reported he sent introduction letters to the Board of Fire Commissioners. He announced he collaborated with the District on establishing the Christmas Party which will be held on December 8th. He is working on finalizing the new Local 2396 Board.



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II. OLD BUSINESS

A. Station 25 – Fire Chief Sapp

Fire Chief Sapp gave a PowerPoint presentation on Station 25 response area times, staffing costs, financial impact, addressing overtime and staffing options. Fire Chief Sapp presented three different options. Discussions were held on the best option regarding the operation of Station 25.

Chairman Gerrity gave opportunity for Public Comments regarding Station 25.

Deborah Martin gave Commissioners a handout of Matrix regarding Station 25.

Rita Szabo commented she hopes Greater Naples Fire Rescue District decides to staff Station 25.

Commissioner Duffy moved to approve Staff's recommendation of moving forward with Option 3, working through the hiring process and adding 12 new positions. These personnel would be in place in the second half of February 2022. Commissioner Duffy moved to approve Staff's recommendation to move forward with Option 3. Commissioner Stedman seconded. Motion passed 3-2. (Biondo, Gerrity)

Commissioner Gerrity stated he does not feel it is right time to commit to staffing Station 25, 24/7 with our budget at this time.

B. Vacant Land Update – Lake Park Blvd. Property – Deputy Chief D'Angelo

Deputy Chief D'Angelo explained the Board Commissioners turned down agenda item of the \$320,000 appraisal on 12901 Lake Park Blvd. property during the September 14, 2021 Board of Fire Commissioners Meeting. Deputy Chief D'Angelo presented two more updated appraisals; one from the original appraisal company and another local appraisal firm. The two appraisal reports average fair market value of \$690,000 selling price. The appraisal price put forward for the selling price is \$740,000.

Commissioner Duffy moved to approve The District entering into an agreement with ELAH Holdings, LLC, for the District to purchase approximately 9 acres on Tamiami Trail near Lake Park Blvd. for \$780,000, authorizing the District to perform its due diligence on the property, and if there are no issues identified and unresolved, purchase the property using the net proceeds from the Sabal Palm parcel, impact fees, and other District revenues.

Commissioner Biondo seconded for discussion. Motion passed unanimously 5-0.

Commissioner Duffy moved to approve the District entering into an agreement with Collier County for Collier County to purchase the District property located at 12901 Lake Park Blvd. for the fair/"as-is" market value of \$740,000, with the sale of the property contingent on the District's purchase of the replacement property owned by ELAH Holdings, LLC, and the inability for Collier County to cancel the purchase once the District closes on the replacement property. Commissioner Cottiers seconded. Motion passed unanimously 5-0.

Commissioner Duffy moved to approve the Fire Chief, or his designee, having the authority to execute all necessary contracts and documents required to effectuate the sale and purchase of such properties. Commissioner Cottiers seconded. Motion passed unanimously 5-0.



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III. NEW BUSINESS

- A. CLOSED DOOR ATTORNEY-CLIENT SESSION – Kevin Nelmes v. Greater Naples Fire Rescue District, Case No. 2:21-cv-722, United States District Court for the Middle District of Florida, Fort Myers Division – TIME CERTAIN 6:35 PM**

Closed-Door Attorney-Client Session Pursuant to Section 286.011(8), Florida Statutes, to discuss settlement negotiations and/or strategy related to litigation expenditures in Kevin Nelmes v. Greater Naples Fire Rescue District Case No. 2:21-cv-722, United States District Court for the Middle District of Florida, Fort Myers Division.

ACTION ITEMS (IF ANY) STEMMING FROM THE ABOVE CLOSED DOOR ATTORNEY-CLIENT SESSION

Chairman Gerrity stated the following: Legal Counsel Laura Donaldson advised the Board of Commissioners that a closed-door attorney-client session was needed to discuss settlement negotiations and/or strategy related to litigation expenditures. The Greater Naples Fire Rescue District announces the commencement of a closed-door attorney-client session on November 9th, beginning at 6:30 PM in accordance with Section 286.011(8), Florida Statutes, regarding the following pending litigation:

Kevin Nelmes v. Greater Naples Fire Rescue District
Case No. 2:21-cv-722
United States District Court
Middle District of Florida
Fort Myers Division

The closed-door attorney-client session will be attended by the following:

Chair Kevin Gerrity; Vice Chair David Stedman; Secretary Al Duffy; Treasurer Nick Biondo; Commissioner Charlie Cottiers; Fire Chief Nolan Sapp; Legal Counsel Laura Donaldson; Attorney Rey Velazquez; and A court reporter.

The subject matter shall be confined to the pending litigation. No other matter or ancillary issue related to the District may be discussed. No votes will be taken during this closed session. The estimated length of this closed session is estimated to be approximately one hour.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

Everyone exited the meeting room except for those listed by Chairman Gerrity. At the conclusion of closed-door attorney-client session Chairman Gerrity stated the following: I now announce the termination of the closed-door attorney-client session related to:

This completes the public meeting regarding the litigation at 7:10 p.m. Adjourned.

BOARD OF FIRE COMMISSIONERS MEETING RESUMED AT 7:11 PM.



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B. Amended FY 2020-2021 Budget – Finance Manager James West

James West, Finance Manager explained FY20-21 Amended Budget as presented to remain compliant with Florida Statute 189.016 (6) (c).

Commissioner Stedman moved to accept management's recommendation and to approve the Amended Fiscal Year 2020-2021 General Fund Budget in the amount of \$44,250,415, consisting of \$36,590,285 of appropriations of expenditures and \$7,666,130 in reserves.

Commissioner Duffy seconded. Commissioner Stedman amended his motion to \$7,660,130.

Chairman Gerrity asked if budget needs to be amended to secure funding for new hires.

James West responded Fiscal Year 2022 will need to be amended and recommends after the Fiscal year 2021 audit is finished for more accurate figures. Motion passed 5-0 unanimously.

Commissioner Stedman had to leave the Board meeting at 8:30pm.

C. Station 74 – Fire Chief Sapp

Fire Chief Sapp recommends and supports Station 74 moving forward with the shared project with the County. Deputy Chief D'Angelo recommended moving forward with the Safer Grant application. In addition, there was a discussion on applying for Safer Grant.

EMS Chief Tabatha Butcher, expressed appreciation to Fire Chief Sapp for moving forward, and will need commitment to move on construction design.

Deputy Chief D'Angelo explained based on the \$2.56 million; \$400,000 of that amount is built into the base on square footage with Impact Fees. Based on square footage and needs, the breakdown of percentage would be split as follows: EMS is 40%, Greater Naples Fire District is 40% and North Collier is 20%.

D. Public Comment Requests for items not on Agenda

None

E. Comments by Commissioners

None



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IV. ADJOURNMENT

Commissioner Duffy made a motion to adjourn at 8:40 p.m. Commissioner Cottiers seconded. Motion passed unanimously 5-0, meeting adjourned.

Duly passed with a vote of _____ to _____ and adopted in session on the 14th day December, 2021.

Chairman Kevin Gerrity

Commissioner Al Duffy

Commissioner Charles Cottiers

Commissioner David Stedman

Commissioner Nick Biondo



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IV. ADJOURNMENT

Commissioner Duffy made a motion to adjourn at 8:40 p.m. Commissioner Cottiers seconded. Motion passed unanimously 5-0, meeting adjourned.

Duly passed with a vote of 4 to 0 and adopted in session on the 14th day December, 2021.



Chairman Kevin Gerrity



Commissioner Al Duffy

Commissioner Charles Cottiers



Commissioner David Stedman



Commissioner Nick Biondo