

**WEST MANATEE FIRE & RESCUE DISTRICT COMMISSION  
REGULAR MEETING**

*Minutes of January 17, 2023  
Administration Building*

Special Presentations: Lieutenant Darren Vollmer Retirement, David Miller promoted to FF/Medic 3<sup>rd</sup> Class, and 2022 Awards.

The meeting was called to order at 6:41 p.m. with the following members present: Larry Jennis, Robert Bennett, David Bishop, Billy Burke and Derrick Warner. The Pledge of Allegiance was followed by a moment of silence and the oath.

**CHANGES TO AGENDA:** None

**PUBLIC COMMENTS:** None

**CONSENT AGENDA:** Commissioner Bishop motioned to approve consent agenda as presented; seconded by Commissioner Warner; motion passed unanimously.

**COMMUNICATIONS:** None

**CARRIED FROM CONSENT AGENDA:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

- A. Committee Appointments: Chairman Bennett confirmed following appointments: Manatee County Fire Chief's Association – Chairman Bennett and alternate Chairman Jennis. Barrier Island Elected Officials – Commissioner Burke. Awards/Appreciation – Commissioner Bishop. Safety Committee – Chairman Bennett.
- B. Short Term Vacation Rentals: Fire Chief Rigney introduced the subject and informed the Committee that he would like to form three new committees that he would go into more detail about later in the presentation. Chief Rigney explained that this topic was listed to be more of a discussion point and to seek direction from the board. Staff is not looking for a motion to act but are seeking a board liaison to assist with further implementation and guidance. He then gave the floor to Fire Marshal Rodney Kwiatkowski, who gave a presentation on Vacation rentals. His presentation identified the risks associated with vacation rentals, or Temporary Public Lodging Establishments (TPLEs). He then identified the fire codes that mandate that these TPLEs must be inspected annually. Finally, FM Kwiatkowski laid out a plan to perform these mandated inspections, which includes the hiring of additional inspectors and an assistant for the Prevention Bureau. FM Kwiatkowski then opened the floor to questions. Commissioner Bishop began by complimenting FM Kwiatkowski on his thorough research. He then agreed that there is an issue that needs oversight. Commissioner Bishop then discussed the hurdles he believes we need to think about in the state of Florida. He inquired as to the stance of Manatee County Land Development Code in terms of the proposal. FM Kwiatkowski responded by stating he is working with the Manatee County Property Appraiser's office to look at ways forward. Commissioner Bishop warned the board to be careful and explained his worry that we are "treading water" into inspections of single-family residences. He expressed the need to have balance with the Land Development Code. Commissioner Warner asked if the Vacation Rentals are owner occupied at all. FM Kwiatkowski responded that some are, however, most are owned by corporations. Commissioner Jennis asked for clarification as to at what point the residence becomes a vacation rental. FM Kwiatkowski explained that if they have a license from the Department of Business and Professional Regulations (DBPR) that license is good for a year, and they are considered a Vacation Rental for that calendar year. Chief Rigney pointed out that Florida Statute says that if the residence is rented out three times in a year for less than thirty days, the residence is classified as a TPLE. Commissioner Jennis expressed that he believes the project has great potential for litigation. FM Kwiatkowski assured the board that nothing has been rushed into and the proper authorities have been consulted. Commissioner Jennis asked how other districts have responded to FM Kwiatkowski's proposal. Kwiatkowski responded by saying that Longboat Key is already doing what WMFR is proposing. Chief

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- Rigney talked briefly about the support of the Manatee County Fire Chief's Association. Chairman Bennett expressed that he would rather face litigation for doing the right thing than face litigation for negligence. Chief Rigney went on to say that, despite fears, not every vacation rental would need to be sprinkled. Commissioner Warner appointed as Board Representative. Commissioner Bishop as alternate.
- C. Banking and Investments: Chief Rigney had a few things that he wanted to discuss with this topic. First, in November, the 457 and Roth-IRA company that the fire department uses updated their website. Unfortunately, this update caused a glitch for many of WMFR's employee's contributions, and they still have not fixed the issue. This led staff to investigate other companies. Chief Rigney then went on to explain that, in the beginning of December, he and Finance Clerk Jalex Leissler met with WMFR's current bank to discuss investments, mobile check deposits, and the possibility of accepting credit card payments for impact and inspection fees. This led staff to begin looking at what other banks offered for lower rates. Chief Rigney reminded the board of Resolution #2018-04 made on June 19th, 2018, which was an interlocal agreement with FLCLASS. The funds are with Wells Fargo which is a qualified public depository. Their rates are tied to the Fed Fund rate, but they claim they will always outperform it due to the actively managed portfolio. As of a few days before the meeting, the rate was at 4.56% which is much higher than sitting in a money market account at any bank. A major benefit to FLCLASS is that the money offers daily liquidity and can be transferred to our bank within the hour via wire or the following day through ACH. At the same meeting, it was approved to move up to 2 million from the assigned fund and \$330,000 from impact fees into FLCLASS. The impact money has since been removed to pay for this administration building, but the original 2 million that was moved over has gained over \$120,000. Chief Rigney's recommendation is that the board authorizes the fire chief to move additional monies into FLCLASS. He expressed that he would prefer that there be no cap, but that the decision is, ultimately, the Board's to make. Chief Rigney also asked for a board liaison to serve on a short-term committee to investigate different banking, retirement, and investment options. Commissioner Burke was appointed Board Liaison. Commissioner Warner made a motion to remove the cap on monies transferred. Commissioner Burke seconded. Commissioner Bishop asked to open the discussion. Commissioner Bishop reminded the board that their "prime job" is fiduciary and there are caps on things for a reason. He suggested making the cap higher, but not relinquishing control. Discussion ensued regarding monetary caps. Commissioner Warner rescinded his motion to remove the cap. Commissioner Bishop made a motion to give permission to move up to \$3,000,000 to FL Class. Commissioner Burke seconded the motion. Commissioner Jennis opposed. Motion passed.
- D. Hurricane Ian Property Damage: Chief Rigney spoke about the property damage to the stations to include roof leaks, electrical issues, fence, and gate damage. He went on to say that WMFR has been meeting regularly with a FEMA representative to review the damage, and reimbursement. These repairs will cost money, but FEMA and the state do provide reimbursements at varying percentages. Chief Rigney's request to the board is to have a board liaison assist in providing guidance on FEMA's recommendations, and to authorize that board liaison to spend up to \$150,000 from Assigned Reserves. This would include up to \$50,000 from Emergency Repairs up to \$50,000 from building maintenance replacement, and up to \$50,000 from Long-term Equipment Replacement. Chairman Bennett volunteered to be the board liaison. Commissioner Bishop made the motion to authorize the board liaison to spend up to \$150,000 on Hurricane Ian damage. Burke seconded the motion. Motion passed unanimously.
- E. Bank Resolutions: Chairman Bennett stated this is to update the signers with Hancock Bank to the current Board members. Commissioner Jennis motioned to approve Hancock Bank's resolution to remove George Harris and Al Robinson and add Billy Burke and Derrick Warner; seconded by Commissioner Bishop; motion passed unanimously.

**CHIEF'S REPORT:** Chief Rigney updated the board on Deputy Chief Johnson's nomination to Secretary/Treasurer and his own nomination to Vice President for the Manatee County Fire Chief's Association. Chief Rigney was also chosen to be the State Emergency Response Plan Fire Coordinator for Manatee County, meaning he will be coordinating any requests for sending or receiving fire units for the County. He also informed the board that he will be absent for February's meeting. Deputy Chief Johnson will be running the February meeting. Deputy Chief Johnson thanked Chief Rigney for harboring a "home-like" environment.

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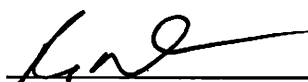
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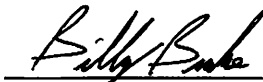
**OTHER REPORTS:** Finance Clerk Leissler informed the board that 2022 Form 1s (Financial Disclosures) are due by July 1<sup>st</sup> and will still be submitted on paper this year. Form should be emailed to each commissioner. They can deliver them to the Manatee County Supervisor of Elections or WMFR can submit them.

**COMMISSIONER'S COMMENTS:** Commissioner Bishop proposed adding a study of the admin property to possibly build a new utility-type building to new business. He also thanked all involved in the night's awards. Chairman Bennett thanked the staff for the appreciation dinner in December.

**NEXT MEETING:** Tuesday, February 21, 2023, at 6:00 p.m. at Administration building.

**ADJOURNMENT:** Chairman Jennis adjourned the meeting at 7:39 p.m.

  
Chairman

  
Secretary

