

Minutes of the Public Hearings

Adoption of the addition of certain parcels that are located within the Trailer Estates Park & Recreation District onto the District's non-ad valorem assessment roll as a result of the District's expansion of its boundaries pursuant to Chapter 2022-242, Laws of Florida – Resolution 2023-03.

Adoption of the imposition of non-ad valorem assessments to partially fund the District's proposed budget for Fiscal Year 2023/2024 upon the lands located within the District, to consider the adoption of an assessment roll, and to provide for the levy, collection, and enforcement of the assessments – Resolution 2023-04.

Minutes of the Regular Meeting of the Board of Fire Commissioners Cedar Hammock Fire Control District

July 20, 2023

CALL TO ORDER

The regular meeting was called to order by Chairman Getman at 6:00 p.m. The following commissioners were present: Richard G. Findlay, Ronald D. Getman, Commissioner Matarese, and John H. Stevens. Samuel A. Reasoner was absent with good reason.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Pavkovich led the invocation, which was followed by the Pledge of Allegiance.

QUORUM

Chairman Getman confirmed a physically present quorum for the meeting. The meeting was properly advertised.

CONSENT AGENDA

Chairman Getman asked if there was any discussion of the minutes or the Treasurer's report. There was no discussion.

ACTION: Vice Chairman Findlay moved to accept the Consent Agenda. Commissioner Matarese seconded the motion. The motion passed unanimously (4-0).

SPECIAL BUSINESS

Chief Bradshaw announced that Deputy Chief Falcone had received the Florida Association of Special District's District Manager of the Year Award. He read the nomination submitted to FASD.

RECESS REGULAR MEETING

Chairman Getman recessed the regular meeting at 6:07 pm.

PUBLIC HEARING / - THE ADDITION OF CERTAIN PARCELS THAT ARE LOCATED WITHIN THE TRAILER ESTATES PARK & RECREATION DISTRICT ONTO THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL AS A RESULT OF THE DISTRICT'S EXPANSION OF ITS BOUNDARIES PURSUANT TO CHAPTER 2022-242, LAWS OF FLORIDA-RESOLUTION 2023-03.

Chairman Getman called the Public Hearing to order and requested verification of the Public Notice of the public hearing. Administration Support Manager McCaughan confirmed a copy of the advertisement and affidavit will be included in the permanent record of the minutes.

Chief Bradshaw presented Resolution 2023-03, a resolution of the Board of Commissioners of the Cedar Hammock Fire Control District; adding certain parcels located within the Trailer Estates Park and Recreation District onto the District's Assessment Roll for Non-Ad Valorem Assessments; and establishing an effective date.

The Cedar Hammock Fire Control District ("District") is an independent special purpose district authorized to levy non-ad valorem assessments and establish a schedule of non-ad valorem assessments to fund the District's fire protection and rescue services.

Following the approval of a November 8, 2022, referendum of the qualified voters and the adoptions of Chapter 2022-242, Laws of Florida, the District's jurisdictional boundaries were expanded within unincorporated Manatee County to include all real properties generally located within the Trailer Estates Park and Recreation District authorizing the District to provide fire control and emergency medical services, levy and collect taxes, assessments, and fees, and administer fire rescue programs and services within the Districts expanded boundaries. The expanded District is attached hereto as "Exhibit 1" and incorporated herein by reference; and

The Board of Fire Commissioners held a properly advertised public hearing on May 18, 2023, in accordance with applicable law including the provisions contained within the District's Enabling Act and considered a proposed Fiscal Year 2023-2024 budget, a proposed non-ad valorem rate assessment rate schedule, and the addition of the above referenced expanded boundaries.

The referenced parcels located within the Trailer Estates Park & Recreation District are not exempt or immune from the imposition of non-ad valorem assessments. The referenced parcels receive a special benefit from District's fire services; and that adding such properties to the District's non-ad valorem assessment roll is fair, reasonable, and consistent with the treatment of similarly owned properties within the District.

Chairman Getman opened the Public Hearing for the addition of certain parcels located within the Trailer Estates Park and Recreation District onto the District's Assessment Roll for Non-Ad Valorem Assessments for public comments.

Dottie Deerwester addressed the Board of Fire Commissioners and asked a few questions in relation to non-ad valorem assessments.

Chairman Getman closed the Public Hearing for the addition of certain parcels located within the Trailer Estates Park and Recreation District onto the District's Assessment Roll for Non-Ad Valorem Assessments for public comments.

ACTION: Commissioner Matarese moved to continue the public hearing on Resolution 2023-03 to August 17, 2023. Commissioner Stevens seconded the motion. The motion passed unanimously (4-0).

Chairman Getman adjourned the Public Hearing for the addition of certain parcels located within the Trailer Estates Park and Recreation District onto the District's Assessment Roll for Non-Ad Valorem Assessments.

PUBLIC HEARING / - THE IMPOSITION OF NON-AD VALOREM ASSESSMENTS TO PARTIALLY FUND THE DISTRICT'S PROPOSED BUDGET FOR FISCAL YEAR 2023/2024 UPON THE LANDS LOCATED WITHIN THE DISTRICT, TO CONSIDER THE ADOPTION OF AN ASSESSMENT ROLL, AND TO PROVIDE FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF THE ASSESSMENTS – RESOLUTION 2023-04.

Chairman Getman called the Public Hearing to order and requested verification of the Public Notice of the public hearing. Administration Support Manager McCaughan confirmed a copy of the advertisement and affidavit will be included in the permanent record of the minutes.

Chief Bradshaw presented Resolution 2023-04, a resolution of the Cedar Hammock Fire Control District adopting a final non-ad valorem assessment roll, imposing non-ad valorem assessments, authorizing review of the assessment roll, providing for administration of the assessment roll, and establishing an effective date.

The Cedar Hammock Fire Control District is a special purpose district authorized to levy special non-ad valorem assessments for fire and rescue services and establish a schedule of maximum special assessments above which non-ad valorem fire assessments for the District may not exceed.

Following the approval of a November 8, 2022, referendum of the qualified voters and the adoptions of Chapter 2022-242, Laws of Florida, the District's jurisdictional boundaries were expanded within unincorporated Manatee County to include all real properties generally located within the Trailer Estates Park and Recreation District; and the expanded District is attached hereto as "Exhibit 1."

The District seeks to levy non-ad valorem assessments against the newly added properties that receive services from the District in accordance with the previously established schedule of non-ad valorem assessments and the proposed budget, attached hereto as "Exhibit 2."

When an assessment is to be imposed on newly affected property owners following a district boundary change, Florida Statutes require specific notice to the affected taxpayers and advertised public hearings on the proposed assessment.

The District is authorized to utilize a uniform method of collecting and the District has elected to utilize the uniform method.

The District held a properly advertised public hearing on May 18, 2023, in accordance with applicable law and held a properly advertised public hearing on July 20, 2023, to provide any District property owners, including any newly affected property owners, subject to the District's non ad valorem assessments to appear before the Board to be heard on matters relating to the District's assessments including the amount to be assessed against each property in compliance with Chapters 191 and 197, Florida Statutes, including the provisions contained within the District's Special Act.

Florida law requires the District's Board of Fire Commissioners adopt by resolution the non-ad valorem

fire assessment rates prior to June 1 of the tax year.

The District previously adopted Resolution 2014-04 and determined the average annual growth rate in Florida personal income over the previous five years should be determined by using growth rate data provided by the United States Department of Commerce's Bureau of Economic Analysis ("BEA"). The use of the BEA as the standard is also utilized by the majority of the other independent fire districts within Manatee County.

At the May 18, 2023, and July 20, 2023, public hearings, Staff presented evidence and testimony to the Board of Fire Commissioners that the BEA data indicated that the average annual growth rate in personal income over the previous five (5) years is 6.7%

Staff applied the 6.7% personal income growth rate to the previous year's non-ad valorem assessment rates to develop the proposed and final Fiscal Year 2023-2024 final assessment rate schedule, attached as "Exhibit 3."

The authority provided for in applicable Florida law, the Board hereby adopts the BEA standard for personal income growth rate increase and its application to the previous year's assessment for Fiscal Year 2023-2024.

The District's fire assessment policy has been and remains that individual parcels shall be assessed annually according to actual use of the property; and the District plans to assess all properties located within the District that receive and benefit from District fire and rescue services, including such properties that have been recently added by operation of law to the District's expanded boundaries.

Therefore, the Board of Fire Commissioners hereby finds that the recitals set forth above are true and correct; and are hereby adopted. The 2023-2024 Final Non-Ad Valorem Assessment Rate Schedule attached as Exhibit 3 is hereby approved and adopted fully.

The Board of Fire Commissioners hereby authorizes the Fire Chief, or his designee, to review the final non-ad valorem fire assessment roll prepared for Fiscal Year 2023-2024 and beyond and note any corrections and or adjustments to such assessment roll against each parcel of real property within the District. The authorization includes the authority to transmit the assessment roll, including corrections and adjustments, to the Manatee County Property Appraiser for the purpose of placing the assessment on the annual property tax bill.

Chairman Getman opened the Public Hearing for the imposition of non-ad valorem assessments for public comments.

Dottie Deerwester addressed the Board of Fire Commissioners and asked a few questions in relation to non-ad valorem assessments.

Chairman Getman closed the Public Hearing for the imposition of non-ad valorem assessments for public comments.

ACTION: Commissioner Stevens moved to continue the public hearing on Resolution 2023-04 to August 17, 2023. Commissioner Matarese seconded the motion. The motion passed unanimously (4-0).

Chairman Getman adjourned the Public Hearing for the imposition of non-ad valorem assessments.

Chairman Getman resumed the regular meeting at 6:30 pm.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS

New Engine Update

Deputy Chief Falcone confirmed the possession of the new engine last Thursday. He will announce a formal ceremony when installations are complete. He invited the commissioners to view then engine in the bay after the meeting.

Contract Negotiations

Chief Bradshaw reported that negotiations are going extremely well. The majority of the articles have been tentatively agreed upon. The next negotiation meeting is scheduled for August 8, 2023. We fully expect to adopt a budget to support the agreements effective October 1.

NEW BUSINESS

2023 Inventory

Deputy Chief Falcone confirmed the completion of the inventory of all assets. He presented a memo to the Board requesting the disposition of certain assets that are considered obsolete and serve no useful function.

ACTION: Commissioner Stevens moved to dispose of assets considered obsolete and of no useful function in accordance with State Statutes 274.05 and 274.06. Vice Chairman Findlay seconded the motion. The motion passed unanimously (4-0).

FRS Contribution Rates

Chief Bradshaw reviewed the exhibit.

CHIEF'S REPORT

Chief Bradshaw reviewed the departmental reports.

Chief Bradshaw informed the board that the dates on the website were correct for the upcoming public hearings in September, but the weeks reported were incorrect. This was an oversight by staff. He believes Commissioner Stevens made a concerted effort to plan his travels according to the information published on the website. He would like to vote by phone at the second public hearing in September but would need approval from the board. The Board would need a unanimous vote and Chairman Getman emphasized if the Board approved, this would not be considered a precedent.

ACTION: Commissioner Matarese moved to allow Commissioner Stevens to call in via telephone and vote during the public hearing scheduled for September 21, 2023. Vice Chairman Findlay seconded the motion. The motion passed unanimously (3-0). Commissioner Stevens recused himself from the vote.

COMMISSIONER'S COMMENTS

Commissioner Stevens, Findlay and Matarese congratulated all for a great job with negotiations.

Chairman Getman, set aside his position as chairman and handed the gavel to Vice Chairman Findlay. He reviewed his motion that he made in April regarding the indemnification of Commissioner Stevens. He said that he had failed to provide an end date and to allow for a set fee to cover the April meeting.

ACTION: Commissioner Getman moved to cease paying attorney fees effective August 1, 2023, in consideration of Commissioner Stevens' decision not to submit his resignation, and to allow \$3,000 to cover the fees associated with the April 20, 2023, meeting. Commissioner Matarese seconded the motion. The motion passed unanimously (3-0). Commissioner Stevens recused himself from the vote.

NEXT MEETING DATE

The next meeting date is August 17, 2023 – Public Hearings.

ADJOURNMENT

ACTION: Commissioner Matarese moved to adjourn the meeting at 6:50 pm. Chairman Getman seconded the motion. The motion passed unanimously (4-0).

Respectfully Submitted,

APPROVED 08/17/2023

Chairman Ronald D. Getman