

MINUTES  
REGULAR MONTHLY MEETING  
OF THE  
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS  
TIME: 1:00 PM  
DATE: October 21, 2008  
PLACE: Red Coconut Recreation Hall  
Fort Myers Beach, FL 33931

IN ATTENDANCE: Chairman John Scanlon, Sec./Treasurer Betty Goodacre, Commissioner Joe Schmid, Commissioner Carol Morris, Attorney Richard Pringle, Chief Mike Becker, Assistant Chief Larry Evans, Administrative Director Margaret Banyan, IT Administrator Joe LaCroix and members of the public.

Absent: Vice-Chairman Ted Reckwerdt

Meeting called to order by Chairman Scanlon at 1:00 PM

**Pledge of Allegiance**

Moment of silence for our troops

Chairman Scanlon requested Sec./Treasurer Goodacre read the Treasurer's report.

Sec./Treasurer Goodacre read the September Treasurer's Report for the record.

Sec./Treasurer Goodacre reviewed the summary of bank and investment account activities for month ending September 30, 2008.

- A. Sec./Treasurer Goodacre asked for approval of department checks #033801 through #033969 for a total of \$780,423.76. Commissioner Schmid motioned to approve the department checks. Chairman Scanlon seconded.

Department checks were approved unanimously 4 - 0.

- B. Sec./Treasurer Goodacre asked for approval of Capital Fund Project (CFP) checks #030072 through #030075 for a total of \$504,393.82. Commissioner Schmid motioned to approve the CFP checks. Chairman Scanlon seconded.

CFP checks were approved unanimously 4 - 0.

**Chief's Report**

Chief Becker turned the meeting over to PIO Ramon Looby and IT Administrator Joe LaCroix to review the redesigned website.

PIO Looby updated the board and public on new enhancements to the website.

Commissioner Schmid requested that acronyms be spelled out so the public would understand and the site could be more user-friendly. Commissioner Schmid also asked if all the commissioner's photos could be added as well as a draft of the upcoming agendas for the Commission meetings.

Commissioner Morris reiterated the need for all commissioner photos to be up. Commissioner Morris also stated that as a point of order the minutes were not approved.

Chairman Scanlon stated the minutes would be approved after the Chief's report was completed.

Chief Becker recognized employees with years of service:

M. Banyan	1 year
J. Devito	2 years (corrected from the Chief's Report)
R. Fowlde	8 years
M. Coenen	10 years
T. Grow	16 years

Chief Becker reviewed the Chief's Report for August 2008.

Commissioner Morris asked if the punch list was being developed or being reviewed.

Chief Becker stated it is still in the development stage.

Chief Becker noted that change order #12-8 for Station 32 is actually change order #8.

Commissioner Schmid stated that the last change order he saw for Station 33 was #4 and the board has not received change orders #5 through #10. Commissioner Schmid requested a copy of change orders #5 through #10.

Commissioner Schmid asked why the District was responsible for change order #14.

Chief Becker stated that the change order was needed to bring the sidewalk up to the FEMA code.

Chief Becker reviewed the remaining change orders.

Commissioner Morris noted that change order #9 added a sink to the coffee area and questioned the need for the sink area.

Chief Becker stated that the area for the coffee station is not in the main living quarters but designated as the EOC.

Commissioner Morris also questioned the validity of change order #10. Commissioner Morris asked for clarification on the review process. She asked about the level of attention paid to the detail of the change orders, the related cost, and who was reviewing each change order.

Chief Becker stated that he and Vice-Chairman Reckwerdt review the change orders.

Chief Becker reviewed the remaining items on the Chief's report.

Chief Becker reviewed recommendations for agenda items.

Chief Becker stated that the Fixed Asset Committee is requesting a Board member be appointed to this committee.

- **Procurements –**

- C) VRM Modem: Total Cost \$ 2,253.00 – Chief Becker requested the Board consider the purchase of two modems.
- D) Akron Deck Gun: Total Cost \$11,545.00
- E) Hydraulic (Hurst Simo) Power Unit: Total Cost \$7,604.49
- F) Moc Ultra Cutter: Total Cost \$4,922.00
- G) Medi-Kool 1.5 Unit: Total Cost: \$6,200.00 (2 @ \$3,100)

Chief Becker noted that there were three items not listed on the Chief's report that he would like to bring to the Board's attention for consideration. 1) Purchase of bunker gear for procurement of the safety jackets at a cost of \$1,193.00 each (43 needed). 2) Pants at a cost of \$760.00 each. The purchase takes approximately 45 to 60 days to receive and will be needed in the immediate future. Battalion Chief Tom Grow has done extensive research on the gear and noted that the average life of the gear is five to six years. The procurement will be presented to the Board at the November meeting. 3) Lieutenant Darren White has been working with Lee County to develop a CERT Standard Operating Guideline(s) (SOG) for all CERT members throughout the county. A draft copy is available for review.

#### Discussion

Commissioner Schmid asked if the Great West Survey was going to be shared with Great West to give them the opportunity to address any issues.

Administrative Director Margaret Banyan stated that when a meeting is scheduled, FMBFCD will share the survey with Great West.

Commissioner Morris recommended that once or twice a year all procurements were reviewed and the Board be able to discuss over one or two meetings the needs of the District and only allow emergency procurements that were not foreseen be presented un-noticed.

Chairman Scanlon stated that the Board should keep in mind that any procurement(s) they have a question on or more research was needed it could be tabled and brought back up at the next meeting.

Chief Becker stated that a process was reviewed during the budget preliminary to outline all the procurements during the budget timeframe and a timetable to determine when they should be presented to the Board for approval. This process could be implemented going forward if the Board so chooses.

Chairman Scanlon stated that it should be noted that Vice-Chairman Reckwerdt is absent.

Chairman Scanlon noted that the meeting minutes were inadvertently not approved.

#### Approval of Minutes

Chairman Scanlon called for a motion to approve the Preliminary Budget Meeting Minutes of September 4, 2008. Sec./Treasurer Goodacre seconded.

Preliminary Budget meeting minutes approved unanimously 4- 0.

Chairman Scanlon called for a motion to approve the September 16, 2008 Final Budget Meeting Minutes. Sec./Treasurer Goodacre seconded.

Commissioner Morris stated in paragraph 2 of the minutes it should read the Chief had “individual” meetings with the commissioners.

Commissioner Morris stated that public input by Mr. Sadler was noted incorrectly and Commissioner Morris stated that Mr. Sadler’s rate would be lower when he receives his actual tax bill.

September 16, 2008 Final Budget Meeting Minutes were approved “as corrected” unanimously 4 – 0

Chairman Scanlon called for a motion to approve the September 16, 2008 Regular Meeting Minutes. Commissioner Schmid seconded.

Commissioner Schmid stated that the Board might want to consider changing the Anniversary date for the Chief’s contract renewal on election years so if new incumbents were elected they could have their input in the contract.

Chairman Scanlon stated it could be discussed during the Attorney’s report.

Commissioner Morris questioned the minutes whether Attorney Hament’s statement was correct or not based on her question if the contract was approved and new people came in after the election whether the contract could be amended. Commissioner Morris noted that it should be corrected in the minutes if not accurate.

Chairman Scanlon stated again that it could be discussed during the Attorney’s report.

Regular Meeting Minutes were approved unanimously 4 - 0.

### **Attorney Report**

Attorney Pringle noted that the Committee for the Chief’s contract is still working with the contract. The item was pulled from the agenda today and will be placed on November’s meeting agenda.

Attorney Pringle stated that he did make a note of Commissioner Schmid’s request on the contract approval and the correct way to proceed would be to change the language in the contract. The current language reads “negotiations begin in or about September 1”, this is to connect with the beginning of the new fiscal year. The language could be amended to begin negotiations at another time.

Attorney Pringle stated that in regards to Commissioner Morris’ (will follow up with Attorney Hament for clarification) comment the essence of contract law in general when parties enter into a contract it is binding unless the parties at a later time amend the contract. i.e. if the contract is approved today, in 60 days the board can say they would like to amend the contract, the party they have the contract with would have to agree to the amendment.

Commissioner Morris suggested that the language be changed during an election year for approval at a later date.

Attorney Pringle stated he would discuss the contract article with Attorney Hament and see what his thoughts are.

Commissioner Morris asked if once the contract is consummated and the Chief was not happy with the new Board, could he get out of the contract.

Attorney Pringle stated that the question Commissioner Morris raises relates to the termination clause and he does not have the draft with him today. The termination clause offers the option to the Chief and the Board the ability to terminate the contract early.

Chairman Scanlon restated the agenda items.

### Public Input

Pat Smith provided public input. She commended the district on updating the website. Ms. Smith stated she is glad the district is revisiting the heat sanitizing dishwasher based on the expense of the appliance. Ms. Smith also urged the Fixed Asset Committee to include procurements as an item so there is time to do research and do a cost benefit analysis.

### Old Business

Chief Becker stated that after the approval of the dishwasher for Station 33 and the non-approval for Station 32, the management team chose not to acquire the more expensive unit and would like to purchase a less expensive unit similar to the one for Station 32. Management would like the Board to rescind the procurement approval of the \$3,400.00 dishwasher for Station 33.

Chairman Scanlon made a motion to rescind the procurement for the \$3,400.00 dishwasher. Commissioner Morris seconded. Motion approved unanimously 4 – 0.

### New Business

- A) Chief Becker requested Commissioner Schmid to be appointed to the Fixed Asset Committee.

Chairman Scanlon made a motion to appoint Commissioner Schmid to the Fixed Asset Committee. Commissioner Morris seconded.

Commissioner Schmid stated he would accept the appointment.

Motion approved unanimously 4 – 0.

- B) Chief Becker stated that Commissioner Morris requested the Chief to outline and clarify line personnel.

Chief drew an outline for the board and public to show the staffing at each Station.

Commissioner Morris asked if there is intent to add any additional personnel.

Chief Becker stated there will be two more hired to the staff.

Assistant Chief Evans stated the goal was to house 16 staff.

Commissioner Morris noted that when staffing was discussed in prior meetings the number was 14 to cover the stations and asked why there was a need for 16.

Chief Becker stated it would cover vacation, sick time and to reduce overtime if fully staffed at 16. If staffing falls below 16, extra people would need to be pulled in and would create overtime. Previously the District tried staffing at a lower level when the ladder truck was delivered, but the cost to reduce the staffing on the trucks cost over \$1600.00 weekly in overtime and management did not see a benefit.

Commissioner Morris asked how many personnel the District had in administration and if administrative staff could fill in if there was a need.

Chief Becker stated that the union contract dictates some of the labor agreements with the 40 hour employees, but in some instances, administrative employees could be assigned in an emergency.

Commissioner Morris asked how many total employees the District has to date. Her totals show 53 without administration.

Chief Becker confirmed that the staffing is currently 53 (excluding non-bargaining employees).

- C) **VRM Modem: Total Cost \$ 2,253.00 ea.** – Chief Becker discussed the use for and need for two VRM modems. The lead-time would be approximately four months for delivery. The Chief stated one could be purchased now with the understanding that Engine #32 will need one as well. Currently the District is not “live” with this system, but we are developing a proposal for the Board at a later date to review to go live. Chief Becker stated he would be working on the report during his time out of the office.

Sec./Treasurer Goodacre asked if it was already budgeted and if this was the sole provider for the item.

Chief Becker stated it has already been budgeted and Motorola is the sole provider.

Chairman Scanlon motioned to approve the purchase of the 2 VRM Modems. Commissioner Schmid seconded.

Commissioner Morris asked if the District received a price break when purchasing two and if it was turned down what would the Chief do.

Chief Becker stated currently the District does not participate with this system. If the District cannot communicate in a timely manner with dispatch our location and availability it could harm the service delivery piece going out to the community. Radio traffic is getting harder and harder to communicate with the dispatcher.

Motion approved unanimously 4 – 0.

- D) **Akron Deck Gun: Total Cost \$11,545.00** – Chief Becker discussed the need for the deck gun and the capabilities. Chief Becker noted that it was an oversight from the engine committee not to put it in with the RFP.

Chairman Scanlon motioned to approve the purchase the Akron deck gun. Commissioner Schmid seconded.

Chairman Scanlon asked if the other engine has this equipment.

Chief Becker stated that the other engines do have the pre-piped mount. The new truck has a different layout and needs a different design.

Commissioner Schmid asked if there has ever been a need for this device with this capacity at the beach.

Chief Becker stated that yes, but we have never used this type of device, only a similar device, not as powerful has been used in multiple fires. Chief Becker stated that it could be critical to have such a device to target hazards.

Commissioner Morris asked if there was a lesser degree of hose that could be put on this unit something similar to the other units, or if it is the only one that fits this truck.

Chief Becker stated that it is the recommended design, but the remote control piece could be taken out, therefore taking away a staff member. The additional cost for the remote would allow the staff member to assist with the actual fire.

Commissioner Morris asked why there was a need if it would only be utilized maybe once a year.

Chief Becker stated that the last incident he participated in staff was trying to get water supply, but could not do a lot of engineering other than dumping a large quantity of water. It was not an efficient way to combat the fire.

Commissioner Morris asked the difference in the equipment with a remote and one without.

Chief Becker stated he did not know and would have to research it to find the number but would not recommend the purchase without the remote due to the loss of staff to operate.

Sec./Treasurer Goodacre asked if it was budgeted.

Chief Becker stated it has been budgeted for.

Commissioner Schmid asked if Iona/McGregor and Bonita Springs has this equipment and could they lend us the equipment if needed.

Chief Becker stated that we are all subject to mutual aid, but it should be noted that time is critical when there is a fire, and yes, districts could assist in fighting any fire if needed.

Commissioner Morris asked if this item could be tabled to research further.

Chief Becker stated that delay could cost the manufacturing of the engine further.

Battalion Chief Grow addressed the Board and relayed the research the committee did in reviewing the design of the engine. Safety and manpower were two important elements of this equipment. The remote is a viable part of the equipment due to the precarious placement of personnel on the engine if staff would have to operate.

Chairman Scanlon asked if the Board wanted to table the procurement.

Commissioner Morris stated she did not want to delay the procurement if it affects the manufacturing of the engine.

Chairman Scanlon stated that the need for the remote it is more of a safety issue.

Motion was lost (Failed) 2 - 2. Chairman Scanlon – Aye  
Sec./Treasurer Goodacre – Aye  
Commissioner Morris – Nay  
Commissioner Schmid – Nay

- E) Hydraulic (Hurst Simo) Power Unit: Total Cost \$7,604.49** – Chief Becker reviewed the benefits of this equipment and noted it is in the budget. The timeliness of the procurement for this equipment could allow it to be designed in the engine while being built.

Sec./Treasurer Goodacre motioned to approve the purchase of the Hurst Simo. Chairman Scanlon seconded.

Chairman Scanlon asked if the District has anything similar to this equipment now.

Chief Becker stated that a device similar is used now but it is under a lot of strain when cutting. Having a cutter and spreader at the same time working in conjunction saves valuable time in the extrication.

Motion approved 3 – 1. Chairman Scanlon – Aye  
Sec./Treasurer Goodacre – Aye  
Commissioner Morris – Aye  
Commissioner Schmid – Nay

- F) Moc Ultra Cutter: Total Cost \$4,922.00** – Chief Becker stated again the typical cutting force of our current tools is not sufficient with the new car designs. The equipment would be housed at the central Station #31 to assist both the north and south ends of the island.

Chairman Scanlon made a motion to approve the purchase of the Moc Ultra Cutter. Commissioner Schmid seconded.

Motion approved unanimously 4 – 0.

- G) Medi-Kool 1.5 Unit: Total Cost: \$6,200.00 (2 @ \$3,100)** – Chief Becker noted that several medications the District now carries require refrigeration which is now housed in a retrofitted cooler unit on the engines.

Chairman Scanlon motioned to table the procurement to a later date to do more research. Commissioner Morris seconded.

Chief Becker stated that the District did not have foresight in the medications that would need refrigeration and noted that some medications' shelf life is shortened if not refrigerated. Research is showing that medications that require refrigeration is not as effective if not kept refrigerated. Chief Becker suggested the Board stop by the stations and look at the cooler units now being utilized to refrigerate medications.

Motion tabled by a unanimous vote 4 – 0.

### **Reports from Union Representatives**

No union representatives present.

### **Remarks from Commissioners**

Commissioner Morris wanted to welcome the new hires to the District and wanted to inform the public and District that Fort Myers Beach is hosting the Commissioner's Forum in December and she would encourage participation from the District.

Commissioner Schmid welcomed the new employees, congratulated the employees with years of service and thanked Ramon Looby and Joe LaCroix for the website update. Commissioner Schmid also asked why the financials did not get out in a timely manner.

Chief Becker stated that statements from the Banks and other vendors were not available at the time the packets went out for review and the District is still getting year end invoices are still coming in so it may be another month to totally reconcile year end 2008.

Sec./Treasurer Goodacre commended the employees with years of service, welcomed the new employees and commended Ramon Looby and Darren White on their participation in Fire Week at Beach Elementary. The school was very complimentary of the District.

Chairman Scanlon congratulated the employees with years of service, welcomed the new hires and thanked Ramon Looby and Joe LaCroix on the website presentation.

### **Public Input**

No public input provided.

### **Adjournment**

Call for adjournment of meeting.

Meeting adjourned at 3:03 PM on October 21, 2008