

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 1:00 PM
DATE: September 16, 2008
PLACE: Red Coconut Recreation Hall
Fort Myers Beach, FL 33931

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

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

Pledge of Allegiance

Moment of silence for our troops

Approval of Minutes

Chairman Scanlon called for a motion to approve the July 15, 2008 and the Rescheduled September 4, 2008 regular monthly meeting minutes. Commissioner Schmid seconded.

Commissioner Morris commented that when public input was noted on the minutes it should state the person and the subject matter.

Commissioner Schmid commented that Board votes should be documented if not unanimous.

Vice-Chairman Reckwerdt stated that if a change is made the Board would need to take a vote.

Chairman Scanlon stated that according to Attorney Pringle, the request does not need Board action. Chairman Scanlon stated he is in agreement with the Commissioners to change the process with the next meeting minutes.

Minutes were approved unanimously 5 - 0.

Sec./Treasurer Goodacre requested approval of July checks (Dept. and CFP), which were struck from the September 4th rescheduled meeting. Vice-Chairman Reckwerdt motioned to approve July checks and Chairman Scanlon seconded.

July checks (Dept. and CFP) were approved unanimously 5 - 0.

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

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

- A. Sec./Treasurer Goodacre asked for approval of department checks #033652 through #033800 for a total of \$852,624.02. Chairman Scanlon motioned to approve the department checks and Vice-Chairman Reckwerdt seconded.

Commissioner Schmid asked about the omission of checks #033693 thru #033695.

Financial Director Jane Thompson stated they were voided checks.

Department checks were approved unanimously 5 - 0.

- B. Sec./Treasurer Goodacre asked for approval of Capital Fund Project (CFP) checks #030063 through #030071 for a total of \$571,860.77. Chairman Scanlon motioned to approve the CFP checks and Commissioner Schmid seconded. CFP checks were approved unanimously 4 - 0.

Chief's Report

Chief Becker recognized employees with years of service:

Tom Edge 29 Years
J.P. Duncan 18 Years
Eric Cook 7 Years
Chris Morgani 7 Years

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

- **Construction Update** - Chief Becker gave an update on the construction of Station 32 and Station 33, and reminded the Board and public that the open house for Station 33 would be on September 20th and the station would be operational shortly after.
- **Current Lawsuits** - Chief Becker noted that Attorney Hament was available to answer any questions on the current lawsuits.

Chief Becker reviewed the remaining recommendations noted on the Chief report.

- **Negotiating Committee for Chief Contract** – Chief Becker stated that Attorney Pringle and Attorney Hament would review the process with the Board and the Chief would answer any questions the Board may have.
- **Procurements** – EMS Software – Chief Becker stated that the District has used Documed since 1998 and the program is now obsolete. A committee was formed to review different vendors that would interface with Fire & Rescue and EMS. Chief Becker noted that the recommended system would allow the District to move forward and be compliant with current standards.

Discussion

Commissioner Schmid asked about the ramp issue and ground level issue with Station 33 noted in the Fowler Construction's update.

Chief Becker stated that the contractor will correct the problems.

Vice-Chairman Reckwerdt asked about the final decision on the signalization at Station 33.

Chief Becker stated that DOT will not put in a signal, but will provide signs. The District can add battery operated flashing lights if desired.

Attorney Report

Attorney Pringle noted he had several items to present to the Board.

- 1) Attorney Pringle stated that the final budget meeting is being held today at 5:05PM.
- 2) Attorney Pringle stated that the method to surplus the ambulances would need to be determined today and the Board could choose to let the Chief determine the method of disposal.
- 3) Attorney Pringle noted that Attorney Hament would speak to the Board regarding the Chief's contract.

Attorney Hament

- 1) Attorney Hament relayed that the EEOC found no merit to the Morningstar complaint, which is a favorable outcome for the District. Hament advised that a 90-day window remains in which a suit can be brought against the District.
- 2) Attorney Hament stated according to the current Chief's contract, the Board should start negotiating within the next two weeks (September 30, 2008). The Board should decide on the process they will use to formulate the contract. Attorney Hament stated he is familiar with the prior contract and he has an April 3, 2006 memo outlining the steps to be used to formulate the original contract. Attorney Hament stated he could answer any questions the Board may have.

Commissioner Morris questioned why the process needed to start a year in advance if the contract was not up for renewal until September 30, 2009.

Attorney Hament stated that the original contract states negotiations will begin September 30, 2008 and if the contract was not agreed upon by May 31, 2009 it would eliminate the Chief's position.

Attorney Hament noted it is his duty to remind the Board of the process to get to this contract. Many items may not need changing, but there is much work put into the current contract and the Board may choose to just go forward with the process. Attorney Hament reminded the Board that both he and Attorney Pringle represent the Board in the negotiations of the contract process. In the past there was a committee of three (3): Chairman Scanlon, Attorney Pringle and Attorney Hament that put together the process, received input from the Chief, put together a draft, brought the contract to the board. Following Board review, the contract was then implemented. Attorney Hament noted of the need to change the post retirement benefits and to include benefits from the VEBA trust. In addition, a salary increase is not listed in the contract. The Board may want to leave it as is in general terms or be more specific on an annual basis for increases. Attorney Hament noted that some items may need to be "cleaned up" i.e. probation. Attorney Hament stated that one option today would be to have a vote to go ahead with the process and have the deadline met, or if acceptable outline the next steps.

Chairman Scanlon restated the agenda items.

Public Input

No public input provided.

New Business

Budget Amendments – Finance Director Jane Thompson reviewed the budget amendments highlighted areas of interest. Jane Thompson noted that the capital expenditures were being moved to the reserve account.

Chairman Scanlon asked if budget amendments was required by the auditors.

Jane Thompson noted that the amendments would shore up the beginning cash balance out.

Chairman Scanlon motioned to accept the budget amendments. Vice-Chairman Reckwerdt seconded. Motion approved unanimously 5 – 0.

Surplus Ambulance – Chief Becker stated personnel have determined that Ambulance 32 was in the best condition and the goal is to surplus Ambulance 31 and 33.

Chairman Scanlon motioned to accept the surplus of the ambulances. Sec./Treasurer Goodacre seconded. Motion approved unanimously 5 – 0.

Negotiation Committee for Chief Contract – Attorney Hament suggested that the Board consider this action in two steps; 1) motion to move forward with negotiating the Chief's contract; and, 2) establish a committee to negotiate a new contract.

Sec./Treasure Goodacre motioned to accept the process as described by Attorney Hament. Chairman Scanlon seconded.

Commissioner Morris asked if the changes could be made if the current Board accepted and a new Board was elected in November.

Attorney Hament stated that a new Board could make changes if the contract was not consummated prior to new commissioners taking office. Attorney Hament noted that if the Board decided they wanted to keep the Chief, he (the Chief) could then reciprocate and could finalize by October 2008.

Motion approved unanimously 5 – 0.

Chairman Scanlon asked if it was best to begin the process of negotiations today.

Attorney Hament noted it was the best procedure to go ahead. Attorney Hament restated the process used in the prior contract.

Chairman Scanlon nominated Vice-Chairman Reckwerdt to negotiate with Attorney Hament and Attorney Pringle. Vice-Chairman Reckwerdt stated he would not be available for the negotiations. Chairman Scanlon withdrew his nomination. Sec./Treasurer Goodacre nominated Chairman Scanlon.

Sec./Treasurer Goodacre motioned to accept Chairman Scanlon to negotiate with the Attorneys. Vice-Chairman Reckwerdt seconded.

Motion approved unanimously 5 – 0.

Audit Committee – Chief Becker stated that the Board could consider creating their own audit committee, continue with current auditor Tuscan, or leverage off a larger government entity. District management recommends staying with Tuscan which requires relatively little District expenditures.

Chairman Scanlon asked what the District’s options would be if the District did not work with Tuscan.

Chief Becker stated we would have to create our own audit committee and leverage off a larger group, possibly Iona/McGregor.

Chairman Scanlon asked if the last year with Tuscan is paid for.

Chief Becker stated that the last year of the Tuscan contract is has not been paid up front.

Finance Director Jane Thompson stated that the quote for Tuscan’s last year is in the proposed budget.

Chairman Scanlon motioned to accept Tuscan as the auditor. Commissioner Morris seconded. Motion approved unanimously 5 – 0.

Travel Policy – Chief Becker stated the policy was being updated due to IRS changes.

Chairman Scanlon asked why the new rate wasn’t noted.

Attorney Pringle stated that the reason for the revision to give flexibility based on the established IRS rates that from time to time are modified.

Chairman Scanlon motioned to approve the new travel policy. Vice-Chairman Reckwerdt seconded.

Commissioner Morris asked why the “time to time” was stated in the policy.

Chief Becker noted that it could be deleted.

Attorney Pringle noted that he reviewed the policy and made the changes to the wording, so when the IRS made changes to the rates, the policy could be revised without bringing it back to the Board for approval.

Motion approved unanimously 5 – 0.

Procurement: ESO Software - Chief Becker stated that patient care reporting was a top priority with the District, which was reflected in the selection of new EMS software. ESO was compared to Zoll and Image Trend and was found to meet all needs required to provide the service expected by the District.

Vice-Chairman Reckwerdt motioned to approve the ESO software. Sec./Treasurer Goodacre seconded.

Chairman Scanlon noted that the summary of the software cost was different and asked if optional interfaces increased the cost.

IT Administrator Joe LaCroix stated that the Zoll interface would be an additional item of software needed.

Chief Becker stated that the Zoll monitors will be interfaced with existing equipment, which will be adequate for data needed by the District for the next 5 years.

Commissioner Morris stated that she thought there was an agreement that procurements for which there was no prior discussion would not be brought to the Board unless it was an emergency.

Chief Becker stated that the District has not been compliant with EMStars for the last 3 years with EMS services, but the Board could choose not to comply with EMStars. The product the District is using now is outdated and if the District was compliant with EMStars it would allow for federal grants.

Commissioner Morris asked if there was an opportunity to receive grant monies, how much would it cover a year.

Chief Becker stated that other districts have been able to acquire devices from grants and have therefore prevented budget expenditures.

Commissioner Morris asked what software the other districts were using.

Chief Becker stated the County is using Imagetrend and Lehigh Acres is using a new version of Documed.

IT Administrator Joe LaCroix stated that the Documed program was overseen by one person and technical support was very slow. Imagetrend's program is very complicated and did not interface with Firehouse. ESO will combine reporting and will merge numbers so the District will have accurate information.

Commissioner Morris asked if anyone in the State used ESO.

IT Administrator Joe LaCroix stated that ESO is used by some departments in Florida, but the goal was to see the product in action that is why the team went to Texas to see the vendor and a Fire Department utilizing the product. Joe also stated that the ESO technology is a web based system, will upload as updates are available and only needs a browser.

Chief Becker stated that the last three procurements that were approved for Station 33 would need approval for Station 32 as well.

Viking Gas Range for Station #32 – Vice-Chairman Reckwerdt motioned to approve the purchase of the Viking range. Commissioner Schmid seconded.

Chairman Scanlon noted this was a very expensive appliance.

Chief Becker stated that the maintenance is minimal and appliance is very efficient.

Commissioner Morris restated her concern of wasting taxpayer's dollars.

Viking Range procurement approved 4 – 1. Chairman Scanlon – Aye
Vice-Chairman Reckwerdt – Aye
Sec./Treasurer Goodacre – Aye
Commissioner Morris – Nay
Commissioner Schmid – Aye

Scotsman Ice Machine for Station #32 – Chairman Scanlon motioned to approve the Scotsman ice machine. Vice-Chairman Reckwerdt seconded.

Scotsman ice machine procurement approved 4 – 1.

Chairman Scanlon – Aye
Vice-Chairman Reckwerdt – Aye
Sec./Treasurer Goodacre – Aye
Commissioner Morris – Aye
Commissioner Schmid – Nay

Procurement: Heat Sanitizing Dishwasher for Station #32 – Vice-Chairman Reckwerdt motioned to approve the heat sanitizing dishwasher. Sec./Treasurer Goodacre seconded.

Chairman Scanlon noted this was too expensive to purchase. Commissioner Morris reiterated Chairman Scanlon’s decision and disagrees with the purchase.

Heat sanitizing dishwasher procurement failed 2 – 3.

Chairman Scanlon – Nay
Vice-Chairman Reckwerdt – Aye
Sec./Treasurer Goodacre – Aye
Commissioner Morris – Nay
Commissioner Schmid – Nay

Reports from Union Representatives

FF Troy Mesick from District 3 noted that the District strives to have the best response time possible when answering calls to the community. If budget cuts are allowed it could cut manpower that would jeopardize their call time response. FF Troy Mesick encouraged the Board to ride with the Firefighter’s to see what each call requires and understand the need to maintain manpower.

Battalion Chief Edge from District 15 reiterated FF Troy Mesick’s concern for cutting the budget.

Remarks from Commissioners

Sec./Treasurer Goodacre commended the employees with years of service. Finance Director Jane Thompson and Chief Becker have done an excellent job with the budget and understand the need to hold the budget to keep FF manning.

Vice-Chairman Reckwerdt stated that this is the first year he can remember over the last 10 years that the budget has been reduced and feels the taxpayers agrees that the District does a good job and a reduction in the budget could cost manpower.

Chairman Scanlon congratulated the employees with years of service and hopes to have a good turnout for the Open House Saturday.

Public Input

Pat Smith provided public input. Ms. Smith stated that she feels there was misinformation regarding the budget and staffing cuts at the District. She also stated that she applauds the Chief and Finance Director Jane Thompson to reduce the budget.

Adjournment

Call for adjournment of meeting.

Meeting adjourned at 2:49 PM on September 16, 2008