

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 1:00 PM
DATE: April 21, 2009
PLACE: 3043 Estero Blvd., Station 31 Meeting Room
Fort Myers Beach, FL 33931

IN ATTENDANCE: Commissioner Joe Schmid, Commissioner Carol Morris, Chief Mike Becker, Assistant Chief Larry Evans, Administrative Director Margaret Banyan, District members and members of the public.

Absent: Vice-Chairman Reckwerdt, Sec./Treasurer Betty Goodacre, Attorney Richard Pringle

Meeting called to order by Commissioner Carol Morris at 1:00 PM

Pledge of Allegiance

Moment of silence for our troops

Commissioner Morris stated that in the absence of Chairman Scanlon and Vice-Chairman Reckwerdt Commissioner Morris assumed the gavel and stated there were some items could be handled today and some that will not be able to be handled because the Commission probably does not have a quorum. Quorum is unclearly defined in the regulations and procedures for the District. For the lack of the definition the District will assume the inference in Robert's Rules which says normally with a small group a majority (which the District is now a group of four) which would be three commissioners in order to conduct business. Business means making and approving motions; it does not mean that the District cannot carry on the meeting. It should not stop the District today from approving the regular meeting minutes. Commissioner Morris stated the Board has the right to adopt the minutes into the meeting and the Board does not need a motion. The treasurer's report can also be adopted without a motion unless there are any comments to the contrary. Commissioner Schmid stated he had no comments.

Beach resident Flip Harby asked if he could call a point of order. Commissioner Morris stated he could since the meeting was somewhat informal today.

Mr. Harby stated as a former board chairman if the Board does not have one plus 50% the Board cannot have a meeting or call for a meeting and today the Board is in violation of the Sunshine Law according to the Florida of Statutes.

Commissioner Morris stated that she had specifically went through the Sunshine Law and Statues and it stated that two or more members have a right to meet as long as it is a publically defined and called meeting and they have a right to discuss any subject in the public meeting. There are two differences during the meeting. The Board can discuss anything during the meeting in a public forum, but the Board cannot take actions during the meeting since there is not a quorum.

Commissioner Morris restated that the Board has the right to adopt the minutes into the meeting and the Board does not need a motion. The treasurer's report can also be adopted without a motion unless there are any comments to the contrary. Commissioner Schmid stated he had no comments.

Commissioner Morris stated that the Chief may not want to review his report since the Board today cannot act on items, but if the Chief would like to discuss any topics he can do so at this time.

Chief Becker stated that prior to attending the meeting today he had spoken to Attorney Pringle and asked for his advice on the meeting without a quorum. Chief Becker respectfully requested that he and his staff be excused from this meeting.

Commissioner Morris stated for the record, that Vice-Chairman Reckwerdt would be noted as an excused absence, since he was just released from the Hospital. Sec./Treasurer Goodacre called and said she would not be attending and chose not to attend because she did not want there to be a quorum at the meeting and therefore she is absent as an unexcused by her choice.

Commissioner Morris stated there was communication about some type of apparatus for animals positioned at each station to assist in resuscitating animals in case of a fire.

Chief Becker stated he would check to make sure they are properly in place at each station.

Commissioner Morris asked if there was a scanner for lost pets so the District can scan the microchip to relocate lost animals. Commissioner Morris asked that if it is available it should be published to the community to show our public assistance.

Commissioner Morris asked Commissioner Schmid if he had any comments. Commissioner Schmid asked Chief Becker the status of Vice-Chairman Reckwerdt. Commissioner Schmid also asked the Chief about the status with Commissioner Scanlon's temporary position.

Chief Becker stated Vice-Chairman Reckwerdt had a medical emergency and was transported to the hospital but has been released and is now at home. Chief Becker stated to date, nothing has transpired with the temporary assignment for the commission seat. Chief Becker stated the last communication he has received from Attorney Pringle was there were five names given to the Governor's office for consideration.

Public Input

Beach resident Pat Smith stated that, based on her understanding of the Sunshine Law, it is okay that the Board has discussion without making any motions and or approvals since it has been published and thinks it is appropriate to try to take a stab at it. Ms. Smith stated that other operating bodies have rules and the District should have operating rules, which they have chosen not to have. Ms. Smith stated she is disappointed that this public body does not take it upon itself to have operating rules as any other similar body would.

Commissioner Morris asked if the Chief had any further information on Chairman Scanlon regarding the dismissal from Lee County.

Chief Becker stated he received a courtesy call from Lee County stating they had dismissed him.

Commissioner Morris stated that she agreed with Ms. Smith that we should have operating rules.

Reports from Union Representatives

FF Mesick the Districts busy season has just ended. The firefighters will now begin working on hydrants again.

Commissioner Morris asked Chief Becker which ambulances were put up for auction.

Chief Becker stated that the old Ambulance 33 and Ambulance 31 were both put up for auction. Ambulance 32 was the best truck, so it is now new ambulance 33.

Commissioner Morris asked what the mileage was on the ambulances.

Assistant Chief Evans stated one had 68,000 to 70,000 miles.

Commissioner Morris asked if there was any data statewide stating what the average usage of hours or miles giving us an average.

Assistant Chief Evans stated there are many contributors to the longevity of the vehicle.

Commissioner Morris stated there were hours of use and asked if there was a standard for hours of use.

Assistant Chief Evans stated that there currently are not, but in the past the District replaced the vehicles every five years due to expense in maintenance and upkeep.

Adjournment

Meeting adjourned at 1:21 PM on April 21, 2009.