

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 1:00 PM
DATE: August 18, 2009
PLACE: 3043 Estero Blvd., Station 31 Meeting Room
Fort Myers Beach, FL 33931

IN ATTENDANCE: Vice-Chairman Ted Reckwerdt, Sec./Treasurer Betty Goodacre, Commissioner Joe Schmid, Commissioner Carol Morris, Commissioner Flip Harby, Attorney Richard Pringle, Chief Mike Becker, Assistant Chief Larry Evans, Finance Director Jane Thompson, Administrative Director Margaret Banyan, District members and members of the public.

Meeting called to order by Vice-Chairman Reckwerdt at 1:00 PM

Pledge of Allegiance

Moment of silence for our troops

Vice-Chairman Reckwerdt called for a motion to approve the July 21, 2009 regular monthly meeting minutes.

Sec./Treasurer Goodacre motioned to approve the July meeting minutes. Commissioner Harby seconded.

Minutes were approved unanimously 5 – 0.

Vice-Chairman Reckwerdt requested Sec./Treasurer Goodacre read the Treasurer's report.

Sec./Treasurer Goodacre read the July 2009 Treasurer's Report for the record.

Sec./Treasurer Goodacre reviewed the summary of bank and investment account activities for month ending July 31, 2009.

Commissioner Harby asked what impact Colonial Bank's closure had on the District.

Finance Director Jane Thompson stated that BB&T (which purchased Colonial Bank) is an approved financial institution with the District so the account will continue with BB&T.

- A. Sec./Treasurer Goodacre asked for approval of department checks #035068 through #035186 for a total of \$134,807.18 for July 2009. Commissioner Schmid motioned to approve the department checks. Vice-Chairman Reckwerdt seconded.
Department checks for July 2009 were approved unanimously 5 - 0.

There were no disbursements from the CIP fund for July 2009.

Commissioner Morris asked why the expenses are higher for both principal and interest than budgeted for.

Finance Director Jane Thompson stated that the District had anticipated higher impact fees. At the end of the year there will be a budget amendment to shift it to the impact fee account where it has budgeted for that payment.

Chief's Report

Chief Becker stated he would like to recognize and present a plaque of appreciate to two citizens for assisting in a cardiac arrest of a patient on the Beach. Chief recognized Ms. Kim DeBow and Mr. Noah Rodrigue for their assistance and heroic efforts. Ms. DeBow was present to receive her award.

Chief recognized employees with years of service:

FF Mike Brown	8 years
<u>FF Randy Kraus</u>	<u>5 years</u>
Total Years	13 Years

Chief Becker recognized promotions for the month of July to the rank of Firefighter 2nd Class.

- FF Randy Fowlds
- FF Dan Miller
- FF Todd Williamson

Chief Becker reviewed items on the Chief's Report.

Chief Becker stated he had two items not on the Chief's Report he would like to discuss today which were brought up during individual meetings he had with the Commissioners after the July commission meeting.

Chief Becker stated the District would like to go ahead with the 30 day trial period using AVL with Bonita Springs Fire Department for closest unit response. The Board had previously approved the trial period back in March 2009. The District has not begun the trial as of today, but is set to go live with the trial program on September 1, 2009.

Chief Becker stated the contract for the purchase of the new ambulance has not been signed and the purchase can be cancelled by the Board today if they so choose with no financial repercussions.

Chief Becker reviewed recommendations for agenda items.

Commissioner Schmid asked the Chief if his recommendation is to bring up the ambulance purchase again today.

Chief Becker restated that the contract has not been signed for the purchase of the ambulance and the Board could stop the purchase if they would like.

Commissioner Morris noted that the Board would need to vote to put the item on the agenda.

Attorney Pringle stated that Commissioner Morris is correct. The Board would need to motion and vote to add the item to the agenda.

Commissioner Schmid asked if the closest unit response was allocated to EMS only or is it for FIRE/EMS.

Chief Becker stated it was not specific to either one.

Commissioner Morris asked if the trial is with Lee County and if it was on a first response basis or closest unit response basis.

Chief Becker stated it is with Bonita Springs Fire Dept. and it is on closest unit response.

Conversation continued between the Board and Chief on the 30 day trial of closest unit response.

Vice-Chairman Reckwerdt asked if the District would respond with both the engines and ambulances.

Chief Becker stated it is not specified and Asst. Chief Craft is present today to discuss it if the Board would like to add it as an agenda item.

Attorney Report

Attorney Pringle stated he would like to discuss the letter dated August 14, 2009 from District 3 of the Local 1826 Union. The letter has been circulated and after reviewing it with Attorney Hament, the Board has several ways in which to respond to the letter.

- 1) Receive and read the letter and do nothing else;
- 2) Give the Chief an opportunity to respond to the contents of the letter in writing; or,
- 3) after receipt of the letter the Board can determine if they would like to schedule it as an agenda item for sometime in the future to discuss

Attorney Pringle noted there are no clear directives as to how to deal with the matter, it is for the Board to decide on how to handle or respond to the letter. If the Board would like to determine a process in how the Board wishes the Chief to follow in responding, the Board can do that today.

Commissioner Morris asked if the Sunshine Law would permit the discussion as a special meeting or an executive session.

Attorney Pringle stated it would be advertised as a special meeting.

Commissioner Schmid asked if the Board could meet with the Union individually.

Attorney Pringle stated the Board is permitted to meet individually with the Union as well as the Chief.

Commissioner Schmid asked after meeting with both parties what would be the next steps.

Attorney Pringle noted that would be the discussion for the Board to have after individual meetings, etc. to determine the next steps in a special meeting or at a commission meeting as an agenda item. The timing is in the middle of finalizing the budget and there seems to be no life threatening issues in the letter that would make it more of a priority than the budget. The final budget hearing is set for September 15, 2009 and it may be more beneficial to have the meeting after the final budget or the Board does not have to respond at all, if they so choose.

Commissioner Morris asked if the Board would like to make a motion on the item, do they need to vote to add it to the agenda.

Attorney Pringle stated yes, the Board can vote to add to the agenda.

Commissioner Harby motioned to add purchase of the new ambulance under Old Business, Item A.

Attorney Pringle stated the Board could agree to add all three items and motion to add them all to the agenda.

The Board discussed adding the other two items: the 30 Day Trial for AVL; and action on the August 14, 2009 letter from Local 1826 District 3 to the Commissioners.

Vice-Chairman Reckwerdt restated the amendment to the agenda.

Under Old Business A – New Ambulance Purchase
 B - 30 Day AVL Pilot Program

Under New Business E – District 3 August 14, 2009 Action on Letter to the Commissioners

Sec./Treasurer Goodacre motioned to accept the items to the agenda. Commissioner Harby seconded.

Approved unanimously 5 – 0.

Public Input on Agenda Items

Beach resident Dick Warner stated that he hopes the District will look at a collection procedure for the Ambulance Billing and not just a write-off procedure. Mr. Warner stated he would like to see the District hold on to the surplus items for a while in case those items would be needed at a future date by the District rather than buying new.

Old Business

- A. New Ambulance Purchase:** Commissioner Harby motioned to discontinue the purchase of the new ambulance. Commissioner Schmid seconded.

Commissioner Harby stated that the District is not financially obligated to purchase the ambulance at this time and it would be in the best interest of the District to wait.

Commissioner Morris wanted to clarify that the motion would be to kill the purchase, not to just defer the purchase.

Vice-Chairman Reckwerdt stated it is to end the purchase of the ambulance.

Motion approved unanimously 5 – 0.

- B. 30 Day AVL Pilot Program:** Commissioner Schmid motioned to go ahead with the 30 day pilot program. Commissioner Harby seconded.

Commissioner Harby stated he would like to see the trial program be deferred until after the final budget due to the cost of the program.

Conversation continued between the Board.

Commissioner Morris asked that the Chief detail the trial and how it works and thinks the trial should be put in place for 30 days.

Sec./Treasurer Goodacre stated the trial period should be put in place to see the benefits.

Vice-Chairman Reckwerdt stated he is not in favor of this program because of the equipment and personnel it takes away service from the beach residents.

Conversation continued between the Board.

Chief Becker stated there has been misinformation given to the Board and would like to clarify processes and benefits of the program.

Chief Becker reviewed the process in which the system would operate. Chief Becker stated this pilot program would allow the District to more accurately identify critical calls as well as possibly create some revenue from Bonita Springs.

Commissioner Morris asked if it is reciprocal with Bonita Springs.

Chief Becker stated yes.

Conversation continued between the Board and Chief Becker.

Asst. Chief Craft noted the program has been presented to the Board previously and it would be best if the Board asked specific questions of Asst. Chief Craft about the program.

Commissioner Schmid asked if after the 30 day trial there would be a report to indicate if the trial was successful.

Asst. Chief Craft stated 30 days is not a sufficient timeframe to allow for the test. The best case scenario would be a 60 to 90 day test to get a good snapshot of the program based on activity.

Commissioner Harby asked what Bonita Springs' activity is during August compared to December.

Asst. Chief Craft stated it varied between no calls in a month to five or six calls in two days.

Commissioner Harby stated doing a trial test from September 1st through September 30th would not give good data.

Commissioner Harby asked what area the District would cover.

Asst. Chief Craft stated #1) the best way to begin the trial is to get the system set up, get out all the kinks in the system and then begin the program to look at real data. #2) the District's cutoff point for responding (if everyone is in station) would be the area of Hickory and Estero

Blvd. Bonita Springs' cutoff area would be around the Catholic Church at approximately the 6000 block. There is potential for the coverage to change depending on the stations being out on calls.

Asst. Chief Craft stated his request to have the flexibility to extend the trial period is to assure if there is not enough data to review during the 30 days, additional time is allowed to gather more information to give a more realistic view of the program.

Commissioner Morris asked if anyone has determined the next step after the trial period.

Commissioner Morris asked if Bonita Springs would supplement the District.

Asst. Chief Craft stated they looked at the benefits after Bonita Springs and Estero completed the trial and they determined that the program has benefited both districts.

Commissioner Harby asked if the program works as the District wants it to, will Bonita Springs be willing to give up ad valorem taxes.

Asst. Chief Craft stated that it may need to be addressed after the program is put in place for both Districts.

Commissioner Morris asked if Bonita Springs would consider reimbursing the District as opposed to ad valorem taxes.

Asst. Chief Craft stated it may need to be addressed at a later time when the program is up and running full time.

Attorney Pringle clarified that Commissioner Schmid motioned to continue forward with the 30 Day Pilot Program.

Motion approved unanimously 5 – 0.

New Business

- A. Ambulance Billing Write-off Procedures** – Chief Becker introduced David Kainrad from Lee County Public Safety and Darryl Hartung from ADPI to review the current process Lee County uses to assist ADPI in collection of data.

David Kainrad from Lee County Public Safety (LCPS) reviewed the process in which they communicate to the billing company. Mr. Kainrad stated the web based software FMBFCD will be utilizing is compatible with LCPS' which could allow LCPS to access the District's data and do the quality assurance on the claims and transfer it to ADPI. There would be no cost to FMBFCD for LCPS to process our data since they already have the highly trained staff and software compatibility.

Darryl Hartung provided a handout for the Commissioners and reviewed the transport, data collection, and revenue trends over the past few years with the District.

Chief Becker stated that beginning September 1, 2009 the ESO program will be up and running with the District and if data is not collected accurately and fully, it will be available for the District to review.

Finance Director Jane Thompson clarified the documentation in the Chief's report. The write-off procedure is the only item that has not been approved by the Board as of today.

Vice-Chairman Reckwerdt asked for a motion to approve the ambulance write-off procedure similar to Lee Counties.

Commissioner Schmid motioned to approve the ambulance write-off procedure similar to Lee County's. Commissioner Morris seconded.

Attorney Pringle noted the Board may want to visit a policy to outline ambulance billing procedures since there may be some other items coming up in the future. Attorney Pringle clarified the motion to finalize a policy for the District on write-offs similar to what Lee County uses.

Motion approved unanimously 5- 0.

- B. Surplus Equipment** – Chief Becker reviewed the surplus list and justification. Chief Becker stated some items may be able to be sold to create some revenue.

Commission Schmid motioned to dispose of the surplus list dated 08-18-09. Sec./Treasurer Goodacre seconded.

Attorney Pringle clarified the motion to declare the items as surplus and then dispose of them.

Motion approved unanimously 5 – 0.

- C. Procurement of Zoll Autopulse Heart Monitor Cost \$12,457.50** – Chief Becker noted this is the District's part of the purchase from the Grant provided by the State.

Sec./Treasurer Goodacre motioned to approve the procurement of the Zoll Heart Monitor for \$12,457.50. Commissioner Schmid seconded.

Motion approved unanimously 5 – 0.

- D. Procurement: Laptop Purchase Cost of \$14,404.56 (Original Cost: \$13,560.00)** IT Manager Joe LaCroix explained the new part number for the computer is \$200.00 more than originally quoted. The vendor part number was discontinued and the new part number was not for the touch screen computers the District uses.

Commissioner Morris asked if the District could go back to the vendor and ask them to absorb the difference since it was their error when quoting the item.

IT Manager LaCroix stated he would go back to the vendor and request they pay the difference.

Commissioner Morris motioned to ask the vendor in writing to absorb the difference based on guidance from the Board. If the vendor will not pay the difference in cost, IT Manager LaCroix is approved to process the difference.

Commissioner Schmid asked if the Board should kill the previous procurement approved for \$13,560.00.

Commissioner Morris stated her request was for the difference only.

Motion approved unanimously 5 – 0.

- E. District 3 August Action on Letter to the Commissioners** – Commissioner Morris motioned to formally request the Chief respond to all the allegations in writing to the Board to the content of the letter before any further decision is made. Commissioner Harby seconded.

Commissioner Schmid asked that the Board be permitted to also speak individually with the Union.

Approved unanimously 5 – 0.

Reports from Union Representatives

FF Troy Mesick DVP District 3 – stated timing is never good to provide a letter of no confidence on your leader. The vote of no confidence came from the membership which 35 out of 42 eligible signed. FF Mesick asked that the Commissioners sit down with the Union to discuss the contents of the letter. The letter was written very vaguely due to the content and concern that it becomes part of public record. FF Mesick asked if the District was going to approach Iona/McGregor in closest unit response since we are closer to them.

Remarks from Commissioners

Commissioner Morris stated we are in a very tough situation, but the Board should not dwell on how we got there, but to look at anything the District can do to make cuts and look at all items, just not the big items. Commissioner Morris noted Lehigh Acres laid off over 35 employees and she does not want to see that for our District.

Commissioner Schmid reiterated Commissioner Morris' concern and stated we should keep an eye out on all of our expenses, not just the high dollar items.

Sec./Treasurer Goodacre stated she looks forward to working on the budget to see what the District can accomplish. Sec./Treasurer Goodacre congratulated the employees with years of service and the employees on their promotions.

Commissioner Harby thanked B Shift at Station 33 which he shadowed from Saturday to Sunday. Commissioner Harby noted something needed to be done about the drainage problem at both Station 33 and 32. Commissioner Harby stated that this is the worst time to have the letter come to the Board regarding the Chief and he has no reason to respond to the letter.

Vice-Chairman Reckwerdt congratulated employees with years of service and the employees on their promotions. Vice-Chairman Reckwerdt stated that Mr. Looby's resignation letter needs to be looked at more closely and it needs to be addressed. Vice-Chairman Reckwerdt noted he needs to look into the comments of the Union's letter. Vice-Chairman Reckwerdt stated that the Chief needs to provide solutions to the Board for the budget and not just ask for the Boards direction. The Chief and administration should provide some different options for the Board to review on the budget.

Public Input

None

Adjournment

Call for adjournment of meeting.

Meeting adjourned at 3:32 PM on August 18, 2009