

MINUTES
SPECIAL MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 10:00 AM
DATE: December 17, 2009
PLACE: 3043 Estero Blvd., Station 31 Meeting Room
Fort Myers Beach, FL 33931

IN ATTENDANCE: Chairwoman Carol Morris, Vice-Chairman Joe Schmid, Commissioner John Scanlon, Commissioner Ted Reckwerdt, Sec./Treasurer Betty Goodacre, Attorney Richard Pringle, Chief Mike Becker, Assistant Chief Darren White, Finance Director Jane Thompson, Kevin Keever – Keever and Associates, Christine Brady - Lee County, District members and members of the public.

Meeting called to order by Chairwoman Morris at 10:03 AM

Pledge of Allegiance

Moment of silence for our troops

Public Input on Agenda Items

Captain Ivan Bestrom stated that the Chief commented that it took a lot of money in overtime to run the three ambulances which will not be made up in the ambulance billing. Captain Bestrom suggested that the overtime dollars be put in the general budget.

FF Troy Mesick – stated he had a letter for the Board regarding the insurance preference by the Union that has not been signed yet, but he will get it signed by DC Tom Edge and himself and then will request the Chief to sign as well to release the District of liability.

Commissioner Scanlon asked if this would disallow any petty grievances from the Union.

FF Mesick stated they could not put in the letter that no grievances would be filed because that is an individual preference and takes away the rights of the individual.

Attorney Pringle stated he did talk with the District labor attorney and he verified that an MOU could be done. The focus should be on ratifying whatever we do. If an MOU is done; as long as there is ratification by the bargaining unit, then it is okay.

FF Mesick stated ratification is not needed since the MOU is signed by himself and Chief Becker.

Attorney Pringle stated that legal counsel advised because the change of the language is stating that GreatWest is now going to be X, that would be a change in the contract and if an MOU was done you would need to do a ratification to that section.

FF Mesick stated that the Union attorney has advised them that no ratification is needed.

Communication continued between the Board and Attorney Pringle.

Beach resident Pat Smith commended the Board for having the special meeting to discuss the budget and how to save money for the District and the Union for doing the research to find savings. Ms. Smith stated that the increase for the Asst. Chief seems very steep given today's climate and suggested that the

increase be given in incremental stages. Ms. Smith stated the increase for IT and Public Information was high and suggested that it be set up in incremental stages as well.

IV. Health Care Update

Kevin Keever relayed to the Board that he still does not have the confirmed rates from United Health Care, but he is confident they will be available today. Mr. Keever stated that the terminal liability for the District to terminate with GreatWest would be \$125,000 at the anniversary and then another amount if you moved early, that could be as much as \$400,000.00. The actual rate savings are approximately \$100,000.00 from United versus Lee County health care plan which includes medical, dental and vision if the District would make the conversion on the anniversary date.

Chief Becker stated Christine Brady from Lee County is present to review the AETNA plan.

Christine Brady stated she had gone to her Board on December 15th for approval for Fort Myers Beach Fire Control District to join the plan and it was a favorable response. Ms. Brady then reviewed the AETNA plan with the District.

Chairwoman Morris asked Ms. Brady if the District could join the plan at a later time.

Ms. Brady stated the District could join at a later time, but generally enrollment is January 1. Ms. Brady stated she would need to coordinate with both administrative teams (Lee County and FMBFCD) if enrollment was at a later date. Ms. Brady stated she would have to go back to her Board if it got pushed back too far.

Commissioner Reckwerdt asked Ms. Brady if there would be any increases for 2010.

Ms. Brady stated the rates were established through December 2010.

Commissioner Reckwerdt asked Ms. Brady if the District would have any say so on changes with the County plan.

Ms. Brady stated they have regular meetings that they encourage the entities they cover to participate in to review plan changes.

FF Mesick stated he had not seen the AETNA plan and asked Ms. Brady if the plan had an employee contribution.

Ms. Brady stated it does, but it is up to each entity to absorb the costs or pass it on to their employees and at the percentage they see fit.

Chief Becker stated the District would absorb the full premium and no costs would be passed on to the employees.

Commissioner Scanlon asked when the District would know about the United rates and if they are confirmed.

Mr. Keever stated he was waiting on a phone call from United, and then would need someone from the District to verify the group application.

Commissioner Scanlon motioned for a ten minute break to see if Mr. Keever could get the quote verified. Vice-Chairman Schmid seconded.

Motion approved unanimously 5 – 0.

Meeting reconvened.

Chairwoman Morris asked the Board if anyone would like to make a motion.

Commissioner Reckwerdt stated he would like to motion to table the item until the next Board meeting. Vice-Chairman Schmid seconded.

Motion approved unanimously 5 – 0.

V. Financial Expenditures That Are Planned and Financial Expenditures That Have Occurred To Date: Chief Becker turned the meeting over to Finance Director Jane Thompson to review the numbers.

The Board members and management reviewed the working budget and the shortfall to date.

Finance Director Jane Thompson reminded the Board that the budget is continually changing and the shortfall to date is \$338,000 vs. the 1.5 million dollars at the final budget meeting.

Conversation continued between the Board and management on the budget set by the Board.

Chief Becker stated the Board could take official action to allocate monies from the Economic Stabilization Funds to restore manning and service level to the District.

Conversation continued between the Board and management on staffing at the stations and service levels.

Commissioner Scanlon asked Finance Director Jane Thompson what it would cost to bring the three firefighters back to work.

Finance Director Jane Thompson stated it would cost approximately \$330,000.00.

Vice-Chairman Schmid stated the Board should give the Chief direction on whether to continue with the operating expenses of 9.3 million or give him some other direction.

Commissioner Scanlon asked what the District would save if they did not transport.

Chief Becker stated that there would still be medical calls that would require both Fire and Rescue and staffing would not change, therefore revenue would be reduced.

Chairwoman Morris stated the Board needed to look at other items in the budget not just personnel.

Conversation continued between the Board and management on the millage rate and fund reserves.

Commissioner Reckwerdt asked if the District could take advantage of the SAFER grant to assist fire departments to rehire laid off employees.

Chief Becker stated the District does not qualify for the grant because we do carry reserve funds.

Conversation continued between the Board and management on the lay-off of the six firefighters and the possibility of using some of the reserves to return the remaining three firefighters back to work.

Commissioner Scanlon motioned to move the money from the economic stabilization fund and move it to the operating funds to increase the budget from \$9.3 to \$9.6 to bring the remaining three firefighters back to work immediately. Sec./Treasurer Goodacre seconded.

Conversation continued between the Board.

Motion approved unanimously 5 – 0.

Chairwoman Morris stated that labor counsel continues to say they work for the Board and not the Chief, but she cannot find any paperwork describing the role of our legal counsel.

Commissioner Reckwerdt noted that in 2005 the Board hired legal counsel because of issues they were having with the Union.

Chairwoman Morris stated she would like to add the item to the agenda for next month to discuss the roles of legal counsel.

Conversation continued between the Board on the attorney roles and the monies that are paid to them.

Chairwoman Morris motioned to continue the session until January 5, 2010 at 10:00 AM. Commissioner Scanlon seconded.

Motion approved unanimously 5 – 0.

Meeting reconvened January 5, 2010 at 10:00 AM from December 17, 2009

Chairwoman Morris stated Commissioner Scanlon would be absent today due to illness.

Chairwoman Morris stated for the record she was submitting an excerpt from the Florida Statutes on meeting notices for recessed and reconvened meetings noting that the seven day notice did not have to be noticed.

Chief Becker stated that the insurance committee met and determined to make no change until the renewal date. The insurance committee will meet again prior to the next commission meeting and will come to the Board with its recommendation.

Commissioner Reckwerdt asked if the District was still considering AETNA, GreatWest and United and if the recommendation would be given at the January or February meeting.

Chief Becker stated it is unsure but once the committee has concluded their decision, the recommendation will be brought to the Board.

Finance Director Jane Thompson began reviewing the budget. With direction from the Board to return the three firefighters to work, the amount taken from the economic stabilization reserve is \$241,640.00. Other

adjustments were made, recalculating insurance premiums and adjusting property values and commercial carrier values bringing the shortfall as of today under \$50,000.00.

Chairwoman Morris asked that the Board go through the budget line item by line item.

Vice-Chairman Schmid stated that the firefighter's have taken a cut in pay and the Board should make some kind of concession as well.

Attorney Pringle stated that the state law requires a 14 day notice in the paper of any salary adjustment to the Board.

Conversation continued between the Board.

Chairwoman Morris stated that Commissioner's salaries would be added to the agenda as a topic of discussion at the next Board meeting.

Chairwoman Morris stated that she is still looking for a document describing labor counsel's responsibilities to the Board.

Conversation continued between the Board, Chief Becker and Attorney Pringle on legal counsel participation and fees.

Chairwoman Morris stated "Labor Attorney Roles and Responsibilities to the District" would be added to the agenda as a topic of discussion at the next Board meeting.

Vice-Chairman Schmid noted his concern in getting the packet only five or six days prior to the meeting.

Conversation continued between the Board and the Chief on the pertinent items needed in the packet and getting the packet in a timely manner.

Vice-Chairman Schmid stated he would like the Chief to look into closing the Administrative building to reduce costs, noting that the move could be a positive effect with the Chief being in constant contact with the firefighters.

Conversation continued between the Board and the Chief on the closing of the Admin. building as it relates to the comprehensive plan, zoning and code issues with Admin. moving to Station 32.

Sec./Treasurer Goodacre reminded the Board that Station 31 is owned by the Zimmer family and if the District would close Station 31 it would go back to the family.

Chairwoman Morris stated Leasing or Selling the Administration building would be added to the agenda as a topic of discussion for the next Board meeting.

The Board and management continued to look at line items in the budget and reviewed their necessity.

Finance Director Jane Thompson suggested that at the next Board meeting the Board consider appointing a Commissioner to participate in the audit process.

Chairwoman Morris stated the minutes of the meetings have been very lengthy and suggested the minutes be compressed with the major motions, decisions, and who voted.

Vice-Chairman Schmid motioned to make the minutes a more condensed form or using Robert's Rules as a guideline.

Attorney Pringle stated that the motion should be defined as to what the condensed form would contain.

Vice-Chairman Schmid motioned to change the minutes to show the motion, who made the motion and the outcome of the motion. Chairwoman Morris seconded.

Motion approved unanimously 4 – 0.

Vice-Chairman Schmid stated that he didn't think the Board needed all the graphs in the Asst. Chief's report on a monthly basis. The incident report is good information, but he could call someone and get the information that is on the graphs.

Conversation continued between the Board on the commission packet.

Public Input

Beach resident Flip Harby stated that any commissioner that wanted to take a lesser salary they could take it individually and they would pay taxes on that amount. Mr. Harby stated he was still upset that the GreatWest fee has increased to leave the group and they should have not been allowed anyway because their RFP was not on time. Mr. Harby stated that there are many buildings for sale on the island and it doesn't seem logical that the District could sell the Admin. building. Mr. Harby stated he talked with John Wilson regarding closing stations. Mr. Wilson told him that Lee County EMS would not be able to cover the south end of the island at Station 33. Mr. Harby noted that the Board said they don't want to micromanage the Chief, but they are indeed doing that now. Mr. Harby stated if the Board wanted to save money they should pay off Station 33.

FF Mesick – DVP District 3 – stated that the guys are back to work and wanted to thank the Board and the Chief for bringing them back. FF Mesick stated the District will save money on the insurance and no one knew of the additional terminal fee imposed on the District. The District will wait until the anniversary date to terminate with GreatWest. FF Mesick stated the Union is looking forward to the New Year.

Adjournment

Call for adjournment of meeting.

Meeting adjourned 12:29 PM January 5, 2010.