

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 1:00 PM
DATE: February 17, 2009
PLACE: 3043 Estero Blvd., Station 31 Meeting Room
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, 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 Chairman Scanlon at 1:00 PM

Chairman Scanlon noted that Attorney Pringle would be late and noted that Commissioner Morris was absent. (Commissioner Morris arrived at 1:16 PM and Attorney Pringle arrived at 1:19 PM.)

Pledge of Allegiance

Moment of silence for our troops

Chairman Scanlon called for a motion to approve the January 20, 2009 regular monthly meeting minutes. Vice-Chairman Reckwerdt motioned to approve. Sec./Treasurer Goodacre seconded. Minutes were approved unanimously 4 – 0.

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

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

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

- A. Sec./Treasurer Goodacre asked for approval of department checks #034352 through #034460 for a total of \$170,168.69. 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 projects fund checks #030088 for a total of \$2,400.00. Commissioner Schmid motioned to approve the CPF checks. Chairman Scanlon seconded.
CPF checks were approved unanimously 4 – 0.

Commissioner Schmid asked about the totals in the insurance account, noting that the last four month's total was \$172,000.00 and last year's was only \$62,000.00 at a difference of \$110,000.00.

Chief Becker stated he would research the account and get back with Commissioner Schmid.

Chief's Report

Swearing In Ceremony

Chief Becker stated Tory Vagle was not available for the swearing in to the rank of Captain. The Chief proceeded to swear in Jeff Adams into the rank of Captain.

Promotions

Chief Becker recognized the following promotions:

- F.F.2nd Class J. Lamb to F.F.1st. Class Engineer
- F.F. 3rd Class J. DeVito to F.F. 2nd Class
- F.F. 4th Class D. Beers to F.F. 3rd Class
- F.F. 4th Class C. Chilson to F.F. 3rd Class
- F.F. 1st. Class Engineer Chris Morgani has passed his Lieutenant Exams; he will now be placed on the Lieutenant Eligibility list, as per the Union Contract.

Chief Becker recognized employees with years of service:

| | |
|-----------------|----------|
| Dave Collins | 26 years |
| Jeff Jones | 24 years |
| Jeff Plybon | 19 years |
| Dave Reckwerdt | 18 years |
| Dave Reno | 23 years |
| Tate Sturtevant | 3 years |
| Andres Vila | 3 years |

Chief Becker stated he had some items to report on not listed on the agenda.

Chief Becker stated that he has had discussions with Vice-Chairman Reckwerdt regarding the RFP for the ambulance, which was budgeted for in 2009. Chief Becker stated the demand for the vehicle is less than the other two ambulances, which would reduce costs. Chief Becker stated if the Board chooses, they can allow him to request Attorney Pringle create the RFP or get specifications and present the specifications to the Board prior to creating the RFP. The ambulance will take approximately eight months to build. Chief Becker stated Ambulance 31 does not have the best repair record and until the new ambulance has been received, Lee County ambulances will be used as backup.

Chief Becker stated he is working with Fire Marshall Collins on exiting the final inspections at Station 32 and Station 33.

Chief Becker noted Al Agathen (CERT leader) is in the hospital and asked everyone to keep him in their thoughts.

Chief Becker requested the procurement listed on the agenda for the wood shelving be pulled until Al Agathen is able to complete the task. The only bid received was from Al Agathen.

Chief Becker stated there was a need for two more of the Hurst extrication tools which has been determined a mission critical item. The one tool approved is being utilized on one of the trucks today, but there is a need for two more. Chief Becker stated he would bring a procurement request before the Board at the next commission meeting.

Chief Becker stated the audit began Monday and the District is beginning talks with labor regarding the economic environment and the District's need to come up with a possible budget reduction plan based on the current economic conditions.

Chief Becker stated Asst. Chief Evans has been working on the old ambulance surplus which is noted in the Asst. Chief's report. Bids will be received until the end of the month and then a decision will be made on the sale of the old ambulances.

Chief Becker reviewed the Chief's Recommendations on the Chief's Report and noted Attorney Pringle would be arriving shortly to discuss the health insurance RFQ.

Chief Becker requested the Board allow the District to write-off the ambulance bill for Francisco Escobedo (a non-resident of the beach) and asked the Board to allow him to put together a policy to deal with these types of write-offs. The Chief noted they can then be brought before the Board at scheduled times during the year.

Chief Becker requested the Board give him permission to open up talks with labor regarding the Medical Officer's position and with employees interested in the Medical Officer role. After talks with labor, Chief Becker will finalize the agreements and bring those agreements before the Board for consideration. Two items are being requested: 1) Talk to labor about the Medical Officer and its current bargaining position; and, 2) determine if the collective bargaining position can be moved into an exempt status position creating an exempt employee agreement. This will reduce costs, taking away the overtime. Chief Becker stated he will try to bring the agreement before the Board in March.

Chief Becker reviewed the Stryker Chair procurement.

Commissioner Morris asked if there were any downsides to advertising the Medical Officer position.

Chief Becker stated that there is potential to have to make concessions with labor taking that position out of collective bargaining. The non-exempt status is usually a senior employee and wages would have to be transferred to a 40 hour work week with overtime as a possible costly item.

Vice-Chairman Reckwerdt noted that the Chief needs the Board's permission to open the talks with the Union.

Chief Becker stated that his request is to proceed with talks with labor and come up with options for the Board to consider.

Commissioner Morris asked what contractual requirements were in place now.

Chief Becker stated that the collective bargaining contract dictates the terms of this position. Within the exempt status category there are certain statutes of law that allow for overtime without the extra pay. The goal is to have some type of administrative support over this role and options and costs for the Board to consider.

Chairman Scanlon stated that the Ambulance RFP would be added to the agenda under New Business, item D.

Attorney Report

Attorney Pringle stated he had one item for discussion, the Request for Qualifications (RFQ) for a consultant for health care insurance which was brought before the Board at last month's meeting. After discussing the scope of work with Dr. Banyan, Attorney Pringle realized the District was really looking for someone authorized to act as an agent for the District in negotiating with the insurance companies. Attorney Pringle stated the RFQ has been revised to meet the requirements needed as the District's consultant with specific and detailed requirements and compensation to the consultant.

Commissioner Morris stated that at last month's meeting, before the criterion was changed, the Board stated they wanted a RFP and a RFQ. Commissioner Morris asked if the only compensation is \$10.00 for the fee why the agent would want to recommend going with someone that would not give them a fee, i.e. the County. Commissioner Morris asked how the District will handle the evaluation standpoint in this process?

Attorney Pringle responded that the \$10.00 fee was inserted to ensure compensation. The District will not pay a separate fee to the agent when the agent would potentially get paid from the insurance provider. The best way to structure the RFQ was to insert a \$10.00 payment. Attorney Pringle continued to review language added to the RFQ. Attorney Pringle noted the RFQ is an attempt to receive qualifications statements from agents who can write health insurance on a minimum of three insurance companies. The District can then look at the qualifications and determine the individual they want to negotiate coverage's for the District with the insurance companies and be able to evaluate the best choice.

Chief Becker stated that our current agent of record that represents GreatWest has not gone through a competitive process and the RFQ will initiate the competitive process with our current agent and other interested parties. Chief Becker asked Attorney Pringle if it discloses the monetary amount the agent would receive from the insurance agency.

Attorney Pringle stated that it does not and he is not aware that the agent would be able to provide that until the insurance is purchased.

Attorney Pringle stated that the District could ask the current agent what they are currently being compensated.

The Board continued conversation on this topic.

Attorney Pringle stated that most persons that would respond to the original RFQ is not going to respond if you take away their ability to receive a commission as the qualified agent. The agent is going to want to be the agent to the insurance provider because the fee from the insurance provider would be significantly higher.

Vice-Chairman Reckwerdt noted that in the past, the District hired an independent agent and they advised the District what insurance company to go with and asked why the process is changing now.

Attorney Pringle noted that his recollection is that it was a request for health insurance coverage and the agent came along with the insurance provider.

Administrative Director Dr. Margaret Banyan addressed the Board. Dr. Banyan stated there is a small group that is looking at health insurance coverages made up of labor representatives and administration. The group understands the plans from GreatWest, Lee County, etc. It is not important an agent be fully up front and honest based on our ability to look at the best plans that meet our needs. What we need is an

“agent of record” to provide quotes from United, GreatWest, Blue Cross Blue Shield, etc. The group is capable of doing all the things a consultant can do; the District needs an agent of record.

Commissioner Morris asked why the District would need to hire an agent and if the District could not poll one or two agents and ask them to shop for us.

Dr. Banyan stated we are not allowed to do that. The District would have to redo their entire census for each health insurance quote requested. One agent is needed to go to each of the health care providers.

The Board and administration continued conversation on this topic.

Chief Becker stated that currently our agent of record goes through the renewal process every year. Administration is asking that through the RFQ, to put our current agent along with others through a competitive process for the Board to evaluate.

Attorney Pringle stated that the individual agent that is elected during this process will act as our “agent of record” to get quotes and evaluate coverages and any concerns which are not working with the insurance provider. The individual agent will be the “go to” person in the future as matters come up to represent the District.

Sec./Treasurer Goodacre asked if the District is asking for the RFQ and after the RFQ’s come in if the District will evaluate the agents that meet their needs and then make a recommendation to the Board.

Attorney Pringle stated yes that is the request and at that time a list of qualified agents would be presented to the Board.

Sec./Treasurer Goodacre asked that the item be brought to a vote and did not think further conversation was needed.

Commissioner Morris asked that when an agent is recommended and voted on, how the District will know the commission for each insurance provider?.

Vice-Chairman Reckwerdt stated that this item is listed under Old Business and it should not be discussed until that time.

Commissioner Schmid asked if the Board would have the opportunity to evaluate Lee County.

Attorney Pringle stated that he noted several times in the RFQ the District is not restricting itself to only consider health care providers recommended by the agent.

Chairman Scanlon restated the agenda items .

Public Input on Agenda Items

No public input.

Old Business

- A. **Health Insurance RFQ** – Chairman Scanlon asked for a motion to approve Attorney Pringle to send out the RFQ. Vice-Chairman Reckwerdt made the motion. Commissioner Schmid seconded.

Commissioner Morris asked if our health insurance is different than individual insurance and noted there were two ways to get a quote. Commissioner Morris stated you could contact an agent to get a quote or go directly to the insurance company.

Finance Director Jane Thompson stated that it is a government entity and a competitive process needs to be in place. The District has to go out and get bids and that cannot be done without a competitive bid process. Our current agent writes GreatWest healthcare and we have another agent trying to get the District's business that writes GreatWest as well. GreatWest will only provide a bid to one agent and that is why the District must select an agent to be able to speak for the District.

Commissioner Morris asked again if the District went out and requested a bid from different insurance companies, if they could not get bids without an agent.

Dr. Banyan stated the District must have an "agent of record" to get the bids.

Motion passed unanimously 5 – 0.

- B. Ambulance Bill Write-Off** – Chief Becker requested the Board allow the District to write-off the ambulance bill for Francisco Escobedo (a non-resident of the beach) and asked the Board to allow him to put together a policy to deal with these types of write-offs. The Chief noted the write-offs can then be brought before the Board at scheduled times during the year.

Chairman Scanlon made a motion to approve the ambulance bill write-off. Commissioner Schmid seconded.

Vice-Chairman Reckwerdt stated the person was found to be homeless with incorrect contact information, no insurance, etc. and there seems to be no way to collect and it is a waste of the District's time to research any further.

Commissioner Morris stated she did some research and she agrees that the District cannot collect if they do not have the information to do so. Commissioner Morris stated that the policy should remain the same and collections should be brought to the Board to review to determine action.

Chairman Scanlon stated that at this time the request it to write off this particular bill.

Motion passed unanimously 5 – 0.

Chief Becker stated if the Board chooses management can write a policy to deal with these specific matters if they believe that the collection cannot be collected.

Commissioner Morris stated that the District has been doing business with the new company and this is the first time a situation such as this has occurred. Commissioner Morris stated it is premature to waste the District's time to write a policy. If the District sees it as an ongoing issue, then a policy could be developed at that time.

Chairman Scanlon stated a motioned needed to be made and seconded.

Commissioner Morris motioned to continue as is and do not put a policy in place at this time. Commissioner Schmid seconded.

Vice-Chairman Reckwerdt stated the policy would need to be spelled out.

Chief Becker stated that certain criteria that was obvious where a collection would not be collected, i.e., no readable address, name, insurance, etc.

Vice-Chairman Reckwerdt stated that was not the motion.

Chief Becker stated he has no authority to resolve these collections and they must come before the Board and that is why he is suggesting to create a policy to resolve the collections and then update the Board accordingly.

Motion passed 3 – 2.

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

New Business

- A. Medical Officer Contract** – Chief Becker requested from the Board to start talks with labor and qualified interested parties for the position.

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

Motion passed unanimously 5 – 0.

- B. Wood Shelving for Medical Supply Room Total Cost \$2,277.00** – This item has been requested to be tabled.

- C. Stryker Stair Chair Total Cost \$2,200.96** – Chief Becker reviewed the needs of this procurement.

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

Motion passed unanimously 5 – 0.

- D. Ambulance RFP** – Chief Becker stated there are two recommendations to consider. The Board could move forward to develop the needs for this item and give to Attorney Pringle to create the RFP or Attorney Pringle could create the RFP and bring before the Board for review. Chief Becker stated it takes approximately 8 months to build this equipment. To have the ambulance in service by next year; the process will need to begin now.

Chairman Scanlon motioned to direct Attorney Pringle to create the RFP and let the RFP go out to the vendors and bring before the Board at the March meeting. Sec./Treasurer Goodacre seconded.

Vice-Chairman Reckwerdt asked if there was a committee who would determine the requirements and needs for the ambulance.

Chief Becker stated there is a team in place that will determine the needs based on the needs of the District. This truck will be up three or four months of the year and used for special events. The needs will most likely require a smaller truck which is less expensive.

Vice-Chairman asked if it was in the budget.

Chief Becker answered yes.

Commissioner Morris asked if we should reconsider the need for the truck based on the economy and activity is down. Commissioner Morris stated it looked like the District is not getting the calls it used to.

Chief Becker stated the calls have actually increased this year from last year. During the demand of the season the goal of the District is to provide service and capture revenue during the peak season so it does not go to Lee County.

Reports from Union Representatives

FF Mesick stated that Lee County responded to calls in the District three times on Sunday and has responded several times in the last several weeks to the District.

Deputy Chief Edge welcomed past Commissioners that attended the meeting today.

Remarks from Commissioners

Commissioner Morris congratulated everyone who received recognition awards. Commissioner Morris stated she received a call from an individual that was trying to reach Chief Becker and/or Asst. Chief Evans and was not able to reach them regarding an issue at Station 32. The caller stated he is the owner of the small bait shop beside Station 32 and complained that all the new palm trees would cover his sign once they began to grow out.

Chief Becker stated he has been in contact with the owner and has taken appropriate action on the issue.

Commissioner Morris stated she called Mr. Fowler and Mr. Fowler said he needed a request to move the trees if that is what was needed. Mr. Fowler said it was a good idea and he would be happy to take the request under consideration if he received written documentation from the owner to relocate the trees. Mr. Fowler stated if the County was willing to let them relocate the trees, Fowler would do so.

Chief Becker stated he would follow-up with the owner and speak to him to see if it is just a maintenance issue or if he would like the trees moved.

Commissioner Schmid congratulated everyone on their years of service. Commissioner Schmid stated as representative of the Fixed Asset Committee he has information for the Board as it relates to the committee and the purpose of the committee and will keep the Board advised on what is going on as the committee meets.

Sec./Treasurers Goodacre congratulated everyone on their years of service and everyone promoted today.

Vice-Chairman Reckwerdt congratulated everyone on their years of service. Recognition of Captain Whiteside was noted again for progress in training of the District employees. Vice-Chairman Reckwerdt gave a special thanks to District 3 and District 15 for their support of the Lions Club.

Chairman Scanlon congratulated everyone on their years of service and everyone promoted today.

Public Input

Beach resident Pat Smith provided public input. Ms. Smith stated since the bylaws were rescinded and the District agreed to operate under Robert's Rules there should be some clarifications on absences, etc. that it seems unclear what the guidelines are. Ms. Smith repeated her request for John Scanlon's resignation in light of his personal issues.

Adjournment

Call for adjournment of meeting.

Meeting adjourned at 2:41 PM on February 17, 2009.