

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 1:00 PM
DATE: May 19, 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, 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 April 21, 2009 regular monthly meeting minutes, March 17, 2009 regular monthly meeting minutes and March 31, 2009 special meeting minutes.

Vice-Chairman Reckwerdt motioned to approve all noted minutes. Commissioner Schmid seconded.

Sec./Treasurer Goodacre requested to amend the April 21, 2009 minutes to the unexcused absence of Sec./Treasurer Goodacre. Under the privacy act Sec./Treasurer Goodacre stated she did not have to call in and would like it corrected in the minutes.

Minutes were approved unanimously 4 – 0.

Attorney Pringle restated the approval of the minutes with the revision to the April 21, 2009 minutes.

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

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

Sec./Treasurer Goodacre reviewed the summary of bank and investment account activities for month ending April 30, 2009.

- A. Sec./Treasurer Goodacre asked for approval of department checks #034575 through #034685 for a total of \$195,305.21 for March 2009. Vice-Chairman Reckwerdt motioned to approve the department checks
Commissioner Schmid seconded.
Department checks for March 2009 were approved unanimously 4 - 0.

- B. Sec./Treasurer Goodacre asked for approval of department checks #034686 through #034831 for a total of \$203,829.23 for April 2009. Vice-Chairman Reckwerdt motioned to approve the department checks.
Commissioner Schmid seconded.
Department checks for April 2009 were approved unanimously 4 - 0.

- C. Sec./Treasurer Goodacre asked for approval of capital projects fund check #030090 for February 2009. Commissioner Schmid motioned to approve the CPF checks. Vice-Chairman Reckwerdt seconded.
CPF checks for February were approved unanimously 4 – 0.

- D. Sec./Treasurer Goodacre noted there were no disbursements for March and asked for approval of capital projects fund check #030091 for a total of \$10,905.00 for April 2009. Commissioner Schmid motioned to approve the CPF checks. Vice-Chairman Reckwerdt seconded.
CPF checks for April were approved unanimously 4 – 0.

Chief's Report

Swearing In Ceremony

Chief Becker swore in Chris Morgani to the rank of Lieutenant.

Chief recognized employees with years of service:

Lt. Darren White	10 years
FF David Ellner	4 years
FF Matt Agar	4 years
FF Alex Gonzalez	4 years
FF Dan Miller	4 years
PIO Ramon Looby	1 year

Chief Becker reviewed items on the Chief's report.

Chief Becker reviewed recommendations for agenda items.

Chief Becker stated that one item not on the agenda is the open house for Station 32 and celebration of the Districts 60 years of service to be held on June 22, 2009 at 10:00 AM. Chief Becker gave an open invitation to everyone to attend the celebration.

Commissioner Schmid stated that he is concerned with the ambulance service revenue, noting that revenue is down by approximately \$30,000.00 with approximately the same number of transports.

Chief Becker stated that a number of factors contribute to the loss of revenue. The billing company performance is not controllable and the ability to collect information on the scene and get it to the billing company is also not complete. Chief Becker stated the District has been working on this and is seeing problems with the new EMS software. The District is working with Lee County to pull down the information not captured to get the information before sending to the billing company. Once accurate information is given to the billing company the revenue should increase.

Discussion continued between the Board and Chief Becker.

Commissioner Morris asked about the status of the workshop that was cancelled and noted it was not on the agenda.

Chief Becker stated it could be added to the agenda.

Vice-Chairman Reckwerdt asked Attorney Pringle if the workshop item could be added.

Attorney Pringle stated it did not need to be added, but simply needs to reschedule the workshop.

Commissioner Morris noted that reductions were evident in the District home valuations this year and asked Chief Becker what the staff is doing in advance to reduce costs and reduce the budget.

Chief Becker stated workshops have been scheduled with department heads, administration and operations to review budgeting numbers.

Commissioner Schmid noted that at a previous meeting the change orders were discussed that Vice-Chairman Reckwerdt felt should be reviewed by the Board.

Vice-Chairman Reckwerdt stated after reviewing them, he could not see any change orders that raised a flag.

Attorney Report

Attorney Pringle re-stated that the previously scheduled workshop just needs to be rescheduled. If the Board desires to reconsider the holding of the workshop it should be an agenda item, otherwise a new date just needs to be set.

Commissioner Schmid asked if the Governor's office had appointed a temporary commissioner yet.

Attorney Pringle stated that no appointment has been made yet.

Commissioner Morris asked when Mr. Scanlon's suspension period is up.

Attorney Pringle stated the pre-trial diversion is approximately a six month time period. Attorney Pringle stated that with pre-trial diversion if the subject completes the diversion program successfully, then there is no record and no admission with no record attached.

Conversation continued between the Board and Attorney Pringle.

Vice-Chairman Reckwerdt restated the agenda items.

Public Input on Agenda Items

Beach resident Flip Harby asked if the April 21, 2009 minutes were legal since there was not a quorum.

Attorney Pringle stated the adoption for the approval of the minutes was for what occurred at the meeting and should be a part of public record. There was no approval of any minutes of the March meetings during the April meeting. No decisions were made at the April meeting, so the notes were a record of what occurred at the gathering on April 21, 2009. There was no authority to approve any minutes at the April meeting, that is why the approval is requested on the agenda today.

Mr. Harby stated that ambulance billing has been an issue for a long time and recommends the District stay on top of the bill collector.

Commissioner Morris asked Attorney Pringle to clarify the meeting on April 21, 2009 and its validity for public record.

Attorney Pringle stated that there are a number of different laws that come into play. The Sunshine Law prohibits a group of elected officials getting together to discuss any matter of decision making unless the gathering has been properly noticed and a record is kept and the minutes reflect that meeting in April. No action on business was taken and it was unclear as to if minutes were approved or not, which is why it is on the agenda today to approve March and April minutes.

Old Business

None

New Business

- A. Budget Amendments** – Chief Becker noted that Financial Director Jane Thompson would address the budget amendments.

Vice-Chairman Reckwerdt asked Attorney Pringle if all five amendments could be approved and passed at one time or if they have to be approved separately.

Attorney Pringle stated that he was unsure of the process, but it would be best to do each amendment individually for auditing purposes.

Fin. Dir. Thompson stated that it could be motioned that one through five on the budget amendments be passed, or the Board could reject any amendment they desired.

Commissioner Schmid suggested the Board review all five amendments individually and motion to approve all at one time.

Fin. Dir. Thompson reviewed the five amendments.

Commissioner Schmid motioned to approve budget amendments one through five. Vice-Chairman Reckwerdt seconded.

Approved unanimously 4 – 0.

- B. Union Article #25** – Chief Becker stated the Union did not want to negotiate the current agreement, but it is the Board's discretion to take action or not.

Commissioner Morris asked if the Chief could provide numbers and cost increases based on opening the negotiations or not opening negotiations.

Chief Becker stated it was broken down in the Chief's report. The tax numbers will not be in until July and those numbers would not be available for calculations until then, so a gross estimate was calculated on the Chief's report. If the Board chose not to open the contract with the Union a letter would not go out to begin the negotiations and the current contract would continue. If no action is taken by the Board today, then Chief Becker would send a letter to the Union to begin negotiations in June.

Attorney Pringle stated if the Board is not going to change the current contract automatic opening, then the Board needs to appoint the negotiating team prior to the negotiations.

Chief Becker stated in his report he requested members of the negotiating team. (Asst. Chief Evans, Admin. Dir. Banyan, Fin. Dir. Thompson, Attorney Pringle, Attorney Hament and Chief Becker)

Commissioner Morris motioned that the negotiating team be comprised of the members requested in the Chief's report. Sec./Treasurer Goodacre seconded.

Approved unanimously 4 – 0.

- C. Infrared Thermal Imaging Procurement** – Chief Becker stated B.C. Miceli will review the procurement. Chief Becker stated the original request for the Imager 320 will not be requested based on a better price on an item the District currently uses the Imager 160. B.C. Miceli reviewed the imaging camera use. B.C. Miceli stated that the 160 the District currently uses is the best fit for the District. The procurement request will be for the 160, not the 320 to continue consistency of the equipment.

Sec./Treasurer Goodacre motioned to approve the Eagle 160 at \$6,500.00. Vice-Chairman Reckwerdt seconded.

Commissioner Morris noted that she was impressed with the research done by the District on this procurement.

Commissioner Morris stated she had seen a grant available for this equipment and asked if the District put in a grant application request for this equipment.

Chief Becker stated that the District was not eligible because we already have infrared equipment.

Approved unanimously 4 – 0.

Reports from Union Representatives

District 3 – DVP, FF Troy Mesick stated he agreed with Commissioner Morris that the District should see numbers before making any decisions on the contract. FF Mesick stated the numbers presented today are not correct. Article 25 is only wages and cost of living. Other items will not be open for negotiations until 2010.

Chief Becker stated Article 25 is in the Chief's packet and asked the Board to review it. Chief Becker stated Article 25 talks about wages, not just cost of living and disagrees with the Union's comment on the numbers.

Commissioner Morris asked if wages will increase automatically if the Board does nothing today.

Chief Becker stated yes, at least one percent. Chief Becker stated if the Board allows him to open negotiations with the Union he would attempt to negotiate an agreement that would be best for the District.

Remarks from Commissioners

Commissioner Morris asked the Chief if he checked if the animal masks were on the vehicles and the scanner in the station.

Chief Becker stated the masks are not on the ALS vehicles, but are on the shift commander vehicles that are not regulated by DOH due to regulations. The scanner is on the truck that is located at Station 31.

Commissioner Schmid congratulated everyone on their years of service. Commissioner Schmid thanked the asset committee for the work that has been done, and the reporting and documentation of the District assets completed by the committee.

Sec./Treasurer Goodacre congratulated Chris Morgani on his promotion and everyone else on their years of service.

Vice-Chairman Reckwerdt stated he was still concerned on the District reserves and noted he recommended last year to the District to keep the mileage up.

Public Input

Beach resident Al Agathen noted that the Explorer Program is underway and stated Chief Becker has spent a lot of time with the program. The program will be held at Station 32 and encourages the Board to stop by. The classes are held every Thursday at 6:00 PM. Mr. Agathen stated that Lowes contacted him and would like to sponsor CERT for a Beach clean-up. Mr. Agathen noted that CERT has an event coming up June 6th and 7th at the Holiday Inn with a soccer tournament and later "Taste of the Beach" with the Chamber of Commerce.

Commissioner Schmid asked if the CERT schedule is on the website.

Mr. Agathen stated he did not think so, but it could be added.

Chief Becker noted that the CERT team has been providing services that have been charged to the vendors and by CERT heading it up it is saving vendors the monies for the services.

Beach resident Flip Harby stated he is presenting a copy of the District By-Laws to the Vice-Chairman for the Board to review.

Attorney Pringle noted that the Administrative staff is in the process of working on policies. The purpose of the policies is for the governance of the Board and Administration and much of the By-Laws' information is being reviewed during this process.

Commissioner Morris asked if the workshop meeting could be rescheduled.

Vice-Chairman Reckwerdt stated the workshop would be scheduled once the temporary commissioner position was filled.

Adjournment

Call for adjournment of meeting.

Meeting adjourned at 2:58 PM on May 19, 2009.