

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 7:00 PM
DATE: April 20, 2010
PLACE: 3043 Estero Blvd., Station 31 Meeting Room
Fort Myers Beach, FL 33931

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

Meeting called to order by Chairwoman Morris at 7:00 PM

Pledge of Allegiance

Moment of silence for our troops

Chairwoman Morris requested to add to "New Business" "Periodic Drug Testing of Chief Becker" under "Item F".

Chairwoman Morris called for a motion to approve the March 16, 2010 regular monthly meeting minutes.

Vice-Chairman Schmid requested that the goals and objectives on the Chief's evaluation be included in the minutes and as a Board use them to evaluate the Chief on his next evaluation.

Commissioner Reckwerdt stated he did not agree with Vice-Chairman Schmid's comment.

Commissioner Reckwerdt stated that it is a part of public record and anyone can request it after the collection of the evaluations.

Communication continued between the Board and Chief Becker on the Chief's evaluation and the process in recording the evaluations.

Chairwoman Morris stated it would be added to the agenda for the next meeting, "the process to use in consolidation of the evaluations and the signing off of the final evaluation".

Commissioner Reckwerdt motioned to approve the March regular monthly meeting minutes.

Commissioner Scanlon seconded.

March regular meeting minutes were approved unanimously 5 – 0.

Chairwoman Morris requested Sec./Treasurer Goodacre read the Treasurer's report.

Sec./Treasurer Goodacre read the March 2010 Treasurer's Report for the record.

Sec./Treasurer Goodacre reviewed the summary of bank and investment account activities for month ending March 31, 2010.

- A. Sec./Treasurer Goodacre asked for approval of department checks #035787 through #035863 for a total of \$79,378.66 for March 2010.

Commissioner Scanlon motioned to approve the department checks. Commissioner Reckwerdt seconded.

Department checks for March 2010 were approved unanimously 5 – 0.

Chief's Report

Chief Becker recognized FF Jeff Jones and FF Mike May for 25 years of service to the Fire District.

Chief Becker stated that Randy Kraus has been promoted to the position of Medical Officer and the Fire Inspector position will be announced soon.

Chief Becker recognized CERT and CERT Team Leader Al Agathen for receiving the “Bean Stalk” award from Lee County Management for the most impressive growth for the CERT program along with other accomplishments by the Fort Myers Beach CERT Team.

Chief Becker reviewed items on the Chief's Report and the Chief Recommendations for Agenda Items.

Commissioner Reckwerdt noted that Lee County EMS billed approximately \$20,000.00 for transports from Station 32 which saved the District approximately \$120,000.00 in overtime salaries of District employees.

Attorney Report

Attorney Pringle stated he had two items on the agenda to discuss with the Board.

1. Resolution 2010-01 to Amend the Budget
2. Resolution 2010-02 Election of the three seats expiring on the Board this year

Attorney Pringle stated he would answer any questions the Board may have during the agenda items as they come up.

Public Input on Agenda Items

Beach resident Pat Smith stated that she would hate to lose either of the two employees of the District, but their personal relationship calls into question the audit and internal controls. It was stated previously that action was going to be taken so both wouldn't be at the District any longer. Ms. Smith stated she understands that there was a difference in the direct line of supervision; but with that said, the perception of the public is an issue and she would ask the Commissioners to deal with the issue.

Old Business

- A. By Laws Draft Update** – Chairwoman Morris asked if any of the Commissioners had any comments or input to the by-laws.

Sec./Treasurer Goodacre stated that she has been out of town and has not had an opportunity to review and asked that the by-laws agenda item be put on next month's agenda.

Conversation continued between the Board on the by-laws.

Commissioner Scanlon motioned to table the updated By-Laws until next month.

Sec./Treasurer Goodacre seconded.

Motion approved unanimously 5 – 0.

New Business

- A. Audit Review Fiscal Year-End September 30, 2009** – Mark Winzenread with Tuscan and Company reviewed the packet containing the financial audit and the management comments for the Board and public. Mr. Winzenread asked that the Board approve the audit report.

Sec./Treasurer Goodacre motioned to approve the audit report. Vice-Chairman Schmid seconded.

Motion approved unanimously 5 – 0.

- B. Resolution 2010-01 to Amend Fund Balance Carried Forward** – Finance Director Jane Thompson reviewed the resolution amending the fund balance carried forward to add \$89,128.

Attorney Pringle stated the \$89,000 increase into the reserves places it in reserves for the item described as designated reserve for the self insured health termination liability.

Commissioner Reckwerdt motioned to adopt resolution 2010-01 to Amend Fund Balance Carried Forward. Sec./Treasurer Goodacre seconded.

Motion approved unanimously 5 – 0.

- C. Budget Amendments (2-10)** – Finance Director Jane Thompson reviewed the budget amendments. Chief Becker requested that the Board approve the amendments as presented.

Commissioner Scanlon motioned to approve the budget amendments 2-10. Commissioner Reckwerdt seconded.

Finance Director Jane Thompson noted that there are ten budget amendments.

Motion approved unanimously 5 – 0.

- D. Financial Overview and Forecast** – Finance Director Jane Thompson reviewed the current budget as amended and the projected actual budget for the remainder of the year.

- E. Resolution for Election of Officers 2010** – Attorney Pringle read resolution 2010-02. At the general election of November 2, 2010, there are three seats up for re-election, seats one, three and five. This resolution has to be provided to the supervisor of elections to begin the process.

Sec./Treasurer Goodacre motioned to approve resolution 2010-02 as read. Commissioner Reckwerdt seconded. Motion approved unanimously 5 – 0.

- F. Medical Director Contract Renewal** – Chief Becker stated the Medical Director has provided excellent service to the District and requests the Board to approve the amendment to the Medical Director contract for one more year.

Vice-Chairman Schmid motioned to approve the Medical Director contract for one year.

Commissioner Scanlon seconded. Motion approved unanimously 5 – 0.

- G. Random Drug Testing of Chief Becker** – Chairwoman Morris stated that when the Board had the investigative report there was an agreement to have Chief Becker tested prior to coming back to work.

Chairwoman Morris recommended drug testing be random and not at a specified time.

Commissioner Scanlon asked Attorney Pringle if that was in the Chief's contract that he be drug tested any time or is it a violation?

Attorney Pringle stated he was not aware that this item was coming up and the contract does control what occurs. Attorney Pringle stated he was not sure if it was in the contract and the only way to add it would be to amend the contract. Attorney Hament would be the one to make any changes in the contract.

Commissioner Reckwerdt asked Attorney Pringle if the rules and regulations would apply to any violations regarding drugs, etc.

Attorney Pringle stated the rules and regulations along with the Chief's contract work together to determine what should or should not happen, or occur. With regards to the investigation that did occur, as a part of the process noted in the Chief's employment agreement, the Board requested Chief Becker take a drug test prior to his return to work and that process has been concluded. Attorney Pringle stated in the beginning of the meeting when the question came up as to where this item should go on the agenda, he stated "new" because the matter has been closed.

Conversation continued between the Board and Attorney Pringle.

Commissioner Reckwerdt asked to table the discussion until the next meeting so Attorney Pringle can discuss the matter with Attorney Hament.

Commissioner Scanlon motioned to table possible drug testing of Chief Becker to the next meeting. Vice-Chairman Schmid seconded.

Motion approved unanimously 5 – 0.

Reports from Union Representatives

Lt. Reno - Officer at Station 33 asked DVP 3 Mesick to speak at the meeting. Lt. Reno expressed thanks to the District for the "Meet and Greet" day at Station 33 on March 27, and 28. CERT and the Lee County Sheriff's Dept. provided support for the function. The day was a positive show of support from the community and many people came out. The Station would like to continue this event possibly in the Fall and Spring and would like the District's support.

Remarks from Commissioners

Commissioner Scanlon recognized Randy Kraus on his promotion to Medical Officer and all the employees with their years of service.

Commissioner Reckwerdt recognized the employees for their years of service and Jeff Jones and Mike May on their 25 years of service and the Medical Officer. Commissioner Reckwerdt thanked Jennifer Gordon, Troy Mesick and family, JP and Jody Duncan and family, and Dave Reckwerdt for their help with the Lions Camp and C Shift for all their support.

Sec./Treasurer Goodacre recognized the employees for their years of service and Jeff Jones and Mike May on their 25 years of service. Sec./Treasurer Goodacre noted she participated in the Lee County CERT Banquet. Our district's support is much greater than other districts that are much larger and it is due to the great support and leadership from Al Agathen the CERT Team Leader and she thanks him for that.

Vice-Chairman Schmid congratulated the employees on their years of service, special recognition to Jeff Jones and Mike May for 25 years of service, congratulations to Randy Kraus and thanks to Ed Whiteside for the great job he did while in the Medical Officer position and Al Agathen and CERT on their "Bean Stalk" award. Vice-Chairman Schmid also recognized the admin. staff for their work with the audit and the great job they did. Vice-Chairman Schmid stated that last month Chief Becker communicated the District was going to start categorizing the ambulance billing that has not been collected. If the District can get an idea on why it is not being collected there is a possibility to recoup monies that is currently not being collected. Vice-Chairman Schmid stated that in October Chief Becker indicated that the Board meetings at the fire house was very intimidating to people and wanted to know if Chief Becker has had any chance to look at it and relocate the meetings.

Chief Becker stated he looked into having the meetings at Town Hall, and one of the issues was that the Board meeting times were in conflict with meetings the Town Hall was having. If there is any further communication of intimidation he will look for an alternative location.

Chairwoman Morris congratulated the two firefighters on their 25 years of service. Chairwoman Morris stated that Chief Becker had stated several months ago that given the personal relationship with he and Jane that he was planning to take action in the near future and several people from the public have approached her and stated their concern with the situation; although, she doesn't care about private life if it didn't interfere with the public. At some point the Board needs to know what action is going to be taken. Chairwoman Morris stated she received a phone call from a resident in the high rises of Lovers Key and they have been tracking Bonita on how long it is taking them to answer the calls. Chairwoman Morris stated she reviewed the history with the resident and since they are not a part of our District they should probably speak with Bonita Springs to address the issue.

Public Input

Beach resident Flip Harby stated that it seems that the Chief is still under investigation from the Board for drug testing and fraternization. If you don't want an employee to fraternize with another employee, make a policy and it will stop it. What the Board has done in the last two years is going to make the District go broke and the District needs to buy a new engine next year. The District is depleting reserves and if you have no reserves, you can borrow no money. Lehigh and Fort Myers is going into bankruptcy. The District is not looking into the future with the roll back rates of 1.99 and 2.0 and it is going to run the District to the ground. The elected officials need to come up with some answers.

Beach resident Pat Smith stated she takes strong issue with the remarks of Mr. Harby. When the District had 13 million dollars in the bank, you don't continue to pile up cash and take it out of the taxpayer's pockets. Some people have had to move off the island because they can't afford to pay the taxes. There is a limit to what a taxpayer can absorb and pay. More and more are leaving because they refuse to keep shelling out the money. Ms. Smith urges the Board to consider the people they are asking to take money out of their portfolios. You could kill the goose that laid the golden egg. Ms. Smith stated the District should look at the personnel service. When the third station was added, it increased the personnel services and continues to increase. The Board should draw a reasonable line on what is practical with service and the ability of the taxpayer to support the District. Ms. Smith stated the District should look at selling the admin. building, and staffing at a level the District has a few years ago.

Adjournment

Call for adjournment of meeting.

Meeting adjourned at 9:51 PM