

MINUTES
REGULAR MONTHLY MEETING
OF THE
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS
TIME: 7:00 PM
DATE: January 19, 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, Attorney Richard Pringle, Attorney John Hament, Chief Mike Becker, Asst. Chief Darren White, Finance Director Jane Thompson, District members and members of the public.

Absent: Commissioner Scanlon

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

Pledge of Allegiance

Moment of silence for our troops

Chairwoman Morris stated she wanted to add "Chief Review Meeting" to Old Business and "Review of Existing Functions to Save Money" to New Business.

Chairwoman Morris called for a motion to approve the December 15, 2009 regular monthly meeting minutes. Sec./Treasurer Goodacre motioned to approve December regular monthly meeting minutes. Commissioner Reckwerdt seconded.

December regular meeting minutes were approved unanimously 4 – 0.

Chairwoman Morris called for a motion to approve the December 17, 2009 special meeting minutes. Vice-Chairman Schmid motioned to approve December special meeting minutes. Commissioner Reckwerdt seconded.

Special meeting minutes were approved unanimously 4 – 0.

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

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

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

- A. Sec./Treasurer Goodacre asked for approval of department checks #035547 through #035639 for a total of \$179,121.11 for December 2009. Commissioner Reckwerdt motioned to approve the department checks. Vice-Chairman Schmid seconded.

Department checks for December 2009 were approved unanimously 4 - 0.

Vice-Chairman Schmid noted there was a new line item on donations "restricted use" and asked what their purpose was.

Chief Becker stated they are donations to the District designated for a specific use such as CERT or Explorers, etc.

Chief's Report

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

Chief Becker stated there were four items not on the Chief's report he would like to disclose to the Board.

- 1) Two grants are being applied for the RAD57 and the Cyanide Kits. If the grants are approved the District will make up the difference in the grant funding.
- 2) Chief Becker met with the Kiwanis on Friday and they agreed to take over the Fort Myers Beach Explorers and become the Charter organization for the Explorers. Fort Myer Beach Fire Control District would still maintain the meeting place as well as training, but the Kiwanis would be over the Explorers.
- 3) FF Ron Martin also spoke at the Kiwanis meeting and was able to get the Kiwanis to equip Beach Elementary with AED/CPR and First-Aid training for the 5th graders which costs approximately \$1300.00.
- 4) The thumpers that are used during the transport for cardiac arrest patients have been very successful.

Vice-Chairman Schmid asked when the EMS fees would come into effect.

Chief Becker stated the county manager has the ability to increase the fees. As soon as the county fees increase FMB will follow suit.

Conversation continued regarding the Non-Transport fees.

Commissioner Reckwerdt asked Chief Becker what the plans were for the reserve ambulance.

Chief Becker stated Ambulance 31 is receiving full time service due to repairs to another ambulance. It will go back into reserve status once the other ambulance comes back.

Conversation continued between Commissioner Reckwerdt and Chief Becker regarding Lee County staffing assistance for peak season.

Attorney Report

Attorney Pringle stated he had several items to discuss with the Board.

1. The by-laws of other local districts released to the Board outlines the operations of their Board and its functions. Attorney Pringle stated he had suggested amendments to FMB's By-Laws on November 13, 2000 in a letter to Chief Markus, and handed out a copy to each member of the Board.
2. New Business item: Reduction in Commissioner Salaries - there is a statute that governs increasing or decreasing commissioner salaries which requires you to publish a notice at least 14 days prior to proceeding. Florida Statute 191.005 subsection 4.
3. Legal counsel roles and responsibilities to the District. Attorney Pringle stated he was hired in 1999 at the will of the Board and he does not work under a contract. Action was taken at a meeting for the General Counsel to attend the Board meetings. Attorney Pringle stated he works at the direction of the Board, but on the day to day operations, he works with the Chief. Attorney Pringle stated labor council's role is similar to the General Counsel but mainly deals with labor issues and contracts.

Attorney Pringle stated Attorney Hament is present and he can discuss his role as legal counsel for the District.

Public Input on Agenda Items

None

Old Business

- A. Fort Myers Beach Fire Control District By-Laws (in packet)** – The Board discussed the other local district by-laws and the suggested amended by-laws for the District which Attorney Pringle handed out.

Sec./Treasurer Goodacre motioned to go through the FMB old By-Laws, the other districts and then include any Board ideas and bring back to the next meeting. Commissioner Reckwerdt seconded.

Attorney Pringle stated Tammy Peacock would provide the Board with a clear copy for the Board to review the suggested changes to the old by-laws. Attorney Pringle suggested Lehigh Acres would be a good starting point to review when looking at the policies or procedures of other districts.

Approved unanimously 4 – 0.

- B. Update on Healthcare** - Chairwoman Morris stated no action on this item was required.
- C. Chief's Review Meeting** – Chairwoman Morris stated that the special meeting was cancelled due to three members of the Board absent. When there is an absence, each Board member should contact the Chairperson of their absence. This was a rule that was adopted in March 30, 2007.

Conversation continued between the Board regarding the timeliness of the Chief's evaluation.

Attorney Hament stated there is a statement in the Chief's contract that refers to an annual performance evaluation.

Conversation continued between the Board on how to turn in the evaluations.

Vice-Chairman Schmid motioned for each Board member to prepare an evaluation and bring it to the February meeting and then consolidate the evaluations, have someone tally the scores and come up with one consolidated report. Commissioner Reckwerdt seconded.

Motion approved unanimously 4 – 0.

New Business

A. Commission Items:

- 1) Approval and Appointment of a Commissioner for Insurance Committee** – Commissioner Reckwerdt motioned to appoint Sec./Treasurer Goodacre to the Insurance Committee. Vice-Chairman Schmid seconded.

Sec./Treasurer Goodacre declined.

Motion withdrawn.

Chairwoman Morris motioned to nominate Vice-Chairman Schmid to the insurance committee. Sec./Treasurer Goodacre seconded.

Vice-Chairman Schmid asked that the Chief update him on past meeting minutes and any other insurance information he may need prior to the next insurance meeting.

Motion approved unanimously 4 – 0.

2) Reduction in Commissioner’s Salary – item withdrawn.

3) Leasing or Purchasing of Administration Building – Chairwoman Morris stated she had done some research on the zoning for Station 32 and noted the Station cannot put in anymore concrete parking spaces.

Conversation continued between the Board and the Chief on the zoning, costs associated with the move, occupancy of the Station and the feasibility of selling or leasing the administration building.

Vice-Chairman Schmid motioned to pursue the salability of the Administration Building. Chairwoman Morris seconded.

Motion failed 2 to 2.

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

4) Legal Counsel Roles and Responsibility to District – Attorney Hament and Attorney Pringle reviewed their roles as District counsel.

Attorney Hament stated that his role is to provide labor and employment counsel to the District as needed by the direction of Management or the Board. Attorney Hament noted he does not attend District meetings on a regular basis only on an “as needed” basis.

Conversation continued between the Board, Attorney Hament and Chief Becker on attorney responsibilities to the Board, i.e. request to write contract for Asst. Chief Evans for one year, and the need for communication from management to the Board when legal counsel is utilized.

Attorney Pringle stated he has done everything in his realm of expertise to provide legal counsel for the District, has only provided fair representation to the District and has responded to directives, requests for research, etc. to assist in legal counsel and under no circumstance has gone outside of his legal obligation to the District in any way.

Chief Becker stated that the District is very limited in support staff to perform extra human resource tasks, etc.

Conversation continued between the Board regarding the need for legal counsel at commission meetings and other district's procedures.

No action taken.

- 5) **Review of Existing Functions to Save Money** – Chairwoman Morris stated that she would like to look at the District submitting legal notices of meetings to the NewsPress and not forwarding them to Attorney Pringle's office for submission. Chairwoman Morris also noted that website costs should be reviewed as well to see if the District could save money.

Chief Becker stated there are no plans to make any further enhancements to the website.

No action taken.

Reports from Union Representatives

FF Troy Mesick – DVP District 3 – welcomed Vice-Chairman Schmid to the Insurance Committee and stated the District will save money with insurance at the renewal time.

DC Edge – DVP District 15 – welcomed Vice-Chairman Schmid to the Insurance Committee. DC Edge stated that he has been with the District since 1979 and Attorney Pringle represents this District in a very professional manner and thinks he does a good job for the District.

Remarks from Commissioners

Commissioner Reckwerdt recognized the employees for their years of service. Commissioner Reckwerdt stated the District should try to limit meetings to save money. Commissioner Reckwerdt stated he wanted to apologize to both Attorneys' for any allegations from the Board. CERT provided assistance for the H1N1 clinic and Commissioner Reckwerdt wanted to thank CERT and the firefighters who volunteered their time to the clinic.

Sec./Treasurer Goodacre recognized the employees for their years of service and thanked all the firefighters for volunteering with the H1N1 clinic. Great that the District is applying for grants and the Kiwanis are going to sponsor the Explorers. Thanks to Ron Martin for getting the CPR/AED funds from the Kiwanis for the Beach Elementary School 5th graders which will be the only school in the county to have this training.

Vice-Chairman Schmid recognized the employees for their years of service and thanked everyone for their support with the H1N1 clinic. The discussion on labor council was not a discontent with the services just a search for possible costs reductions.

Chairwoman Morris stated she agreed with Vice-Chairman Schmid regarding labor council but her concern is what the District will do going forward to reduce expenses and the District needs to be assertive in looking at way to reduce costs.

Public Input

Beach resident Flip Harby stated if the commissioners don't like signing checks they should quit and while signing checks they could see Jane Thompson to see where monies are being spent.

Adjournment

Call for adjournment of meeting.
Meeting adjourned at 9:12 PM.