

MINUTES  
REGULAR MEETING  
OF THE  
FT. MYERS BEACH BOARD OF FIRE COMMISSIONERS  
TIME: 7:00 PM  
DATE: January 19, 2011  
PLACE: 2523 Estero Blvd., Town Hall – Council’s Chamber  
Fort Myers Beach, FL 33931

IN ATTENDANCE: Chairwoman Carol Morris, Vice-Chairman Theodore (Ted) Schindler II, Sec./Treasurer David Brower, Commissioner Betty Goodacre, Commissioner John Scanlon, Attorney Richard Pringle, Chief Mike Becker, 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**

Fort Myers Beach Mayor Larry Kiker welcomed the District to the Town Hall.

Chairwoman Morris called for a motion to approve the December 21, 2010 special meeting minutes.

Commissioner Goodacre motioned to approve the December 21, 2010 special meeting minutes.

Chairwoman Morris asked if there were any corrections, if not they can go into the record as approved. No corrections were noted.

Chairwoman Morris called for a motion to approve the December 21, 2010 regular meeting minutes.

Commissioner Goodacre motioned to approve the December 21, 2010 regular meeting minutes.

Chairwoman Morris asked if there were any corrections, if not they can go into the record as approved. No corrections were noted.

Chairwoman Morris requested Sec./Treasurer Brower read the Treasurer’s report.

Sec./Treasurer Brower read the December 2010 Treasurer’s Report for the record.

Sec./Treasurer Brower suggested that the Board review the investment policies that are currently in place at the next workshop.

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

- A. Sec./Treasurer Brower asked for approval of department checks #036540 through #036624 for a total of \$298,853.89 for December 2010.

Vice-Chairman Schindler motioned to approve the department checks. Commissioner Goodacre seconded.

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

Jeff Tuscan with Tuscan and Company reviewed the audit with the Board. Mr. Tuscan noted that if the Board approves the audit (with the one potential change on the VEBA plan on page 32 from *January 19, 2011 Commission Meeting (Page 1 of 5)*

"multi employer" plan to the proper wording which will make no change to the plan) it will go into the record as being complete.

Chief Becker requested that the Board take official action on the audit.

Commissioner Goodacre motioned to approve the audit subject to the one change on the VEBA plan. Commissioner Scanlon seconded.

Motion approved unanimously 5 – 0.

Public input given by Kevin Shay – Commissioner Lehigh Acres Fire on the upcoming ad valorem tax season.

### **Chief's Report**

Chief Becker reviewed the items on the Chief Report.

Chief Becker noted that Ted Reckwerdt was unable to attend the meeting this evening but he requested the Chief to discuss with the Board the possibility of placing a red light at Station 33.

Chief Becker stated there were two staff members of the District that would be presenting to the Board tonight.

Lt. Ron Martin – Fire Prevention Bureau – discussed with the Board a new directive the Fire District is going into with the Aldridge Binge FF Safety Act passed by the Florida Legislature in June 2009. Lt. Martin presented the positive effect putting this Act in place.

IT Administrator Joe LaCroix – presented to the Board findings from his meeting with the Company that currently updates the District website. IT Administrator LaCroix stated that the District currently buys increments of time from Genesis to perform duties needed. There is no fee associated for Genesis to maintain the website, only to add enhancements.

Discussion continued between Joe LaCroix and the Board.

Chairwoman Morris stated this should be a topic of discussion at the next workshop.

IT Administrator LaCroix stated he could request Genesis attend the next workshop.

Chairwoman Morris stated she would get with Joe LaCroix to discuss further.

Vice-Chairman Schindler asked Chief Becker about the comment regarding overtime for December 2010 and asked about the salvage – overhaul on the "Calls Matrix" of the Chief report.

Chief Becker stated the total calls on salvage and overhaul is property preservation. The District tries to preserve property after a fire and it would fall in this category.

Chairwoman Morris asked Chief Becker if he has talked with other Districts in the County where many of them have no overtime other than the 3 hours. The District should be in communication with them to find out how they are operating.

Chief Becker stated that some other districts are capable of bringing staffing down without creating overtime while still being able to operate to the NFPA Standards. The District does not have that capability due to the small size of the roster. Chief Becker stated he is working on interagency relationships with Bonita Springs and Lee County.

Discussion continued between the Board and Chief Becker.

### **Attorney's Report**

Attorney Pringle noted for the record that the audit presentation was taken out of order, but it was allowable since the public was afforded an opportunity to give public input.

### **Reports from Local Union Representatives**

DC Tom Edge – DVP District 15 noted they had nothing to report at this time.

### **Public Input**

Beach resident Bob Miller gave public input on suggested changes needed for the future of the District and congratulated the Board on the new location and televising of the Commission meeting.

Chairwoman Morris restated the agenda items.

### **Old Business**

None

### **New Business**

- A. Presentation of Audit – Jeff Tuscan – Tuscan and Company** – Mr. Tuscan reviewed the audit prior to the Chief's report.
- B. Approval of Audit – Fiscal Year-End September 30, 2010** – Audit approved. (see notes above)
- C. Staffing Shortages – Chief Becker** reminded the Board that they have taken a stand to freeze positions and he does not want to defy the position the Board has taken on this item, but he does not want to jeopardize the service to the community. Chief Becker asked that the Board expedite this issue and to consider to take action one-way or the other. Chief Becker stated the District could avoid some undue overtime costs, if the Board would take action and allow him to bring on necessary staffing.

Discussion continued between the Board and Chief Becker

Vice-Chairman Schindler stated at the last workshop the Board requested Chief Becker to provide what impact the hiring would be to the budget.

Discussion continued between the Board and Chief Becker.

Sec./Treasurer Brower asked for a concrete proposal be presented to the Board for review.

Chief Becker asked that the Board allow him to do his job and allow him to take appropriate measures needed. Chief Becker stated he feels he has done his due diligence in communicating with the Board the overtime impact by not replacing positions to the District.

Chairwoman Morris made a motion to defer the subject until the next Commission meeting so Chief Becker can bring a detailed proposal to the Board. Sec./Treasurer Brower seconded. Motion approved unanimously 5 – 0.

- D. Marine Service for the District** – Chief Becker asked that the Board authorize him to research the proposed vessel and service to see what the cost would be to the District.

Commissioner Scanlon motioned to let Chief Becker do the research to find out the cost to operate and maintain a vessel. Commissioner Goodacre seconded.

Motion approved unanimously 5 -0.

- E. Comprehensive Planning Committee** – Chief Becker stated that to-date the plan is lacking a lot of direction based on the issues the District is facing both on short term and long term projections. Chief Becker asked that the Board take official action to authorize an advisory committee which consists of: a member of the Town Council, Betty Simpson, Joanne Semmer, Betty Goodacre, Dennis Boback and David Saunders.

Chairwoman Morris motioned to authorize the advisory committee and the people aforementioned will be authorized to serve on that committee. Vice-Chairman Schindler seconded.

Attorney Pringle stated that Chapter Nine (9) of the bylaws addresses the formation of committees, in which the Board will define the number of members, the responsibility of the committee and the duration of the committee.

Chairwoman Morris revised her motion to include the requirements of the bylaws. The number of members will be a minimum of six members. The responsibility of the committee (Planning Committee) is to update and suggest the revisions to the plan and the duration would be for a period of one year with possibility of extensions.

Attorney Pringle stated that the bylaws state that a member of the Board has to be on the committee and the Board member would serve as the Chair. In this case, it would be Commissioner Goodacre.

**F. Commissioner Items**

**1) Bylaws Amendment – Disbursements (Seven-Day Advance Notice Given to Board)**

– Chairwoman Morris stated that the goal was to remove the requirement of two signatures from the bylaws for checks.

Commissioner Scanlon asked that Jeff Tuscan give his opinion for auditing controls.

Mr. Tuscan noted this is a solid control the Board has. If the Board takes it out, and when it is one signature, the Board usually looks at that person to be the one signer all the time. The Board looks to that person to be the control, but the Board as a whole is still equally responsible. It is a control, not a task. The decision should be taken with great consideration. Mr. Tuscan noted that all the Districts he works with require two signers, with the exception of small payables. Mr. Tuscan stated the Board should consider a compensating control if they have only one signer.

Commissioner Goodacre motioned to maintain two signers on the checks. Commissioner Scanlon seconded.

Discussion continued between the Board and Chief Becker.

Motion failed 3 to 2.

Commissioner Goodacre – Aye  
Commissioner Scanlon – Aye  
Sec./Treasurer Brower – Nay

Vice-Chairman Schindler – Nay  
Chairwoman Morris – Nay

Vice-Chairman Schindler motioned to remove the two signatures from the bylaws. Chairwoman Morris seconded.

Motion approved 3 to 2.

Commissioner Goodacre – Nay  
Commissioner Scanlon – Nay  
Sec./Treasurer Brower – Aye

Vice-Chairman Schindler – Aye  
Chairwoman Morris – Aye

- 2) **Review of Legal Fees** – Sec./Treasurer Brower stated that there was an error in the calculation of the legal fees - the total should have read \$31,900.00 for the eleven months of services. Sec./Treasurer stated his general opinion was reasonable and the time spent was appropriate for the matter described. Sec./Treasurer reminded everyone that his opinion is as a Board member and not as a practicing attorney. Sec./Treasurer Brower stated that his goal was to give some direction or recommendations and he could not find any, and he feels that we get the value for our money.

Discussion continued between the Board.

**Reports from Local Union Representatives**

No remarks from Union DVP's

**Commissioner Remarks**

Commissioner Scanlon congratulated the employees on their years of service.

Commissioner Goodacre congratulated the employees on their years of service, and noted she felt the meeting ran far too long tonight.

Sec./Treasurer Brower – no remarks.

Vice-Chairman Schindler congratulated everyone on their years of service and felt the meeting was not too long, but some of the subjects were belabored. Vice-Chairman Schindler noted that he appreciates the public input and encourages the public to attend the Commission meetings as well as the workshops.

Chairwoman Morris thanked everyone for coming and would like to request the relocation of the workshop to Town Hall be put on the agenda for the next Commission meeting.

**Public Input**

No public input.

**Adjournment**

Call for adjournment of meeting.

Meeting adjourned at 10:02 PM