**Fire Commission Meeting**

**Immokalee Fire Control District**

**Board Meeting**

April 18, 2013

These Minutes are a summary of the meeting. Any further information can be obtained by the tape.

The minutes will follow the order of the Agenda.

Present Commissioners: Anderson, Heath, Keen, Rice and Olesky; Chief Paul Anderson, Board Attorney Kenneth Thompson, Alma R. Valladares, Jay Roth, No members of the Public.

1) The meeting was called to order by Commissioner Anderson at 6:01pm.

2) The pledge of allegiance was led by Commissioner Anderson

3) Moment of silence was led by Commissioner Anderson

4) Approval of Agenda **motion was made by Commissioner Olesky and seconded by Commissioner Rice. Motion carried unanimously.**

5) Approval of the Minutes for March 7, 2013 Special Meeting and March 21, 2013 Board Meeting **Motion was made by Commissioner Rice and seconded be Commissioner Olesky. Motion carried unanimously.**

6) Treasurer’s Report: Chief Anderson mentioned that the Money Market Acct was $1,717,130.50, Impact Fee Acct was $2,000,628.02 and the Cash/Operating Acct was $100,652.71. Also, hope you all have the report from the property appraisals office for the value adjustment board of the property taxes. The adjustment was a little higher than what was anticipated at $560,910,040.00. Commissioner Rice asked if money needs to be moved around to have more money in there. Chief Anderson said not right now. That is just an adjustment; it doesn’t mean that everyone will be paying those taxes.

i) Consent Agenda: **Commissioner Olesky approved and Commissioner Rice seconded. Motion carried unanimously.**

ii) Chief’s Report: Does anyone have any questions on that? There is one correction on the report where it talks about CFAS meeting. It is my recommendation that a motion be made to select both Gravity Benefits and Gulf Shore, not BENECON. They gave the better presentations; both presentations met all the criteria. CFAS had asked that the Board of Commissioners of each Fire District choose a vendor or two for the CFAS board to request further information and a more detailed presentation. Two out of the three are also looking at Gravity Benefits. They talked about different plans and ways of funding the insurance, from fully funded, which is what we have now. We pay the premiums which are 100% of the insurance, to a combination of funded and self-insured to fully self-insure. Gulf Shore gave a presentation of fully funded and a combination of self insured. The problem is, if you go with self-insured, the smaller the organization is, the more chance you take of using all the money in your fund because you don’t have numbers to build it up. So, there are other avenues to go, you can be self insured and get stop loss insurance. So, you are basically buying insurance to cover insurance. When you buy stop loss insurance, on your self-insurance policy, you are responsible for however much you put in there. If you are responsible for the first $250,000 losses, once you reach that mark of losses, the stop loss kicks in and covers above that.

He doesn’t think that CFAS will be saving us any money on our health insurance. Our benefit package that we have now has better benefits than the other districts. When they looked at the averages, for instance, the individual deductible, ours is currently $500.00. There are some that the individual deductible is $3000.00. When they put that in the average, it raises it. So, when they say they can save 10% on their insurance, that’s not based on our plan. Commissioner Keen asked if we did have an option on our plan not to join if we wanted to. She thinks we have a good plan right now. Chief Anderson said yes. Next CFAS meeting is next Thursday at 3:30pm. So, just to say that we’ve done our due diligence and we’ve looked at all avenues to save money, he would like to still attend all those meetings. At this point, he doesn’t know if they are able to save us any money. Also, mentioned that when speaking to the other Chiefs and they were able to save Immokalee a few thousand dollars a year. Commissioner Rice asked if lawn maintenance and insurance was out of the question. That was one of the main reasons we opted in, for the insurance. But he agrees with the Chief, he thinks we need to stick around for a couple more months because the insurance alone will give us something when we get back into negotiating with the union. Chief Anderson mentioned that he looked at the lawn care as well, because that’s what’s next on their agenda. We’re only paying $1500.00 a year, which is not that much. But if it comes down to budget crunch, we can cancel that contract and do it ourselves or get some jail trustees and cut the lawn. Commissioner Olesky asked if we are currently paying a $500.00 deductible on insurance. What if we could make it $1500.00 deductible, how much savings would that be? Commissioner Keen mentioned that it would be a devastating to the families; $1500.00 is hard to come up with. Commissioner Olesky mentioned that with the money you could save, you put back into the fire department and the fire department can pay the deductible. Attorney Thompson mentioned that Mr. Roth can help explain with that savings plan. Chief Anderson mentioned that the money we save goes into an account and if we don’t use it, then we have it there. The other option for saving money on the insurance, when we do come up for renewal, is that a lot of companies are looking at health and wellness and fitness programs. They give reductions in premiums if you have wellness and fitness programs in place and you require people to participate. One of the other agenda items is annual physicals. We were going to Naples Urgent Care for the last few years for the fire fighters to get their physicals. While he was there he mentioned that he was looking at other vendors that could provide that service to see if we could get any savings. So, they have a mobile unit that they are willing to come to the stations on each of the three shifts so that the fire fighters won’t have to leave the stations to go get their physicals. Along with that there is a new NFPA standard out that deals with fire fighter wellness and fitness programs. Ft Myers fire department requested them to put a program together for them, which they are going to be providing to Ft. Myers. They will throw that in there as well for us. That is going to tie into saving on our insurance because what he wants to do is implement a wellness and fitness program within the fire department. They come out to do an assessment to get a baseline on everybody then they provide a report and a recommended program to improve everyone’s wellness and fitness and as long as we have that program in place and people participate in it, and we have someone that tracks the progress of each individual on that program, then we can get a reduction on our insurance premiums. We have a gym and we give the fire fighters time on duty to workout but we don’t have a defined program where we have someone who tracks each individual’s progress. They just have to participate and work towards a goal. What a lot of places are doing is that they are splitting their benefit package and people who participate in the program pay one employee contribution and people who do not participate pay a higher out of pocket expense. The same with smokers and non smokers, smokers pay more out of their own pocket than non smokers. Commissioner Rice mentioned that it’s a good idea. If we get a better insurance rate and we have a healthier department, it’s good for everybody. Chief Anderson mentioned that once we get more information he would like to invite more people for a workshop on the insurance and discuss all these options but if we are looking at implementing something like smokers vs. non smokers. Smokers are going to have to start paying out of their paycheck towards insurance then we should also provide a program to help them stop smoking. That’s where we are at on CFAS and would like to get a motion or a vote. First, if we want to continue with them and then if we want to recommend Gravity Benefits and Gulf Shore, the two presenters to come back. Commissioner Rice mentioned that it would benefit us to continue working with them just to see where we can go with it and what we can use to our own advantage. **Commissioner Rice motioned for the recommendation of the Chief of the two presenters: Gravity Benefits and Gulf Shore to come back for a more detailed presentation. Commissioner Olesky seconded the motion**. **Motion carried unanimously.**

iii) Fire Marshal’s Report: Chief Anderson mentioned that we have a written report; he’s out at a brush fire right now. Commissioner Anderson mentioned that it doesn’t have to be approved.

7) Union Report: Attorney Thompson mentioned that we should hold off on the Union report for the next meeting. Commissioner Anderson agreed.

8) Business of the District

A. Old Business

1. CFAS Update: Commissioner Rice mentioned that we pretty much covered that. Commissioner Anderson agreed.

B. Other Old Business: None

C. New Business

1. Discussion of possible Grant Applications

a. Community Development Block Grant for Sta. 31: Chief Anderson mentioned that he wanted to present some ideas to the board. There are several grant opportunities out there that he knows have been used in this area previously by other organizations to do different projects. The first one would be to do a Community Development Block Grant. They’ve used those for several projects throughout Collier County for years. Those are county geared towards lower income neighborhoods that need improvement. Public safety is eligible for community development block grants. What he would like to propose is if you would allow me to research and pursue a community development block grant to either totally renovate or replace or build a new fire station on Carson Road. One thing with the Community Development Block Grants is that you are kind of competing with your own community with other organizations that want that money to do other projects. At some point it needs to be the fire department’s turn to get some of that money. Commissioner Rice agreed with Chief Anderson. Commissioner Olesky mentioned that the Chief should be pursuing any kind of grant for that matter and he doesn’t have to bring it for a vote. Chief Anderson mentioned that it takes a lot of hours of research and working on the projects that he could be working on other things within the fire department and just wanted to get the board’s approval to spend time working on these grants.

There may be another organization in Immokalee that is going to go after the Community Development Block Grant to do a project that’s near and dear to their heart. Commissioner Rice mentioned that he has to keep in mind that those monies should be made available to what is most pressing and deserving project and people out there getting money every year and we are not seeing the results for that matter. Maybe we would put up a better case. Chief Anderson agreed. Commissioner Olesky mentioned that on station 31 it would have to be moved over by 20ft. Chief Anderson mentioned that he’s been looking into that, he has a friend in real estate but is asking Jay Roth for some insight. Commissioner Olesky mentioned that he would just assume move the building if we are going to build it anyway. Chief Anderson said ok. Commissioner Heath mentioned that one thing that he’s been looking at and that he knows is that if we build a new station, we go over and talk to the people at Arrow Head because at one time they were going to donate to put a new station in and with the 24ft that we are talking about, if Collier wants that 24ft, why not keep that building and do like some of the other departments and use it as a maintenance building where you can work on your trucks. If we are getting this and maybe get a new station, this is what he recommends we do. Commissioner Olesky mentioned that we don’t know if we can do that now because across the street it’s in default now. The developer of Arrow Head is in bankrupt. Commissioner Keen asked if we had money funded that we can spend for a new station. Chief Anderson mentioned that he’s been looking into that and we are still good with the impact fees collected and would have been the 7 year mark to purchase the two new engines. We are still good with the impact fees and the bank. We have 1 or 2 yrs before we reach the 7 year mark. Commissioner Keen asked are we still looking to build a new station out here at Ave Maria. Chief Anderson said yes, he’s been researching that too. Commissioner Rice asked would there be any advantage or a possibility of a multi-agency facility in Immokalee because at one point and time Arrow Head was going to put a sub-station out there. Commissioner Keen mentioned that we are talking about county and special districts those are too separate things.

b. U.S.D.A. Rural Comm. Grant for replacement of Engine 31: Chief

Anderson mentioned that the engine has mechanical issues. We need to look at replacing that engine. He wants to try to get this grant to do that before we get in too deep into purchasing one.

c. Workforce Grant for Career Advancement Training: We have a workforce here and what they do is provide training for either career preparation or career advancement and on the fire department any classes that are required to be promoted are classes that can be considered career advancement. It’s 50/50 funded. They would pay 50% of the cost for the training which will greatly stretch our training budget. It’s a lot of paperwork to submit for this money but he believes it’s worth it, especially with the limited money we have for training and how important training and advancement is. He believes that we need to be preparing our fire fighters for advancement in the organization and to be the leaders for the future in Immokalee. So, any money we can get towards that, he would like to do it. Commissioner Heath asked what kind of training would they be looking at. Chief Anderson mentioned that it would pay anything that would be required for them to be promoted to Lieutenant or advance in their careers. He has used it to pay for fire inspector classes, pump operators classes, officer classes or anything that we would require in a promotional process. If we require our Lieutenants to have pump operators in order to get promoted to Lieutenant, then we can use this money to pay for the pump operators classes because they need that in order to advance in their career. Hazmat is required to be promoted. Commissioner Heath mentioned that Hazmat is one of the things that we were lacking. We know how much Immokalee is loaded with hazmat material. Chief Anderson mentioned that within the next 2 months he will set up and teach it himself with the help of some other people and he is going to the Local Emergency Preparedness Council with Southwest Florida. They have training funds available for hazardous material training. He thinks that Immokalee has never dipped into any of those funds. It’s our turn to do that as well. Commissioner Olesky mentioned for him not to lose track of the safer grant. Chief Anderson mentioned that this is the priority of everything. Commissioner Olesky mentioned that the training is good for advancement of the Lieutenants and everyone. Commissioner Rice mentioned that there are only certain positions available so that would slow it down. Chief Anderson mentioned that we will have people prepared so if there’s an opening in the future, we have someone that can step up and take that position. Commissioner Anderson mentioned that the board doesn’t need a motion for that. It’s just something for you to work on anyway.

2. Southwest FL Works Program

a. Pt-time positions for 1 yr: Chief Anderson mentioned that this program is to prepare someone, to give them an on-the-job experience for a new career or to help someone get back in the workplace after they’ve been unemployed for some time. They deal with people straight out of school that just needs some on the job experience in order to have a better opportunity of getting hired. They pay minimum wage for 20 hours a week for up to one year for part time positions. If they meet the needs of what you have, if someone is looking for that career field and has the training and just needs the experience. One thing that he wanted to look at there and there’s a lot of options, just whatever we need. One of the thoughts was to hire a part time mechanic to help Joe from Big Corkscrew because right now he comes out once a week on Wednesdays. Commissioner Olesky mentioned that we could save money by taking the vehicles over to him. We were already told that last year. If you hire somebody he has to be certified in mechanics. Chief Anderson mentioned that’s what this program is, someone that already has the training, they just need the experience and Southwest FL Works would pay their salary. Commissioner Heath mentioned that he would have to have all his EVT certification to work on the trucks and keep them certified within the district. Commissioner Rice has a question in regards to taking the trucks to Big Corkscrew, about how many man hours would it take to take a vehicle out there and wait on it while it’s being worked on and then bring it back. Chief Anderson mentioned that they would just drop off the vehicle. He’s just looking at some direction at maybe bringing on some people thru this program. One of the thoughts that he had was that there are hundreds of certified fire fighters looking for jobs, that if this program works like they advertise it does, then there’s a possibility that we could have of pool of part time fire fighters paid thru this program to increase staffing on the trucks. Commissioner Rice mentioned that it would come to us as a recommendation from you as having researched it. When we were looking for a part time employee to under study with Ann, it was to look at Hodges University because they have a program where they pay someone for 20 hours and we were told by Chief Greenberg that it wouldn’t work because we had advertised for a part time employee and by combining the two it would entail fulltime employment which meant we had to re advertise, so you just have to be aware of that. Commissioner Keen mentioned that we also had an issue with that because in case Ann planned to retire they could take her position and the people they furnished were just finishing their education.

Commissioner Anderson asked if we could use the half support from Hodges University and the half support from this program for a fulltime position. Chief Anderson mentioned that they could go to school half a day and work for us half a day. He will do more research on it.

3. VFIS Renewal of Liability Insurance: Chief Anderson mentioned that our renewal

is up and he received documents and provided them to you all our agent of the liability insurance. There is going to be a 5% increase for next year, from the documentation of the previous year they looked at to various providers. It looks like it’s still in line and that’s going to be the best deal for Immokalee. Jay Roth mentioned that he will try to get a proposal by the May meeting and ask them to get the numbers to him so we have a month to tweak it. The policies automatically increased 4% a year, the rates we were hoping to stay the same but he would like to have the hard numbers for the next meeting. That gives us plenty of time for a change. Commissioner Olesky asked why would it go up 4% a year when nothing else did. Jay Roth mentioned that it’s part of the contract. It changed the building by 4% to account for inflation and the cost of materials to replace. It’s part of the program with the BFIS insurance company. They add value to your building every year. As far as he’s seen it entities renewing this year, last year the rates that they charge haven’t changed noticeably, just some of the values. If he can’t get all the hard numbers by the May meeting, he will put them in your boxes and that way you all have enough time to look at them because he believes that the policy renews after the June 20 something, it will be close. The vice president of this company went and started a new company on his own. The coverage is basically the same. We won’t see any big changes until we have a big disaster somewhere and the carrier gets a huge hit and all bets are off and then we will start seeing crazy deductibles, crazy pricing.

4. Budget Line-Item Amendment: Chief Anderson mentioned that it’s basically

taking the funds that were in the contracted services line item that were earmarked towards Big Corkscrew providing the administrative services and dividing those funds into the different line items for his salary and benefits. We are just dividing it up and putting them in different line items. There was going to be a balance left from what was budgeted from Big Corkscrew as well as some other areas in the contracted services that was saved. He would like to recommend that balance that would be remaining in the contract and move it over into a couple different line items that we are going to be over budget at the end of the year. We would need to move $46,930 into salaries to pay the Chief, $4,686 into Social Security, $7,180 into Retirement, $83 into Workers’ Compensation; on this we were looking at what would have been the surplus in the contracted services line items. He would like to take $5,200 and move it into overtime pay line item. We’ve had a couple of worker’s comp injuries with fire fighters off that have to be replaced with overtime and we’ve had some people off with other medical issues that has ran our overtime expenditure pretty high. He would like to offset and try not to go over too much in that line item over the year, we can take that money in the budget and move it over to overtime. We were looking into moving $500 into Physicals because with the worker’s comp injuries and the other medical issue with some of our people, we are spending more because to be released to full duty they have to go and get another physical. Commissioner Olesky asked why couldn’t we call a volunteer fire fighter and at that time and pay him. Chief Anderson mentioned that the union has in their contract that you can’t replace a paid fire fighter with a volunteer. Commissioner Olesky mentioned that he has a problem with someone calling in sick so that someone else can get overtime. Chief Anderson mentioned that he doesn’t know if that’s happening here and he doesn’t see any indication that that is happening here. Commissioner Olesky asked how much overtime are we looking at. Commissioner Anderson mentioned that it’s $25,000 so far. Chief Anderson mentioned that the total budget was $37,500 and we’ve spend $25,000. Commissioner Keen asked if we were still using our volunteers. Chief Anderson said yes but because of the language in the contract, if someone calls off sick, we can’t just call up a volunteer to have him come in. Chief Anderson mentioned that it is a negotiable item. Commissioner Rice mentioned that the scary part if that we are not half way thru the year and we’ve used 75% of the annual, we don’t have a lot to look forward to for the next six months. Chief Anderson said, no but the good thing is that the two guys that were out on workers’ comp injury are back to work and it should slow down a little but now we have an additional fire fighter that is out on medical leave. Jay Roth asked if the volunteer fire fighters documented for record on the run sheets. Chief Anderson mentioned that they are supposed to be, he is going to work on a new documentation procedure that every hour is documented. Right now he doesn’t believe it is. They come in the station and if they ride for 6 hours or something, he’s not sure that it’s documented anywhere and it needs to be. Jay Roth mentioned that you all get credit for volunteer time so it should be documented. Chief Anderson mentioned that they also get credited for volunteers for staffing at the station. Commissioner Anderson asked how much money needs to be move over. Chief Anderson mentioned that it was $5,200 as a start; we might need more later. Moving on there’s $2,260 into utilities and part of that would be for his cell phone allowance $100.00 a month. We wanted to put $1,500 into FF Rescue Maintenance line item. On the cell phone, it’s under supplies/communication/phone, that’s where we need the $1,200. Commissioner Anderson asked just out of curiosity, what type of computer software do we buy every year for $5,000.00 that we need training for because Microsoft doesn’t cost that much. Chief Anderson mentioned that when he was going thru the budget some of the line items were budgeted as a contingency if needed because it was budgeted in previous years. Commissioner Keen mentioned because we needed to upgrade the computer software. Chief Anderson mentioned that we need to update the computer at station 32 and if there is money left for the software he would like to look getting the software under firehouse. Our Record Management System that we do our reporting, record keeping and everything is firehouse software. They have a scheduling and staffing module that he thinks is around $2,220. That actually helps out from the line fire fighters writing reports because it will pull the staffing on each truck from the schedule and put it on the report without them having to manually enter it. It will also track staffing and scheduling vacation, times trade and it will also generate the payroll. Right now, the entire payroll has to be calculated by hand off of paper. If we had the staffing and scheduling module and fire house, it would all be done on the computer generated thru the software. It would save hours every week of Ann and Alma going over papers. He doesn’t have the cost of that yet, but he needs to meet with Jason and the other individual that takes care of our computer stuff to see exactly what we do need on the current systems and then what is going to be left after that. Commissioner Olesky mentioned that he just signed a check for firehouse for couple thousand dollars. Chief Anderson said yes but that doesn’t include firehouse module to purchase separately. That was part of the annual maintenance fee for technical support for firehouse. Chief Anderson mentioned that the staffing and scheduling would be separate item that we would purchase to install the computer. Commissioner Olesky asked if the reason we are with firehouse is it because everyone else is with firehouse. Chief Anderson mentioned that he hasn’t checked if everybody but the majority of the districts in the county are using this. It’s good, easy to use and pretty detailed software. We can do much more with it than what we are currently using it for. It could be used for records management for anything we need.

It will track all of our fleet maintenance and repairs. It will track inventory of equipment. It will do pretty much everything we need to keep track of. Working thru the SW FL Works he wanted to try to get one or two part time positions that would just do data entry and set up the different modules in firehouse. That is just time intensity, someone sitting at a computer just entering stuff but before we can use some of the modules the basic information has to be entered to set up the system. That’s one thing he needs to look into, is getting the cost first. Firehouse is a great tool and software. He’s used four or five different Record Management Systems for the fire service in his career but firehouse is by far the best. Anyway, these are the amounts that need to be moved over. Salaries is $46,930, Overtime is $5,200, Social Security is $4,686, Retirement is $7,180, Workers’ Comp is $83, Physicals is $500, Utilities is $2,260, Maintenance/FF Rescue is $1,500, Communication/Phone is $1,200. Attorney Thompson mentioned that those are just line items moved from contracted services to those items. Chief Anderson mentioned items taken from contracted services and distributed into different line items. Commissioner Anderson asked if the board makes a motion to have those items moved from contracted services to the items that he described. **Commissioner Keen motioned and Commissioner Rice seconded the motion. Motion carried unanimously.**

5. Meeting Room chairs for Commissioners: Chief Anderson mentioned that we

have money in the budget to replace the chairs for the meeting room at station 30. He just wanted to know if the board wanted to appoint a representative or if they were interested in going with him to select the chairs. Commissioner Olesky asked why are we getting chairs if only one is broken. Jay Roth said that it’s for insurance purposes, it’s a safety hazard. You do need new chairs but the extent is up to you. Chief Anderson mentioned that he went to sit in one and almost fell over. Since the chairs are primarily for your use, does someone have an input on which chairs to purchase. Commissioner Keen mentioned that if we do get them we don’t need anything extravagant. Commissioner Rice mentioned that he would go with Chief Anderson. Chief Anderson mentioned that we could get something similar of what we have now at a reasonable cost. Commissioner Rice mentioned that if there are some banks or companies that are doing some remodeling they may have some that they are getting rid of. Chief Anderson mentioned that he can look into that. He is a scavenger at heart. Commissioner Anderson asked how many chairs we need. Chief Anderson mentioned that we need 10 chairs. Commissioner Keen asked how much do we have in the budget for that. Chief Anderson mentioned that in the furniture budget we have $2,500. Chief Anderson mentioned that he will see if he can get some without spending any money. He could call around to some of the banks in Naples. Commissioner Olesky mentioned to see if the Seminole Indians can donate some. Commissioner Rice mentioned that maybe Ave Maria University might have some. Chief Anderson mentioned that one thing he would like to do is if there is money in furniture, is to purchase a small table for his office that 3 or 4 people can sit at to discuss things. He will try to look for one first. We could get 10 chairs at $200 each. Commissioner Olesky mentioned that we could use the $2,500 somewhere else. Chief Anderson mentioned that plan A would be to find them at no cost and plan B would be to go purchase them. **Commissioner Rice mentioned that it deserves to come back to the board with the recommendation.** Chief Anderson said alright.

6. Equip for Ladder 30: Chief Anderson mentioned that the ladder truck was placed

back in service and within a week it was taken back out of service again with some significant hydraulic leaks. That’s the next line item for repairs. We need to get the ladder truck back in service for our ISO ready and over the time that it’s been out of service, some of the equipment. He doesn’t know if it ever had everything it needed to be classified as a ladder company. Commissioner Heath mentioned that at one point it did and then all the equipment got taken out. Chief Anderson mentioned that we have money in the budget for loose equipment. He was going to get a list together to start purchasing that. The repairs, we don’t know what the repairs are going to be yet. One idea that he has is if he can go to a local company that does land clearing site construction. They tend to have a lot of equipment that uses hydraulics and that have hydraulic cylinders. They have mechanics on site to rebuild the hydraulics and repair hydraulic lines; there are a couple of those in Immokalee. He would like try to reach out to them to see if they can help us with the repairs on that truck before we send it away to a pretty significant cost to one of the fire apparatus manufactures. Commissioner Heath mentioned that one place that’s good is here in Immokalee is Carl Thomas the mechanic of Lightner Contracting (Dave Lightner) and they have the shop there if they need to adjust the ladder or whatever. The hydraulic cylinders on the ladder need to be rebuilt. Commissioner Olesky asked if they are certified. Chief Anderson mentioned that they don’t need certification because they don’t teach hydraulics in the EBT program. They do have to have training in working on those cylinders.

7. Repairs to Ladder 30: Chief Anderson mentioned that he is just bringing it to their

attention that there is going to be more cost in the ladder truck. At some point we need to look at replacing it rather than dumping more money into it but that’s a pretty significant cost to replace it. It’s going to be over $600,000 to replace that truck. Commissioner Heath mentioned that on that ladder truck with as many problems as we have had, is there a way to get an estimate cost on refurbishing the truck and getting the ladder recertified on it. Chief Anderson mentioned that we could. Jay Roth mentioned that we could save 80% of a new one instead of searching for a refurbished one. Attorney Thompson mentioned that the Chief was taking about USDA pays money for new equipment than refurbished; you get a 45/55 split. Commissioner Heath mentioned if something would happened like on the new trucks, we could have 2 of these trucks that are already refurbished and that one goes in the shop and you pull the other one in and put it in service. Attorney Thompson mentioned that USDA pays for new projects as supposed to rebuilding. Chief Anderson mentioned that we can use impact fees money to buy a ladder truck and station it out here. Commissioner Keen asked what effect would that have in building a station out here. Chief Anderson mentioned that that is a whole other discussion. Commissioner Keen mentioned that it would take out impact fees that were before that. Chief Anderson mentioned that he’s been researching all the documentation since the DRI for this development and it appears that from reading thru minutes of meetings and letters going back and forth and various documents that he found in the file that there was intent for the developer to build a fire station out here. There were even documents form Barron Collier discussing the possibility of using a designed build concept to do it and they named a person for project manager, who at that time worked for Barron Collier to be the construction manager for the project. Now there is controversy over who was to pay the building. He plans to start meeting with them and discussing of what the possibilities are of moving forward with the fire station. His plan A would be to present those documents to powers to be and see if they agree that yes it was intended for the developer to build it.

If they don’t agree with that, his plan B is to with the board approval would be to negotiate with them for the developer to build it in exchange for credits for future impact fees for extra development that comes in here. That way we aren’t spending impact fee money in the bank to build it. They are building it, just not paying future impact fees for a certain period of time, until they equal out the money they spend on it. That would leave the impact fee money currently in the bank to replace fire trucks. Not replace them but buy a new ladder truck for Ave Maria. The guys staffing the station out here would staff that ladder. Commissioner Rice mentioned that’s going to be much more appealing to them as construction starts going again they are going to want to be looking at something like that. Good idea. Jay Roth mentioned that it would be all the three builders out here. That makes sense. Chief Anderson mentioned that from some of his reading it appeared that the negotiations started breaking down. They hit a stumbling block over who would own the building. It looked like they had intended for the developer to build it but that they would retain ownership of it. They wouldn’t turn the deed over to the fire district. Chief Alvarez at the time seemed to be adamant and thought the fire district should own the fire station even if they built it. He doesn’t think it’s absolutely necessary. We could stay at the station and have an agreement in place that we could staff it and they would still own it. He would go for that more than owning it because then if the air conditioner goes out we don’t have to spend $5,000 to replace it, they do. If they need a new roof we don’t have to pay $10,000 for a new roof. Attorney Thompson mentioned that we would have to look at it a little more carefully because if we are taking money and giving them credits as you suggested and you wind up out of the building. He’s not sure how it would work out. We could work with our Tuscan auditors and see how it works out. Commissioner Olesky mentioned to talk to Floyd Crews he would know about what they discussed because he and Ray talked to a couple of attorneys. Jay Roth mentioned that it was Lee Treadwell and Tom Sansbury but he’s now retired.

8. Discussion on Credit Card Use: Chief Anderson mentioned that he spoke with the

Tuscan auditors and they brought up some concerns that they had. His proposal was to get a credit card and the reason he brought this to the board was because there were some issues with the credit card use in the past. His proposal to save money is to use the credit card to pay for as many as our services and purchases as possible building up the reward points that we could get. We could get 1% of all the purchases. Attorney Thompson mentioned to ask Ms. Dao at the Water District Board and Brenda over at the water control district. They will tell you of the programs they’ve had some issues with. You can get more than 1% if you hit a certain magic number. The problem with that is that some of the vendors will ask you for a 3% charge so, if you pay $800 they will ask you to pay $24. Commissioner Rice mentioned to listen to Mr. Tuscan he has some good ideas on that. Chief Anderson mentioned he was just looking for ways to save some money. In 2012 they got back over $50,000 by using the credit card for as many purchases as possible. Commissioner Rice mentioned that it just has to be monitored. You would still have to approve those. Commissioner Olesky mentioned that you could probably save $10,000 a year by getting a Sam’s Card and purchasing all your supplies for cleanup and other things. We get the Sam’s reward plus we get the stuff ½ price. Chief Anderson mentioned that we need to look at that. He would need to work on putting a policy procedure in place. One of the things that Tuscan had mentioned was the accountability in place right now in using checks because right now he has to sign on the invoice and then it takes two signatures on the checks. He would have to sign off on it and we can’t pay everything with the card, there will be checks written.

So, the Commissioners would still have to sign the checks but there would be a sign off sheet with every invoice we intended to pay with the credit card. When the Commissioners are signing the checks they would also sign off on approving the credit card payment on that. Commissioner Rice mentioned to keep in mind that some of the procedures that we are using now came as a recommendation from Mr. Tuscan last year. Chief Anderson mentioned that he will work with him more on that.

9. Approval to remove items w/value of $749 or less from fixed asset inventory per

Auditor: Chief Anderson mentioned that in the last audit there is a procedure in place that in the definition of Capital items. Apparently there were many items that were below of the threshold of the value that met that definition. They were still tracked in that category and we’re trying to clean up the records and not have to track those items that don’t meet that definition anymore. You should have all gotten a list of the items that we are looking at removing from the Fixed Asset Inventory. **Commissioner Keen motioned to move them. Commissioner Rice seconded the motion. Motion carried unanimously.**  Chief Anderson said thank you because that actually saves a lot of man hours too because when it comes time for inventory and the audit. Someone has to go physically and put their hands on every one of these to check it off if it’s there.

10. Proposed revisions to Policy Manual: Chief Anderson mentioned that he got a

letter from the Union saying they have some issues with a couple of these. He discussed it with Tom Cunningham the President. Some of it was, just understanding where he was going with it and some was that they didn’t agree with some language that’s used in there. So, what he will do is go thru each one and discuss why he feels it’s necessary and he will tell the board what their concerns are. So, we have both sides.

1. 308, change birthday leave to personal day: Chief Anderson mentioned

that there will be more in the future. He’s had to deal with these due to the specific policies. He thought it would be a good time to change them since he’s already had to deal with in his first few weeks since he’s been here. A lot of organizations are doing away with this and using it as a personal day. Right now the policy reads that you have to take it on your actual birthday or if your birthday falls on a shift before or a shift after, you’re limited to that time frame. A lot of times this day, their birthday, are not much of an important day. Their daughter’s birthday is more important than their own birthday. So, he’s proposing on changing it to a personal day that they can take it anywhere from January 1st to December 31st. It can’t roll over into the next year. They have to take it within the calendar year but it’s not just limited just on their birthday. It’s not costing any more money, it’s the same time off, it’ more lenient as to what day they can take off. Attorney Thompson asked if the Union had an objection on this item. Chief Anderson said no, not on this one. **Commissioner Rice made a recommendation and Commissioner Olesky seconded the motion. Commissioner Anderson mentioned that motion carried unanimously.**

1. 505, use of tobacco products: Chief Anderson mentioned that the Union

didn’t have any objection to this one. Previously it basically specified “on-duty employees” he added “and volunteers”. All the words that he underlined were things that he added. Words that are crossed out are words he’s removing and they’re highlighted so it’s easier to point out.

It said, “When the general public is present” and he just added, “Or when in view of the general public, outside of the designated smoking areas at each station”. It goes on adding in volunteers, with the Tobacco Free Florida and public buildings being tobacco free. We’re required to designate smoking areas. The policy conflicts itself as it was written because it indicated that the smoking area would be on the apparatus floor. By state statute, all public buildings are tobacco free. You are not to smoke inside any public building. Well, the apparatus floor is inside the building. So, we can’t designate that as a smoking area if it’s inside the building. He only defined where the designated smoking areas are for each station. He sat down with Tom and Lt. Patterson who is Vice President of the Union and the three of them agreed which would be the designated smoking areas. Commissioner Keen asked if they had a problem with that. Chief Anderson said no. **Commissioner Keen motioned to accept this. Commissioner Anderson seconded the motion.**  Commissioner Olesky asked why not have no smoking, period. Chief Anderson mentioned that on Section 2 he added when someone applies for employment they have to sign an affidavit saying that they’ve been tobacco free for a year prior to the application. Only, there’s a loop hole in the law. He’s been working with the State Fire Marshal’s Law Office over the last couple years to try to fix it. It says they have to be tobacco free prior to employment but it doesn’t say they have to be tobacco free after they get employment. What he did was added, “Will have any new employee sign an agreement that states that they have been tobacco free for a year prior to employment but in addition, they will remain tobacco free for the duration of their employment/membership with the District. **Motion carried unanimously.**

1. 507.3, overtime on comp time leave: Chief Anderson mentioned that

we’re using comp time right now. A written request to use Comp Time shall be submitted no later than 24 hrs because they work every 3 days. He would like to change that to every 72 hours, that’s the shift before they want to take off, which gives us time to schedule a replacement. If they are just giving us 24 hrs notice, they’re only giving us one work day to try to get somebody to fill it. Commissioner Keen asked if the Union had a problem with this. Chief Anderson said no. Commissioner Anderson had a question about overtime. Someone had mentioned if there’s an individual that is acting Lieutenant and the person is also the member of a truck so in the same position, are there a couple of categories for overtime? Are they on one list to be called for overtime but also on a second list? Chief Anderson said yes they are. The acting Lieutenants are on two lists. They are on the Lieutenants list and on the fire fighters list. Commissioner Keen asked how does that work. Do they get paid for both? Chief Anderson mentioned if they are routing as acting Lieutenant they get an extra $20 a shift. The next day if there is a line person on the top and they fill that spot, they are eligible to be called off the fire fighter list. If they are at the top of the Lieutenant’s list and they need a Lieutenant today, they can get called in. If they are also at the top of the fire fighter list and tomorrow we need a fire fighter they can be called in again. That self regulates itself because they work a normal shift every 3rd day and they can’t work more than 48 hrs straight without special approval and then they can only work another 12 hrs. At some time they have to have time off for their normal shift. They have to be off a minimum of 8 hrs of rest. **Commissioner Keen motion to pass comp time leave and Commissioner Heath seconded the motion. Motion carried unanimously.**

1. 510A, cell phone policy: Chief Anderson mentioned that the current

policy talks about the fire fighters taking photographs with cell phones on the scene of calls or video recorders. He added in addition to cell phone, “or any other personal device” because some of them carry video cameras on their phones. It says is discouraged and he put, “prohibited without prior approval of a Chief Officer, Shift Commander or Fire Marshal. Basically, it’s been challenged and won in court several times it goes back to proprietary thing of the employer. Basically, any intellectual work with taking a photograph would be considered intellectual work. Any electrical work that you perform while at work being paid for by your employer is considered a property of your employer and you can’t do any of that work without the approval of your employer. There have been several cases where agencies have been sued because of fire fighters taking pictures. One of them came from Lake County the Fire Chief of Umatilla took a picture of an accident that showed the victim plainly identified in a state of partially disrobed because of medical treatment and that photo got out on the internet. So, the Umatilla was sued over that. This is just to try to control those taking pictures and it’s not saying they’re not allowed to because taking photos on scene is a good tool for training but it has to be done properly and this is just changing it for them to have permission to do it. All they have to do is ask the Shift Commander if they can take a picture. That’s just one thing he added. They’re told that, when he went to a couple of sessions at the Chief’s Conference on the Management of the Fire Service in the digital age. They went over a lot of cases and lots of things that are going on with this but the policy could be expanded a lot more. Commissioner Anderson asked if there were any objections to this from the Union. Chief Anderson mentioned that they didn’t list it on their sheet and Tom didn’t mention it. **Commissioner Olesky motioned to pass and Commissioner Rice seconded. Motion carried unanimously.**

1. 512, apparatus response: Chief Anderson mentioned that he is

proposing the section that says, “At no time shall one person commence operations on a fire or medical incident without additional IFCD, CCEMS or CCSO personnel present”. That opens the district for liability for nonfeasance because when he read that, it tells him that, if the engine is out somewhere else in the district and there’s a vehicle accident 2 blocks from the fire station and gets in his car to respond to it, gets there and by this policy, he’s not allowed to do anything but stand there until the fire engine gets there. We have a duty to act and if we don’t act, that’s nonfeasance and liability for the district. Their concerns with this are one safety. He discussed this with them; it’s really not a policy problem with safety. An action that you do is not in itself unsafe. It’s only unsafe if you do something that’s not safe. So, somebody operating on a scene by themselves in itself is not a safety issue. It only becomes a safety issues if a person does something he shouldn’t do, is not trained to do, or does something above his training or outside of his capabilities as one person. He believes that the district is open to more liability by not acting than we are for waiting for someone. Their concern is that this got put into the policy when they were concerned that we would be scheduling staffing with only one person on an engine and they got this in the policy as a way to prevent scheduling only one fire fighter on an engine. He discussed it with Tom and told him that that is not the intent of trying to change this. We don’t intend to schedule one person on an engine. If we are scheduling in the future, he doesn’t intend to do that but he also can’t guarantee that we are always going to have two people on a fire engine every day for every call. Commissioner Keen mentioned that is why station 31 was closed for so long.

Chief Anderson mentioned that there’s other language in there that if the need arises we can go to one paid guy as long as there’s a volunteer on the engine with them and we have been using that. He would like to get some input from our attorney too to see if he agrees that this language as he reads it. He can respond to the call but he can’t do anything. He has to watch somebody lay there bleeding and can’t stop the bleeding because he’s by himself. Commissioner Keen asked are they going to fight us that much on this. Chief Anderson mentioned that he wanted Tom to express their concern about it and let the board know that they would still like to have some kind of language in there that we are agreeing not to intentionally schedule an engine with one fire fighter on it. Attorney Thompson mentioned that could be put in another language or separate policy. It doesn’t have to be right here. Commissioner Rice mentioned that can be taken care of in another area without jeopardizing this area. Commissioner Anderson mentioned that it’s a little ridiculous to have a fire fighter who chances are an EMT, if not the one medic who’s the fire fighter, Leo or yourself respond to a cardiac arrest and wait for a deputy to show up with an AED, which you got, who has less experience and less training to watch you and ask you if you need any help. Commissioner Keen mentioned that the fire fighters don’t have as much privilege to use their degrees in that right when they get called to a scene. There was something in there that she had seen before that tied their hands. Also, didn’t they didn’t get credit for the training they had or something like that. Chief Anderson mentioned that the only NFPA deals with numbers of people performing are two in, two out. You have to have two people go inside a burning building. Commissioner Rice mentioned we could possibly run into trouble with that if we are not able to renew that safer grant, if we are not able to cover those six firemen that we brought back on board. We are going to face that issue later on too. Chief Anderson mentioned that he talked to Tom and he agreed he’s worked by himself too. Tom isn’t really overly concerned for his safety because he knows what he can do and not do by himself and Chief Anderson agrees. He also has worked for years as the only person in the station. He’s responded to hundreds of calls by himself. He believes that having it in writing; that we are not allowed to do anything until another person arrives is opening us up for trouble. Commissioner Rice mentioned what if you come up on something whether there’s a call or not, don’t you respond? Chief Anderson mentioned that you are obligated if you are trained. Attorney Thompson mentioned that you or I as a laid person. If you see a drowning person and walk by and don’t do anything, you have no legal obligation to respond. Whereas, if you are a trained professional; there is a duty. That’s your job to respond. In the district, that’s what we are here for, is to respond. Do we have another policy about staffing on how we intend to staff? He could put the language in there about it being the intent of the board in the policy of not to staff in case. **Commissioner Olesky motioned to approve and Commissioner Rice seconded. Motion carried unanimously.**

1. 702, drug and alcohol use: Chief Anderson mentioned that this one just

has some additions. We have found that the policy is lacking in areas in dealing with some issues with one of our fire fighters now. He looked at policies from other agencies. He talked it over with the Fire Marshal’s Office and discussed it with our worker’s comp carried, our liability insurance carrier and with our Labor Attorney, Ms. Donlon. These are the recommendations: The language that he used in this one as well as the drug-free workplace that we will talk about later is currently in the drug and alcohol use and drug-free workplace policies for Big Corkscrew and Chief Rita Greenberg got it for one of the other districts. The same language is the same in at least two other fire districts in Collier County.

Commissioner Rice asked if there were any objections with this one from the Union. Chief Anderson said not on this one. Attorney Thompson mentioned that there seems to be a wording, more of a typo on the 5th paragraph. The first couple of sentences don’t read clear to me. So, if we could approve it subject to him clarifying the language**. Commissioner Rice said that that was fine.** Attorney Thompson mentioned that where it says, reasonable suspicion to believe. Chief Anderson mentioned that he’s right, it doesn’t sound exactly right. He will try to fix the wording so it sounds better. So it will be a little bit easier to understand. **Commissioner Olesky seconded the motion. Motion carried unanimously.**

g. 705, neatness and personal hygiene (uniforms): Chief Anderson

mentioned that this one is reclassifying some of the classes of the uniforms. The only issue the Union has with this is under class B uniforms. It previously called “any button down shirt class A”. He changed class A to be long sleeve shirt and tie. Class B to be short sleeve button down uniform with the patches and badge attached to them. One of the things that they were looking at under the class B uniforms where it says, “it will be worn for all special events or public functions and meetings, unless otherwise modified by the Fire Chief. The intent of that was seeing the fire fighters attend functions, including the Board of Commissioner meetings. They have been scheduled for other public education events; they go in shorts and a tee shirt. They’ve attended Commission Meetings in shorts and a tee shirt. He spoke to Tom about portraying a more professional image of Immokalee’s Fire Fighters. Have them appear in a more professional appearance in uniform when they are doing an official function. He doesn’t have a problem when them being in shorts and a tee shirt as a work uniform doing their daily work at the station. It’s when they’re officially representing the fire department; it gives a better perception of us as professionals if we are in a more appropriate uniform. When he discussed it with Tom, he told him it says, unless otherwise modified by the Fire Chief. If they’re going to a public education at an elementary school, all they have to do is call me. Instead of wearing our class B can we just wear our golf shirts and he will probably say yes. If they’re going to do some presentation or show some equipment at a Home Owner’s Association Meeting, they would need to be in a more appropriate uniform. Commissioner Olesky mentioned that he is going to abstain from voting because when he goes to a presentation or meeting this is the way he dresses, in shorts and a tee shirt. Commissioner Rice asked if they’re called at the last minute. If they’re called in at the last minute he can understand the exception to the rule but if they know in advance, he doesn’t see a reason why they can’t be prepared to wear the uniform. Chief Anderson mentioned that if any of the board members feel it’s just a little too much, he could put that it could be at the discretion of the Shift Commander as well. They wouldn’t need to call me. The Shift Commander can make that decision. Commissioner Anderson asked what is their normal day to day ware. Is it the shorts and tee shirt when they answer a call? Chief Anderson said yes, that’s what’s on the Union Contract. Jay Roth asked if that jives with the blood borne pathogens. Chief Anderson mentioned that on the next page he added an item. The president and vice president discussed that with them and they’re fine with what he added on that. Also, on the other page he added any incident response or call for service requiring skin protection or isolation from body fluids, chemicals, other fluids, etc. will require bunker pants, jumpsuit or long pants over the shorts as necessary and appropriate. The shorts were not in compliance with the blood borne pathogens in the safety regulation. Commissioner Heath would like for them to look more professional out there on public events.

He knows that morale has been down for the last few of years because of the budget and some other things that have happened. Commissioner Anderson agreed. Commissioner Rice mentioned that he would ultimately like to see the benefit of this. **Commissioner Rice motioned to pass and Commissioner Heath seconded the motion.** Chief Anderson asked if they wanted him to change class B to be to the discretion of the Shift Commander as well. **Commissioner Olesky mentioned that he abstains. Motion carried 4 to 1.**

1. 802, visitation: Chief Anderson mentioned the way the policy is

currently written is that it’s currently restrictive and is limited to the hours that anybody can have any visitors. The job of a fire fighter in itself takes away from their family but they know that when they take on the job. At times it’s stressful and it’s hard. He knows that a lot of people deal with family issues. What he would like to do is, not restrict it so much to where their family can’t stop by. If their wife picks up the kids from school and kids want to stop by and say “hallo” to daddy, he doesn’t see a problem with that. The way the policy was written; that’s not allowed. Commissioner Keen asked if the Union had issues with this. Chief Anderson said no. **Commissioner Keen recommends that pass this one and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. 805, drug free workplace: Chief Anderson mentioned that on the other

pages he highlighted the pages in yellow but on this one, on the first several pages, the entire page is a new addition. He didn’t see the need to waste ink and highlight the whole page. Commissioner Rice asked if these are in compliance with the state. Chief Anderson mentioned that these are in compliance with the drug-free workplace. Everything on the first five pages is copied from Big Corkscrew. Commissioner Anderson mentioned that he has one question about it. On the conviction part it mentions that you have to notify the employer or supervisor within 2 days of your conviction. Do they have to notify you of an arrest? Chief Anderson said yes but that is in another policy. Commissioner Anderson mentioned that he just wanted to know. Chief Anderson mentioned that it just needed to be revised. One thing that it didn’t include was that there was no definition or anything in the policy that allowed us to do anything to someone taking narcotic pain medicine while on duty. The only thing that the policy applies to is illegal drugs or if you are taking prescription medicine that is not prescribed to you. It doesn’t mention anything for medicine that is prescribed to you. That could actually be a DUI if you drove a car down the road when taking them. Commissioner Keen asked if the Union had a problem with this issue. Chief Anderson mentioned that they do have one problem with this issue; no, they have two issues. The one was under a second test where a first time negative at the District’s request. That came straight out of the other policies from the other Districts. What that indicates is that on a first time negative, the first test given under this is not a real sensitive test. You could get a negative response even if they still have drugs in their system because the test is not that sensitive. It’s a less expensive test. The language in here is, “if they are exhibiting signs and symptoms that they may be under the influence of something”, but the test came back negative; we can send them for a second more sensitive test that will detect lower amount of drugs in your system and they don’t like that. Commissioner Keen mentioned that if they aren’t taking too much it shouldn’t be over the limit of what they can take. Chief Anderson mentioned that they can go to Lab Corp at the Naples Urgent Care during business hours and it’s on Immokalee Road and after hours it’s the Emergency Room. That was the first one, the district being able to request a second test for a negative result.

Commissioner Rice mentioned that we have to keep in mind that our primary responsibility is to the general public and if we find anything that could infringe upon that responsibility; he thinks they have the right to request additional information. Commissioner Anderson asked if that was on their cost. Chief Anderson mentioned that it’s paid by the District. Jay Roth mentioned that is some cases they don’t have to retest, they will split the sample. Test it the first time but the residual will be the second test. Chief Anderson mentioned that is the way the statue reads. They have two samples. If there is any second test, it has to be done by the original sample. Jay Roth mentioned that they are not tested again. Chief Anderson agreed they don’t have to go for a second test; they are just using the original sample. **Commissioner Rice made a motion to approve and Commissioner Olesky seconded the motion.** Chief Anderson mentioned that the other thing was that they had a question about the random drug testing because there was nothing in the current policy that indicated anything about having random drug testing. By the statute if you adopt a drug-free workplace, you have to include random drug testing. Commissioner Heath asked if he could go back and double check that because at one time in the policy there was a thing on random drug testing. It was just never done. Chief Anderson mentioned this is one of the things that he said. That one of the guys and Tom didn’t necessarily agree with the other fire fighter. Tom just wanted me to bring it up to the board that one of the guys said it’s never been done before in the past, so isn’t that a change in working conditions. Chief Anderson mentioned if it’s in the policy and just because we’ve never done it, that doesn’t mean it’s a change in working conditions. Commissioner Anderson mentioned that at one point we didn’t have engines on vehicles but they change the pumpers down the road with the engines. That is a change in working conditions. Commissioner Heath mentioned that it may be in one of the older books but we did have a random drug testing rule in there. It was just never enforced because we ran into some problems before with one of the previous fire fighters and nobody ever got tested for it or anything. Commissioner Keen mentioned that don’t you have to do random testing on everybody thru the program and you just have to pick whoever goes at whatever time. Attorney Thompson said yes. At the water board they draw random numbers and see who gets picked to go. Chief Anderson mentioned that he spoke with Naples Urgent Care because they do the annual drug testing with the physical. For the random testing, we can provide Lab Corp a list of our employees and they put it in a computer program. The computer program will do the testing, however random we want it. It could be monthly, quarterly or could be twice a year. It will randomly pick a percentage of the employees to take a test. It will call on the first business day of every quarter with a list of people that came up for the random test and then we send them. Commissioner Keen mentioned that on the alcohol it went from .08 to .02. Chief Anderson mentioned that the DOT regulations for commercial vehicles. If you have a CDL you are presumed under the influence at .02 instead of .08. Also, there are several other things that follow that. The nationwide concealed carries for law enforcement states that a law officer is allowed to carry anywhere in the country no matter what state they work in. They are only allowed to do that if their blood alcohol level is less than .02 and that goes back to the federal DOT regulations. Because the vehicles we drive meet the definition and meet all the criteria of commercial vehicle. Other than fire fighters that are exempt from having a CDL to drive a fire truck. Because of it being a large piece of equipment, most drug and alcohol policies go with the .02 as opposed to the presumption of intoxication. Commissioner Rice mentioned that we only have to look at the world of sports of what happens when we lesson the requirement; we don’t want that to happen. **Commissioner Rice motions to pass this policy and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. 807, community service workers: Chief Anderson mentioned that

currently, there’s nothing in the policy except that a person has to be at least 18 years of age to do the community service. It’s been past practice to allow students from the high school that have to do various community services for the various organizations they belong to. As long as it’s that and not criminal offense, if it’s community service for school or something like that, he would like to allow that. **Commissioner Olesky motions to approve and Commissioner Rice seconded the motion. Motion carried unanimously.**

11. Reimbursement for Extraordinary Expenses: Chief Anderson mentioned that we go to several calls a year, not to just vehicle accidents but to other incidents. A lot of it is transportation incidents. Incidents where a truck wrecks, turns over and spills a load of tomatoes on the highway and the fire fighters are there for 3 or 4 hours cleaning tomatoes off of the highway. Or they turn over and their diesel fuel spills. Then the fire fighters have to take care of containing the diesel fuel and keep it from contaminating the area and the environment. This is just something that we can use to try to recover some of the cost of doing that. This would allow us to send a bill to the insurance company to charge them to reimburse us for the man hours used. If they wouldn’t have spilled the diesel fuel, the firemen would have been gone in 30 minutes but because they did, we were there for 4 hours. We have to use absorbent materials that cost us money to replace. We have to use other supplies that maybe if our bunker gear gets contaminated with not just diesel fuel but with anything. We have to send it off to be cleaned and pay for that. We need to have our attorney look at, it’s pretty standard language. It’s the same one he wrote in Clermont and the same language is in use by many agencies. Commissioner Anderson asked if we needed to motion for this. **Attorney Thompson mentioned to table this and bring it back.** **Commissioner Olesky makes a motion to accept the concept of billing the insurance companies. Commissioner Rice seconded the motion.** Attorney Thompson mentioned that to bill a person you have to ask. You aren’t billing the insurance company. Commissioner Keen asked that because it says land owners, are we suing them for this money. Some people just don’t have money and some don’t have insurance and it’s just adding another burden to them. Chief Anderson mentioned that it’s up to the board’s discretion as to how far you want to pursue it. Most of the time, my experience has been that they get billed. If they have insurance then the insurance pays it. If they don’t, then they are not pursued to enforce payment. Commissioner Keen mentioned that it says it in the policy that they could be sued. Chief Anderson mentioned that it would be similar to if a code enforcement board fines somebody. They gave you a fine on your property until you get it fixed. They are fining you $100 a day until you fix the problem. You can go to the code enforcement board and beg for their mercy and get them to get rid of the fine. Commissioner Keen said maybe. Attorney Thompson mentioned to bring it to the table because it does talk about filing a lawsuit and he would like to look at it a little bit longer. Commissioner Olesky mentioned that he accepts the concept and billing someone for their actions. Commissioner Keen mentioned that accidents are accidents. Commissioner Olesky mentioned that that is why you have insurance companies. Commissioner Anderson mentioned that some people don’t have insurance but it’s one thing if they are going down the road, chances are commercial enterprise has trucks that are carrying fuel, they are going to have insurance. Commissioner Rice mentioned that we just want to recover our cost. Chief Anderson mentioned that you are not going to have an extended stay on scene for a Honda civic with ruptured gas tank vs. a tanker truck bringing fuel into the Handy, there’s a difference. That could be a four hour job and a guy with neck pain, so he thinks that chances of not having insurance are slim than extra ordinary service. Chief Anderson mentioned that to this wouldn’t just apply to transportation. If we get involved with any hazardous material, we would be able to cover the cost of the chemical protecting suites we have to wear to deal with their chemical leak and stuff like that. Commissioner Rice mentioned that we endorse the concept of the vote for further clarification, so he moves the question. Commissioner Keen opposed until we have it checked out further. She’s more worried about an individual being involved than anything else if they have to pay for it. **Motion carried 4 to 1.**

12. Concern of Commissioners: Commissioner Rice mentioned just for clarification. When Alma came on board and Ann had indicated that she was contemplating retirement. We brought someone in on a part time basis to receive training and to potentially fill that position should that happen. Where are we with that process? Chief Anderson mentioned that he’s had some conversations with Ann and she’s still considering retiring. She hasn’t indicated any time frame. The last conversation he has was that it may be soon. She said she couldn’t give any definite time frame but she did say that she is working closely with Alma and teaching her, her job in order to prepare her to move into that place. Commissioner Rice asked if there was any indication that she might just start cutting back a little bit. Chief Anderson mentioned that she hasn’t indicated that to him but the last conversation but it appears that she is still intending to retire at some point in the near future. Commissioner Keen mentioned that as long as we can keep Ann help finish training Alma and help you she thinks that’s a bonus. She has so much knowledge that other people don’t have. Chief Anderson mentioned that the other option that he was going to talk to the attorney about was if she does retire, it might be easier for her to make the decision because he thinks that one of the things with her is having more time to spend personally. So, he doesn’t know if there is an option of flipping the two positions. If she retires then we can retain her as part time. Commissioner Keen mentioned that part of her issue with retiring is that she’s never been able to have any time for herself. She could never take time off because nobody could do payroll, the deposits or taxes and things like that. That was her biggest issue. Attorney Thompson mentioned that we will have to look into that. We will talk to Laura, the labor lawyer. The problem with that is that right now we are not exactly sure what is going to be happening with the insurance. We don’t know if we will be able to cover her if she’s on part-time basis. Jay Roth mentioned that it would take a little exploring. Attorney Thompson mentioned that we will talk to Laura. Especially if she’s in the state of retirement system too, right? There are some restrictions on that. Chief Anderson said ok. He mentioned that he also had one more thing to say. The State Department of Health, the county EMS distribution funds; that is funds that go to the State Department of Health. There’s a list of traffic moving violations that every citation ever written for anything on that list, anything from $1 to $3 goes into this EMS funds of that state. The state distributes the money to the county based on the population. The money is distributed to the Board of Commissioners who have control over how it’s spent. We fought this fight in Lake County and won. Hopefully he can be successful here. No fire agency in Collier County has ever gotten a penny of that money. It all went to Collier EMS. Even though he went to Tallahassee about 7 or 8 years ago and got them to give an interpretation of what that intent of the funding was. The interpretation to him was that the intent is to enhance the provision of emergency medical services system wide throughout the county. So, he went and researched the codification on how we are defined as a district and it includes language that provides medical services so, by house bill 867, we are part of the EMS System in Collier County.

So, we are entitled to a portion of the money. He’s just asking for the backing of the board when he goes to make a presentation to the Board of County Commissioners explaining that we deserve a portion of the money. Jay Roth mentioned that The Commissioners should also talk to the Board of County Commissioners. Chief Anderson mentioned that it has to be used for equipment. It’s not consumable supplies, its equipment for providing EMS in the County. The equipment has to be approved by the medical director, which may be another stumbling block. He’s going to work on that too and the distribution has to be approved by the Board of County Commissioners. So, he called the state they said that the estimate for County distribution for Collier County this year is around $80,000 coming to Collier County. So, he’s requesting $3,500 of that. We need a couple of AED’s and EMS equipment. Commissioner Olesky mentioned that he should do it before July maybe in June. If you go before that, they will figure out to spend the money somewhere else. Chief Anderson mentioned that we do need some AED’s, some stuff to go with the AED’s and some couple smaller pieces of EMS equipment. Commissioner Rice mentioned not to go to the current medical executive support. Commissioner Heath asked if he could check on possibly having to go through one of the legislations and get a bill passed on it. Back about 10 or 15 years ago when Chief Alvarez was here. We were getting fuel for the fire trucks from the County barn. The county, the ambulance service and maybe the Sheriff’s department were using non-taxable fuel and we were cut off. That’s how come we were going to one of the gas stations down here. He was told that for us to be able to use that kind of fuel, which it would have to go thru the Legislature. Commissioner Keen mentioned that Chief Greenberg already mentioned that we can use the County fuel but the trips to go out there to fill up the trucks is not worth it. We are allowed to do it, it just isn’t cost efficient.

13. Public Comment: No public comment.

14. Meeting Adjourned by Commissioner Anderson at 8:32pm, next meeting will be May 16, 2013 in Immokalee.

Minutes typed by Alma Rosa Valladares