**Fire Commission Meeting**

**Immokalee Fire Control District**

**Board Meeting**

February 19, 2015

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, Goodnight, Heath, Keen and Olesky; Chief Paul Anderson, Board Attorney Kenneth Thompson, Leo Rodgers, Paul Devan, Alma R. Valladares, Jay Roth and Members of the Public.

1. **Call Meeting to Order**

Meeting called to order at 6:00pm by Commission Chair Goodnight

1. **Pledge of Allegiance**

Lead by Commissioner Goodnight

1. **Moment of Silence**

Lead by Commissioner Goodnight

1. **Proof of Publication**

Copy of publication confirmation included in Commission packet

1. **Establish a Quorum**

Quorum established by Commissioner Goodnight

1. **Approval of Agenda**

Commissioner Olesky motioned to approve the Agenda and Seconded by Commissioner Anderson. Motion carries unanimously.

1. **Approval of the minutes of the following meetings:**
   * 1. **December 18, 2014 Regular Board Meeting**

Commissioner Olesky motioned to approve the minutes and seconded by Commissioner Keen. Motion carries unanimously.

* + 1. **January 8, 2015 Regular Board Meeting**

Commissioner Olesky motioned to approve the minutes and seconded by Commissioner Keen. Motion carries unanimously.

1. **Treasurer’s Report**

Commissioner Anderson motioned to approve the Treasurer’s Report and seconded by Commissioner Olesky. Motion carries unanimously.

1. **Consent Agenda**
   * 1. **Fire Marshal’s Report**

No comment by Board

* + 1. **Chief’s Report**

No comment by Board

* + 1. **Status on Current Contracts**
       1. **Greater Naples Fire District, Mechanic MOU, expires September 30, 2015**
       2. **Mabry Brothers, Generator Maintenance, expires September 30, 2015**
       3. **Grounds Force PM, Lawn Maintenance, expires September 30, 2015**
       4. **Accent Business Products, copy machine, expires September 30, 2015**
       5. **Seminole Tribe of Florida, Immokalee Reservation Fire Protection, expires September 30, 2016**

No comment by Board

* + 1. **Revision to Personnel Policy 507 (correct discrepancies within document)**

No comment by Board

**Commissioner Olesky motioned to approve the Consent Agenda and seconded by Commissioner Anderson. Motion carries unanimously.**

1. **Union Report**

No union officers present; union members present advised nothing to report.

1. Business of the District
2. **Old Business**
3. **Status of Fire Code Official’s Office**

Chief Anderson mentioned that he gave everyone an update of the property appraisal and our portion would be approximately 5% of the 2.1 Million if the basis for distribution of assets is the total revenue generated out of each District. Commissioner Goodnight asked Attorney Thompson about the letter they were going to write. Attorney Thompson mentioned that he has contacted the senior auditors at the County Clerk’s Office and they are willing to do an audit of all the fees generated by the Fire Code Office. Chief Anderson mentioned that he needs direction from the board of the items on this list and see if we can use anything. Commissioner Goodnight mentioned to authorize the Chief and the staff to go thru the list to see if they need anything so we can begin the intergovernmental transfer.

* 1. Public comment

**None**

**Commissioner Olesky motioned to authorize the Fire Chief and staff to go thru the list of items and see if they can use anything and begin the intergovernmental transfer; seconded by Commissioner Anderson. Motion carries unanimously.**

1. **Status of county-wide fire and EMS merger or consolidation**

Commissioner Anderson mentioned that County Commissioner Hemping and East Naples FD Commissioners Page and Gerrity were present but Commissioner Gerrity mentioned that they are not interested in what the citizens of Immokalee have to say. They don’t want to hear our opinions. He recommends for Chief Anderson to draft a letter to the County Commissioners and East Naples that we have no interest if that’s the direction of the board. Chief Anderson mentioned that there is a conflict of the meetings and they said to him, “just don’t come”. He mentioned that we already have data that they are wanting to gather available through the dispatch software. Also, that Commissioner Lombardo from North Collier mentioned that he isn’t interested in merging with anyone else until they know that the merger they completed is working well. Commissioners Henning and Page are forming their own committee. Commissioner Goodnight mentioned that she wants the address to Mr. Gerrity so that she can write a letter to him as well as the Naples Daily News.

* 1. **Public comment**

Floyd Crews mentioned that there are 2 studies that show that consolidation doesn’t benefit Immokalee. Everyone wants what Immokalee has; that’s Impact Fee abilities and when consolidation happens, the service we have, will go down extremely. We will have a small amount of the personnel and a small part of the equipment because they will spread it all across the rest of the county. Consolidation is not for Immokalee. Commissioner Heath mentioned that when they had the Steering Committee meetings they would come here and mentioned that our engines would look good at their station. Sheriff’s and EMS staff are sent to Immokalee for diverse training or punishment. An EMS Paramedic staff from Naples didn’t like being here and every time she was sent here, she was sick or took vacation for 3 weeks. She misdiagnosed one person twice and the daughter found the mom dead. That’s the kind of service we will wind up getting from the county. A bunch of people that don’t care. Chief Anderson mentioned that he has been through consolidation but it will only benefit other districts. It might not necessarily benefit Immokalee unless we have something in writing with a guaranteed level of service in Immokalee and that this equipment that we just bought will stay in Immokalee. I doubt that they will be able to do that. Commissioner Goodnight is not ruling out consolidation in the future but for now we all agree that we don’t want consolidation.

1. **Property for Fire Station 32**

Chief Anderson mentioned that we finally got a response from Barron Collier and probably Commissioner Keen has something to do with that. Their response was that the sewer line to the Pope John Paul parcel will cost us around $200,000 for a lift station and the force main. Our engineer estimated $150,000. We have already looked at reducing it from 2 acres to 1 ½ acres. The amount they are asking for the property is still more money than what we should be paying.

They are trying to say that this property by the convenience store is $430,000 but they’re only paying taxes based on the value of less than $200,000. He’s been looking at a lot of properties in Immokalee and plans to get records for every parcel sold in the last 5 years and see what it was taxed for. Commissioner Goodnight mentioned that she appoints Commissioner Keen to work with Barron Collier and also have Attorney Thompson get with them. Commissioner Heath mentioned to bring back the engine to Station 30 and then talk to the homeowners. Chief Anderson mentioned why should the people of Ave Maria suffer?

**Public comment**

Floyd Crews mentioned that Barron Collier had been talking to them years ago about donating a piece of property for a fire station. They wanted Immokalee to sign over all the Impact Fees. Ave Maria should force Barron Collier for a piece of property for a fire station. There is no reason why they can’t give us the land for the station. Barron Collier is the one putting all the money in their pocket. We don’t have any money. It will probably cost us $2.5 Million to build that station. Commissioner Heath mentioned that the way this has been dragged out is that maybe it’s time to bring all our trucks back and go meet with the Home Owner’s Association and tell the Home Owner’s Association that we are pulling out of there because of what Barron Collier is doing. See if we can’t get the Home Owner’s Association to put pressure on Barron Collier to donate the land to us. If they are going to go from an ISO Rating from a 3 up to a 10 because we don’t have any trucks out there. When they find out how much more insurance they are going to have to pay, maybe they can put enough pressure on Barron Collier to donate the land to us. Chief Anderson asked if Ave Maria should suffer because Barron Collier isn’t willing to work with us. Floyd Crews said yes. Chief Anderson mentioned that we should put the first station on Pope John Paul. He is waiting to hear from Bill Kirk, the Legal Representative for Ave Maria University, about the possibility of putting the station on University property.

Commissioner Goodnight asked about the property at Pacific Tomato across Camp Keais Rd from Ave Maria entrance. Attorney Thompson mentioned that he hasn’t heard anything from them but will get in touch with them. Commissioner Anderson mentioned that he thinks that Pacific Tomato property is the better property than Pope John Paul; cost effective wise. Commissioner Goodnight wants to appoint Commissioner Keen to work with Chief Anderson on the property at Ave Maria and it would be in our best interest if we looked at the property on the red (Pope John Paul) with the understanding that the future could be of the property on the blue (by the convenience store). With cutting down the size of the property being a part of the negotiations with them. If Attorney Thompson could get with Pacific Tomato and find out how much they would be willing to sell 1 ½ - 2 acres for. Chief Anderson mentioned if we could get an acre of citrus grove for $20,000, then we could go to Barron Collier and try to negotiate with them.

1. **New Business**
2. **Fire Chief Evaluation, contract review and salary/benefits adjustment**

Commissioner Goodnight mentioned if everyone had turned in their evaluations. Commissioner Heath mentioned that he hasn’t turned his in. Commissioner Anderson mentioned that he has his. Commission Goodnight said that she has already given hers to the Chief and already had a meeting with him to review it. Commissioner Keen and Commissioner Olesky have turned theirs in. Commissioner Goodnight mentioned that Chief Anderson is requesting 3% and 100% of the insurance premiums. Looking at the amount of money that we pay our employees for insurance, if he moves over to our insurance we would be paying more. She asked him to provide a list of accomplishments since he has been Chief and said that he provided that to her as well as the other Commissioners in their meeting packet. She said he has reduced our deficit by $119,000 to $112,000 and has saved us money since he came aboard. With the User’s fees, that is going to generate at least another $20,000. One important thing is that the ISO insurance Classification has improved from a 5 to a 3. Also, another thing that has been done are the physicals and drug screening for the fire fighters. It has decreased the liability for the district. His research that he did on the Impact Fee Acct. He found out that some of the fees were approaching the deadline to either spend them or return the money to the developers.

He has taken care of that so that we could use that money. He has also got the district federal grants over $500,000. Commissioner Keen mentioned that he has done a lot of good things and that he does a really good job but with the fireman getting their 3% back this year, if we are to give him 3% increase and the insurance that would be 8% total. The fire fighters only got 3% back from the 10%. Chief Anderson mentioned that they already got the other 7% the previous year, so everyone has regained all 10%, plus almost everyone is making more today than they were before they took the pay cuts because of the new incentive pay program that he implemented. Chief Anderson mentioned that out of everybody here, there is only one person that chose not to get incentives because he chooses not to take classes. The Union agreed to get more training and education. Commissioner Keen mentioned that she doesn’t have a problem with him getting the 3% raise. We are not out of trouble yet. If we don’t get the grant, we will be in trouble. We have to watch what we spend. Chief Anderson mentioned that he is putting money in reserves and not spending it. When we did the budget there was money in there for his 3% and the cost of the insurance to start paying on October 1st, so the district has already saved almost half a year of the money that was budgeted for his increases. Commissioner Heath mentioned that he is concerned about an email that some of the guys got of possible layoffs again. The Chief wants a raise and some of the guys might get laid off. Chief Anderson mentioned that we had already discussed that in the budget workshop. We had to put money in reserves to comply with the audit. If we get the grant, we have accomplished two things: we complied with the audit and we are paying everybody to stay here. If we don’t get the grant, we are going to have to take money out of reserves to pay the staff for the rest of the year. So, to apply for the grant to retain people, it requires for the people to be notified of a layoff. There are three things you can apply for a grant for and they are: Retention of people that have already been laid-off or are facing lay-off, re-hiring people through retention (people leaving) and hiring additional firefighters to comply with the NFPA standards. His plan is to apply for two of those three. Apply for money to retain 6 that are facing lay-offs. They are facing lay-offs because there’s not enough money in our general fund budget to pay them. We would have to take money out of reserves to pay them. We have the money in reserves to keep them here, but then we will be in non-compliance with the auditor’s recommendations again. The board would just have to decide whether they want to lay them off or keep them and pay them out of reserves. He has been putting money in reserves for the last two years, so taking money back out of reserves would not bankrupt the district, it would just set us back two years and we would have to start over. Chief Anderson explained that the new revenue from the user fees, plus new Ad Valorem revenue from new construction, would begin coming in over the next two years, so at the end of the two year grant period we would be able to keep the 6 without asking for another grant. If we do not get the grant, we would just not be able to replace equipment that is nearing time to replace and keep it for another year or two. The other section is that he is going to apply to ask for 6-9 additional firefighters to increase staffing. So, he is asking for money to retain 6 that are facing lay-offs and to hire 6-9 more. We have $1.3 Million in reserves now, but much of that is assigned to specific purposes. Commissioner Keen is asking to have $600,000 in reserves. Commissioner Anderson mentioned that he thinks that Chief Anderson does a good job and that he deserves the 3% raise and we should provide the benefits because he is an employee of the district. Chief Anderson has been getting a lot of heat for decisions of prior Chiefs for stuff that had been done before he came here. The amount of the raise is less than $3,000 a year. He has brought us much further along from where we were. Chief Anderson should be rewarded for that. Commissioner Olesky agreed with Commissioner Anderson. Commissioner Goodnight also agreed.

* 1. Public comment

**None**

**Commissioner Olesky made a motion to give Chief Anderson the 3% raise and insurance benefits and Commissioner Anderson seconded the motion. Commissioner Keen and Commissioner Heath oppose.** Motion carries 3 to 2. Attorney Thompson mentioned that there is another change of the proposed contract on page 1 of 7. It’s engaging in other employment. **Commissioner Anderson makes a motion to amend the contract to state to add the wording to modify the contract and Commissioner Olesky seconded the motion.** Attorney Thompson mentioned that our Attorney Lara Donlon spoke to Chief Anderson. Chief Anderson mentioned that he spoke to Attorney Lara Donlon and she mentioned that if it’s ok for him to do it then, it’s ok for him to get paid.

Commissioner Anderson and Olesky stated they do not have a problem with that. Chief Anderson mentioned that Rodeo is his thing. **Commissioner Heath opposes. Motion carries 4 to 1.** Attorney Thompson mentioned when does the insurance payment begin? Chief Anderson mentioned that he would like it to take effect immediately. **Commission Anderson amends his motion for all changes to take effect immediately; Commissioner Olesky seconded the motion.** **Commissioner Heath opposes. Motion carries 4 to 1.**

1. **Intergovernmental transfer of vehicle from Bonita Springs Fire Rescue**

Chief Anderson mentioned that we have a 2006 Ford Escape that he got from surplus. He was looking for a couple of vehicles as a spare and for a staff vehicle. To use for errands for business of the district as well as the commissioners when they need to attend meetings. He gave a presentation and they agreed to transfer it at no cost.

* 1. **Public comment**

None

**Commissioner Olesky motions to approve the transfer of vehicle form Bonita Springs Fire Rescue and Commissioner Anderson seconded the motion. Motion carries unanimously.**

1. **Intergovernmental transfer of vehicle from Collier County Fire Code Official’s Office**

Chief Anderson mentioned that Greater Naples board voted against the recommendation from the Fire Chief’s to do the intergovernmental transfer, basically saying if Immokalee wants one of those vehicles, we can bid on it when they put it up for auction. He recommends not to put in a bid for it; just wait and see if we can get another for no cost from another agency. He advised that he was checking with FWC and FHP for surplus vehicles and will keep checking back with CCSO.

* 1. **Public comment**

None

1. **Approval for payment of invoice for Fire Station 32 conceptual design services to Sweet Sparkman Architects**

Chief Anderson mentioned that we have 2 invoices for the designs and one from the engineer for pre-construction. It’s already approved for them to do the work, their fee schedule was approved. He is bringing it to the board because the dollar amount is above what he can approve himself. We have a Station Committee that we put together with the guys and we had a meeting. They came up with one of the designs.

* 1. **Public comment**

None

**Commissioner Keen motioned to approve for payment of invoices to Sweet Sparkman Architects and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. **Approval of payment of invoice for Fire Station 32 pre-construction services to Owen-Ames-Kimball Builders**
   1. **Public comment**

None

**Commissioner Keen motioned to approve payment for invoice for Fire Station 32 pre-construction services to Owen-Ames-Kimball Builders and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. **Addition to Station 30 apparatus bay for Tower-Ladder truck**

Chief Anderson mentioned that the new tower ladder at Ave Maria was purchased and we are still looking at a year from now to get the station. We were using a temporary canopy and one day that he went out there it was very windy. He spoke to Hall-Mark and if it’s parked outside we have to strip it and lubricate it at least weekly. This adds to maintenance expense. He’s had the architect come out and look at Station 30 and what he would like to do is cut out the back wall of one of the bays and put a light frame steel 9ft extension to the back of that bay so that we can park that truck inside the bay at Station 30 until we build the station at Ave Maria.

He doesn’t think it would be more than $10,000 and we could use Impact Fees for it. They recommend putting a 4 inch concrete slab. Owen-Ames-Kimball is looking at giving him a cost estimate with and without concrete.

* 1. **Public comment**

Floyd Crews mentioned why did we buy a ladder truck, it’s a monster? You can’t get that monstrosity through Ave Maria. A snorkel truck would have been enough and a better deal. Commissioner Heath mentioned that some of the guys are already complaining about how tight it is getting around Ave Maria. Floyd Crews mentioned that a ladder truck in Immokalee is useless. Chief Anderson mentioned that you can do a lot of things with a ladder truck. Floyd Crews mentioned that it will take you at least 2 to 3 years to build a station out there. Leo Rodgers mentioned that with the equipment that it carries and the risk we have in Immokalee; it requires us to have a ladder truck.

**Commissioner Olesky motioned to approve for an addition to Station 30 apparatus bay for Tower-Ladder truck up to $10,000 and if it goes over to bring it back to the board and Commissioner Anderson seconded the motion. Motion carries unanimously.**

1. **Concerns of Commissioners**

Commissioner Keen mentioned that she had the privilege to talk with Ted Tuscan and was talking about some of the new changes that may come through the state and he mentioned about our payroll company. That if this payroll company is not solid, they can come after us for the IRS taxes if they are not paying them on time or if they get behind. Our fire department will be responsible and also they can take it out of the commissioners. It’s something to pay attention to and make sure we have a good payroll company. Chief Anderson mentioned that he will try to meet with Mr. Tuscan. The payroll company has been late 2 times, so he needs to have a conference call between both of them. Commissioner Keen mentioned that he also mentioned that he had recommended for us to go with Paychecks because they are solid and they’ve been in business for a long time but we decided to go with the cheapest company. Maybe we should readdress that at a later time.

Also, Commissioner Keen wants to know how the Rodeo went for us and the firefighters. Chief Anderson mentioned that we only ended up with $750.00 from it. It was the first year and he went around the community asking them why they thought we didn’t have a lot of people in attendance. They suggested to have it Saturday afternoon and Sunday afternoon. Next year we need to start early to get sponsors. PRCA Rodeo costs over $50,000.

Commissioner Keen asked what use are the evaluations for the Chief. Chief Anderson mentioned that it’s to find out what areas of improvement he needs to make and what they would like to see him do. Commissioner Keen asked if the firefighters are evaluated. Chief Anderson mentioned that currently no. He is working on getting the evaluations updated. They are not specific enough. Commissioner Keen asked if the administrative staff does evaluations on the directors. Chief Anderson mentioned that Lts will evaluate the firefighters and so on. Chief Anderson also mentioned that he has a subordinate evaluation that allows employees that he directly supervises to let him know how they feel about his performance and what improvements they feel he could make. He advised that at some point he may have the Lieutenants evaluate him once he gets the evaluation system in place.

Commissioner Anderson mentioned if they can all get copies of the Chief’s revised contract. Chief Anderson said he would provide them copies as soon as Commission Chair Goodnight signs the revised contract and he can copy it.

1. **Public Comment**

Attorney Thompson mentioned that FASD will be meeting in June this year in case someone is interested in going. Chief Anderson mentioned that he has already done that and Commissioner Anderson is going and Commissioner Goodnight and Commissioner Keen are doing theirs thru Immokalee Water & Sewer District. Floyd Crews mentioned that he was glad that Chief Anderson listened to him about the inequality in the Ad Valorem Taxes. We need to have an impact fee survey done and this is another way of getting Ave Maria to force Barron Collier for a piece of land. We can raise the Impact Fees to pay for this piece of land. We have the ability to do this. The Impact Fees have to be defendable.

1. **Adjourn Meeting**

Meeting adjourned at 8:43pm

**Next Scheduled Meeting(s):**

**Next Regular Board Meeting: March 12,** **2014, 6 p.m.; Fire Station 30, 502 New Market Rd., Immokalee**