**Fire Commission Meeting**

**Immokalee Fire Control District**

**Board Meeting**

June 20, 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, Keen, Heath and Olesky; Chief Paul Anderson, Board Attorney Kenneth Thompson, Ann Carver, Alma R. Valladares, Jason Burr, Jay Roth, Members of the Public.

Absent Commissioner: Commissioner Keen (joined via phone)

1. Meeting was called to order by Commissioner Anderson at 6:08pm.
2. Pledge of Allegiance was led by Commissioner Anderson
3. Moment of Silence was led by Commissioner Anderson
4. Proof of Publication was led by Commissioner Anderson
5. Establish a Quorum was led by Commissioner Anderson due to Commissioner Keen having a family emergency and this is considered extraordinary circumstances.
6. **Approval of Agenda was made by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.** Attorney Thompson requested that a motion to approve for Commissioner Keen to participate by phone. **Commissioner Olesky motioned to approve for Commissioner Keen participate by phone and Commissioner Heath seconded the motion. Motion carried.**
7. Approval of the Minutes for May 16, 2013 **motion was made by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.**
8. Treasurer’s Report: Ann Carver asked if there were any questions regarding the report. The board said no.
9. Consent Agenda: Chief Anderson mentioned that senate bill 50 requires that we include public comment for anything the board has to approve. Public Comment has to be before the vote. **Motion was made by Commissioner Olesky to approve and Commissioner Heath seconded the motion. Motion carried unanimously.** 
   * 1. Chief’s Report: Chief Anderson mentioned that he will be going to a Life Fire Training

refresher course coming up next week and would like the board’s approval to attend. Also, he’s looking into Insurance carriers, liability and workers’ compensation that will save us money. We also need to establish a safety committee. There will be online safety training for the staff. Also, approving the Drug Free Program will save us money. In regards to the audit they wanted us to answer them on addressing the comments on financial audit for the three consecutive years. We needed to create an Anti-Fraud policy that included whistleblower procedures. Another thing, Collier County Fire Chief’s Association is requesting that each district draft a letter to clerk of court to perform an audit of fire plans reviews and inspection fees that has been collected and distributed to the various districts. Another thing he was contacted by the President of the Florida Community Bank and he is requesting that we return to their bank. Bernard Barnhard with Florida Community Bank mentioned that they are under new ownership for the past four years. He also spoke about us checking out their interest rates and that they are here for us in whatever we need. He’s giving us the ability to bid on the percentage for business. He feels he can give us the best deals and make us some money.

Chief Anderson mentioned that on the Fire Fighter Volunteer Program the requirements are rewritten and if volunteers are not up to requirements they will be dismissed from program. Last item is on the chairs there are three price quotes and samples of chairs to look at. One is from Wal-Mart at $139.00, the second one is stainless steel bottom is $249.00 and the third is from Blocker’s for $169.00. **Approval for the chairs from Wal-Mart was made by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.**

* + 1. Fire Marshal Report: Leo Rodgers mentioned that he put dates on line items instead of the

full calendar. There are definitions on what inspections are. CBIA is requesting changes to the way we do things. Firework season is here and we are learning new things every year. Last two years have been good. Commissioner Anderson asked about Bullriders Ballroom and how are they progressing. Leo Rodgers mentioned that they are still providing fire watch for them and will continue until December.

1. Union Report: Lt. Patterson mentioned that they raised $3,325.00 on the Boot Drive Project for last month. Also, the Union donated to a disabled fire fighter in East Naples.
2. Business of the District
3. **Old Business**
4. Approval of Policy 805-Drug Free Workplace – Chief Anderson mentioned that the Union had questions on the revised policy. They submitted a letter demanding Impact Bargaining – that means that this policy impacts their working conditions. The part that impacts them is random drug testing is questioned. They want us to specify what random meant, how often would the random testing be done and what employees would be tested. We defined random as maximum of once every quarter. We defined the group of employees from the pool of personnel for testing would be 20% of employees every quarter. He had discussed with some of the Shift Commanders, Shift Lieutenants and the Union E Board on some ideas that he had were having the operations of the fire district run more efficiently on a shift day to day basis. When we are at full staffing he would like to have the Lieutenant as the Shift Commander have his own vehicle so that he can supervise and manage all three stations. He’s responsible for the whole shift but being assigned to one engine is not really efficient if he needs to go out to Ave Maria to deal with a situation and then we are taking another engine out of its area. At some point when we look at the budget and we can do some organizational things, he would like to bring those personnel to those positions more in line to the actual job they are actually doing. As a Shift Commander he can be classified to Chief Commander or Battalion Chief that would be sometime in the future as we have funding available. When that happens, those positions would be classified as Management positions because there is no one in between the Chief and the Fire Fighters. If he is out of town they are in charge of the fire department when he is gone. If they are classified as Management positions, they are not eligible for the bargaining union in the unit. What the Union requested in exchange for approving the drug free workplace is that at that time when that happened if we reclassify those positions and they are taken out of the Union as Management, that in the future if additional positions are created within the organization between the Chief and Battalion Captain that the Captain position would be put back into the bargaining unit and the higher position would be the management position. Commissioner Anderson asked if the Deputy Chief moved back they would be back in the bargaining unit. Chief Anderson said correct. Commissioner Anderson asked if this is was their idea to him in order to. Chief Anderson mentioned that that’s what they presented to the parliament. He guesses, for him proposing including the random drug testing, which is a change in the working conditions, they wanted something in return. Commissioner Anderson mentioned that this is essentially nothing for the Union except for the possibility of. Chief Anderson mentioned that it’s something that could happen in the future. They looked at his idea of reclassifying the Lieutenants to Captain or Battalion Chief as lowering the numbers of members of the Union. That position would clearly meet the criteria for management position because there is no other layer of rank position in the Fire Chief. So, he didn’t see a problem with agreeing if there’s another position for that for the district to agree to that position for them to be able to be in the bargaining unit. He has an agreement that he read to the board. The new position will bring with it more responsibility with the job besides a Lieutenant. A Lieutenant is a company officer. A Battalion Captain as the district grown it will allow more layers of rank in the organization to go above Captain. Smaller fire departments as they grown that’s tended to be the growth of the organization.

* Public Comment: Jack Johnson asked if this was the Chief’s

response to having random drug testing, a trade off kind of thing. Chief answered by saying that they didn’t contest the random drug testing. They actually want the random drug testing but because it’s something that changes the work conditions. Most Unions if we want something, then they want something. Jack Johnson asked if there were any specific consequences for a positive test? Chief Anderson mentioned that could be up to immediate termination initiated by him. Commissioner Anderson mentioned that on the policy on page 3 it spells out what happens if there’s a positive test and a second test, a rehabilitative action plan, etc. Also asked when the Union contract would be up for renewal. Chief Anderson said that in 2 years. They are still on their first year so, 2015. Payer benefits is what we can open every year and the Union gets to pick one article they want to open anything other than involving money and we can decide. Commissioner Anderson asked if this was their article. Chief Anderson said no, this one was opened because of the impact bargaining on changes to working conditions. Commissioner Anderson mentioned that these two don’t correlate together with his plan and if it would have been brought up separately he would of approved it anyway. If we are just satisfying them for. Chief Anderson mentioned that they have requested for not contesting the Drug Free Workplace. **Motion was made to approve the Drug Free Workplace by Commissioner Olesky to approve and seconded by Commissioner Heath. Motion carried unanimously.** Attorney Thompson asked the board to motion to approve the Memorandum that the Chief read as part of the agreement with the Union contract.Chief Anderson mentioned that this is an addendum to the Union contract.  **Motion was made to approve the Memorandum that the Chief read as part of the agreement with the Union contract by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.**

1. **New Business**
2. Choosing a New Board Member- Commissioner Anderson mentioned that there were

three resumes one of which is not here. The first candidate is Eva Deo. Eva Deo mentioned that she’s lived in Immokalee for quite a few years and has been on other committees. Commissioner Anderson asked how she felt about consolidation with another district. Eva mentioned that she’s not for consolidation. Commissioner Olesky mentioned that she knows about special districts thru water district and share the same attorney and auditor. Commissioner Keen mentioned that she is a member of the water district board and will be a positive member to our board. The second candidate was Jack Johnson he mentioned that he was a volunteer fire fighter for 18 years, board chairman for 8 year and has lived in Immokalee since he was 8 yrs old. He owns a local business for 25 years. Commissioner Anderson asked Jack how he felt about consolidation. Jack mentioned that he’s not for consolidation. The third candidate was Larry Wilcoxin, he did not show up.

* Public Comment: None

**Motion was made by Commissioner Keen to approve for Eva Deo to be the next Commissioner and seconded by Commissioner Olesky. Commissioner Heath opposed the motion. Motion carried three to one.**

1. Audit Presentation Approval- Jeff Tuscan from Tuscan and Company mentioned that the

audit is completed. The law changed and the report has to be submitted before June 30, 2013. The motion has to be before September 30, 2013.

He’s reminding the board that on the in tentative budget we have 30 days to be in compliance with audit. We are still continuing to grow and certainly in the right direction. If they need any help on the budget amendments if they need it.

* Public Comment: None

**Motion was made to approve the Audit Presentation by Commissioner Olesky to approve and seconded by Commissioner Heath. Motion carried unanimously.**

1. Approval of Budget Amendments- Chief Anderson mostly to address the comments on

the audit and the current year budget to carry forward. Create new and additional line items and rename some line item accounts as well as create the split off the reserves and assign those funds to address the comments of the audits.

* + - * Public Comment: None

**Motion was made by Commissioner Olesky to approve the Budget Amendments and seconded by Commissioner Heath. Motion carried three to one. Commissioner Keen didn’t vote.**

1. Approval to Retain Temporary FF Position on return of Lt. Robert Mendoza – Lt. Mendoza was called to active duty and deploy overseas and a temporary position was approved to fill his vacancy. That position was approved up until the time of his return. Lt. Mendoza will return the first week of July. One of the fire fighters is out on administrative leave and it’s not resolved as to when he will be returning. So, we still need to fill the position to eliminate overtime. The budget can handle that position thru September 30, 2013 and even in the next budget year. We could use him as a floater to fill in on vacation leave, to eliminate overtime.
   * + - Public Comment: None

**Motion was made by Commissioner Olesky to approve to retain temporary FF Position on return of Lt. Robert Mendoza and seconded by Commissioner Anderson. Motion carried unanimously.**

1. Approval of Policy 914-Fraud Risk Management- Chief Anderson mentioned that this is

basically looking at anywhere in our organization where there is potential or possibility of fraud. Misappropriation of funds, misuse of charge accounts at local stores, credit cards, etc. We also needed a policy for a whistle blower. It’s just to show where the risks are and either eliminate or reduce that risk. Attorney Thompson asked to table this item and bring it back.

* + - * Public Comment: Commissioner Olesky mentioned that he

liked the fraud policy but not the whistle blower. The way it was set up, he didn’t care for it.

**Motion was made by Commissioner Heath to approve Policy 914 and seconded by Commissioner Olesky seconded the motion. Motion carried unanimously.**

1. Choose CFAS Representative- Commissioner Anderson mentioned if the meetings are

once a month. Chief Anderson mentioned that they are on every fourth Thursday of the month in Naples from 3:30pm to 7:30/8:00pm. Commissioner Heath mentioned that he volunteered to attend those meetings. Attorney Thompson mentioned that there doesn’t need to be a vote for this item since Commissioner Heath is volunteering.

* + - * Public Comment: None

1. Setting Dates for Budget Workshop- Chief Anderson mentioned that we need two

hearings before September 30, 2013. The first workshop will be on August 15, 2013 at 5:00pm. A break was called by Commissioner Anderson at 8:27pm and called back to order at 8:34pm. Commissioner Anderson mentioned that the second workshop will be on August 29, 2013 at 6:00pm. Chief Anderson that at the July meeting we will schedule the hearing meetings.

1. Approval to Purchase New Server- Jason Burr mentioned that our server is 7 years old

and is slowing down a lot. We have three quotes but the cheapest is Dale. We’ve always bought from Dale. We will gain 60% room on operating system and 500gb on the operation side. We are running 800gb and we will gain 1500gb. Chief Anderson mentioned that we have funds for equipment. He’s trying to write a grant to replace all the radios. As of January 1st we will have to be P25 Compliant.

The funds for the server can come out of that item. If we can find another kind of radio it would be less expensive. The price is $3,000 each for a portable. The newer ones are $3800. Motion was made to approve to purchase a new server by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.

1. Discussion/Approval on New Patch Design- Chief Anderson mentioned that he got

together with the guys and came up with this design. The guys want to be more in tune with the community and the cornucopia is in tune with farming and crops and that is what Immokalee is. Immokalee should stand out on the patch. Commissioner Olesky mentioned that Immokalee used to be a farming community in the past. Maybe we can send it to the ITEC to have it designed. Commissioner Heath agreed with Commissioner Olesky. Commissioner Anderson asked if we had to order uniforms right now. Chief Anderson said no but we do need the patches. **Commissioner Anderson and Commissioner Olesky asked to table this item to the next board meeting.**

1. Discussion on Board Evaluating the Chief- Commissioner Anderson mentioned that in

the packets is the Evaluation that needs to be filled out and turned back in to Ann or Alma by July 1, 2013. Recommend them to be filled out then scanned to Ann or Alma.

1. Concerns of Commissioners- None
2. Public Comment- Attorney Thompson mentioned that the upcoming Legislative review of last

year. Gives you information and keeps you updated to date with the Legislative laws. Be aware of the two brothers that are attorneys who are going around and making public records requests and if you don’t provide this information on a timely manner you are entitled to attorneys’ fees and they are making money doing that and winning these cases in court. The second thing is setting up a separate email account for the board members. Jason Burr mentioned that they already have their own email accounts. Let’s not do facebook. There have been some changes to the rate increase and he will try to send them to the board. The Florida Association’s website is fasd.com. Chief Anderson mentioned that he is meeting with the health insurance to reduce the cost. Commissioner Anderson mentioned that we are having a problem with the servicer now with insurance taking 6 to 7 months paying out. He would pay a higher rate as long as they are satisfied with the insurance they now have. We had Med Save USA for 6 months. Ted Tuscan mentioned insurance rates increase 25 to 30%. The rates will be going up to 150% from BCBS. We will have to pay up to 40% tax on the value of the insurance.

1. Adjourned Meeting at 9:07pm

**Next Meeting: July 18,** **2013 at 6:00 p.m.**