

## **Fire Commission Meeting**

### **Immokalee Fire Control District Board Meeting July 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 and Olesky; Chief Paul Anderson, Board Attorney Kenneth Thompson, Alma R. Valladares, Jason Burr, Jay Roth, Mike Gensin and Members of the Public. Commissioner Keen arrived at 6:22pm

- 1) Meeting was called to Order by Commissioner Anderson at 6:04pm
- 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 mentioning that Commissioner Heath, Commissioner Olesky, himself, Commissioner Keen on her way and swearing in of the new Commissioner Eva Deyo.
- 6) Approval of Agenda was made by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously. Alma Valladares had Eva Deyo sworn in for the position of the new Commissioner.
- 7) Approval of the June 20, 2013 Board Meeting Minutes was made by Commissioner Olesky and seconded by Commissioner Heath. Motion carried unanimously.
- 8) Treasurer's Report was approved by Commissioner Olesky and seconded by Commissioner Anderson. Motion carried unanimously.
- 9) Consent Agenda motion was made by Commissioner Heath and seconded by Commissioner Anderson. Motion carried unanimously.
  - i) Chief's Report: Chief Anderson mentioned that Commissioner Keen is on her way to the meeting. One addition to the report was that copy of the Immokalee Bulletin mentioning that one of our residents wrote commending the fire fighters for their fast response and care for her dad. James Eidel and Javier Barcela were very professional and got the job done. This will go in their personnel files. On July 29-Aug 2, 2013 he is teaching a Hazardous Material Tech class here at Station 30, August 5, 6, and 7<sup>th</sup> there is a water rescue and rescue swimmer class scheduled and will be taught by the dive team coordinator from the Sheriff's Office, also a confined space rescue tech class scheduled for August 19-21 and a vacant house at 1305 Peach Street for us to burn it for training scheduled for the end of August or beginning of September. He will be attending a Florida Fire Chief Development Conference this weekend coming up. He attended the CFAS meeting and they had an update of the insurance that they are looking at, which started with the four districts looking at the insurance and going into the insurance co-op and that's the way they can save money. They also have a couple dozen fire departments from Lee County looking into this as well. He thinks we can save on the insurance without participating with CFAS. On our VFIS Liability Insurance we could lock in on a rate and they will give us a discount if we have a common renewal date for the policies as well as to commit to 3 years on the policy. He will try to work with them to renew in January to be in line with Collier County. Renewal of Workers' Compensation also has premium credits that we can get. Reestablishes training for personnel and is online thru website. We need to require all personnel for training such as Preventative Training, Sexual Harassment Training and also Hazmat Training. Purchase the replacement chairs for the meeting room. Ladder 30 is in need of extensive repairs. He's pushing forward to get it fix and back in service. One of my projects ongoing. Engine 30 is at Cummings for repairs. The price quote was \$18,000 to repair. The truck is still under warranty for a period of time. The burden of proof is on the manufacturer and can't show what caused it; it should be covered under warranty. The same thing happened with the E-1 Truck and we ended up paying \$16,000 to fix it. Requested the engineer to give him a report as to what caused it or else it would be under warranty. Truck will be out for 3 weeks. We're ok for now but need to repair the apparatus soon. He talked to North Naples and we could borrow an engine from them if needed.

Last things, is that the Sheriff's Office is doing a National Night Out at the Crestview apartments to spread water over the lawn for the kids to play in. It will be in October sometime. Attorney Thompson mentioned to look into what kind of insurance they carry and if they agree with this. Chief Anderson mentioned that he's looking at a couple of places that have live auctions or bid online for selling the old engine at Station 31. It's deteriorating and every week that it sits there is worth less money. He would like to surplus it. Attorney Thompson mentioned there might be a policy to approve online bids that he needs to look at. Commissioner Heath asked what needed to be done to the ladder to get it done. Chief Anderson mentioned that some electrical, some brake lights, cylinders are leaking and the hydraulics are the main thing. As the repairs are done, it needs to be tested and certified hopefully within 30 days to get it going. He's going next Thursday to the Collier Fire Service Steering Committee. They want all the fire districts turn in the inspections to go thru their fire code office. He wants to keep everything local and that way we have control over it. This won't work for Immokalee. Leo Rodgers also agrees to have us keep it here. Commissioners Olesky, Commissioner Anderson, Commissioner Heath, Commissioner Deyo and Commissioner Keen all agree that we are happy where we are and keep it here in Immokalee. Chief Anderson mentioned that next Thursday morning they will be going to the Communication Center to recognize the responders to the ultra light air craft crash of March 17, 2013. The Fire Fighters were: Tom Cunningham, Greg Smith, Tom Manning, James Eidel and Javier Barcelá. The victim is appreciative and praises everyone. He wanted to meet everyone and basically thank them for saving his life. Commissioner Keen asked if any decision was reached about the self insurance. She mentioned that we just got out of self insurance. Chief Anderson mentioned that when you switch insurance they look at your past claims and evaluate you based on that. Jay mentioned that the insurance plan is fixing to change in a couple months and in January it might change everything. They are going to get rid of pre-existing conditions and be able to rate on age, geography and smoking. This could be positive for everyone but we won't know until August of this year. Chief Anderson mentioned that they are waiting for the numbers to come in from Blue Cross Insurance. We are looking at a couple of different options.

- ii) Fire Marshal Report: Leo Rodgers mentioned that July 4<sup>th</sup> brings fireworks to town. We reviewed the laws and Chief Anderson shed light on things they did in Clermont and he met with bomb squad and Collier county sheriff's office and even the attorneys can't agree on this law. Last year we didn't do anything with the fireworks violation. This year he issued a notice of violation because of the fireworks that were contained under the tent with the sparklers. The thing is that we have to give them 45 days and the violation goes away in 10 days, so then it's no longer in violation but at least it's documented for this year. He's going to keep up with this and the next time will be new years. It's against the law to sell fireworks retail and the only way to do that is to sell them wholesale. The only thing legal is fire crackers. Chapter 3A of the Administrative Code is very specific on fire crackers. He brought it to Sgt. Muller's attention and see if we can't go anywhere again. The problem with that is if you confiscate it, where are you going to put it? We don't have storage to keep them and they don't have where to keep them. So, there's lot of issues with this. A whole lot of things would start to fall into place if we were to enforce the laws and we don't have the man power. We want to do something so we can all be on the same page. Hopefully by New Year's we will have a resolution for this. Chief Anderson mentioned that we're going to combine efforts between the Fire Marshals, Sheriff's Office, Department of Revenue and Department of Agriculture and try to get all these firework tents to shut down. Leo Rodgers mentioned that there have been some significant changes to Chapter 633 of the Florida Statutes in regards to Fire that is the statute that regulates the inspectors and fire fighters certifications, contractor licensing, volunteer fire fighters. We got an extension and a number of years to recertify. We got more number of hours added to our training added to our fire prevention code. We have had issues with the 50# static with fire sprinkler committee for months now. They've asked the committee to come to the meetings and only one shows up. We need to come up with other ways of this cushion what normal pressure is when we take a flow test. There is several different ways that your allowed to create a flush factor in there. So, if there is a pressure loss or anything else that these sprinkler systems won't fail. Collier County has used this formula for the 50# pressure for years. The formula itself puts an undue hardship on districts with good water pressure. He's been an advocate of getting rid of this for a long time because he can't see our residents being asked to put fire pumps when they don't need it. Just because 2 or 3 areas in Naples have to have it, there's no reason for this to be done throughout the

whole county. We put it back with the contractors and they haven't gotten back with us with a resolution on that. They had a meeting this morning and had one contractor show up to the meeting and he has some ideas for formulas and bringing some engineers with him for the next meeting. The Fire Alarm Committee met this morning and we have issues with the new fire alarm panels with fire sprinkler monitoring. We put them in a metal box. They have a new way of transmitting via cell phone. Well they put the antenna inside the metal box but when you close the metal box, there's no reception. They submit plans but don't submit the plans for the internal antenna. We have an issue with Comcast not providing some kind of engineering. We have a meeting August 1<sup>st</sup> at Ave Maria with the Sur Team.

- Public Comment: Commissioner Heath asked how are we coming along the inspection fees. Leo Rodgers mentioned that it's coming along. The fee is \$75.00 for building. He had to have two other inspectors help him with a building that was 200,000 sq. ft. It took them three days to inspect. Commissioner Anderson asked the board to take a 5 minute break at 7:05pm. Commissioner Anderson called meeting back to order at 7:14pm. Commissioner Anderson mentioned to Leo Rodgers that next month give them a 30 day outstanding, 60 day outstanding and a 90 day outstanding so they can see how these are progressing or the same and a definite answer of what we can collect the outstanding fees that aren't being paid.

10) Union Report: Tom Cunningham mentioned that they are going to be filing with Perk our notice of negotiations. We will get the Chief to set schedules and dates to negotiate. The contract that was negotiated last was that basically that all the money articles are up and the mandatory negotiations for those articles. He received the R426 from the Chief for the tax collector. He they know what they are looking at. Saturday there's a charity event for the city of Naples from 4:00-9:00pm at South Street at Grill of Naples. The locals donated money and quite a few members are going to be there. Through the Union we are looking at what we can do with the stations with the Chief's approval. One of the things that the Chief sent out was the Community Improvement Grant. A couple of the guys have been working with that. The main focus is Station 31. They are trying to clean up the bays and do some landscaping up front and basically just clean it up. With the new sidewalk and all, it could be something nice for the community to see. Also, possibly some landscaping at this station as well. Grant from Lowe's for community development. U.S. dept of Agric grants and loans for rural community and see if we can apply for that. Chief Anderson mentioned that he's working on that here was an issue due to the population. Attorney Thompson mentioned that Mrs. Rivera's mother past away. She's been with Immokalee Water & Sewer board and has been working with us for 10 to 15 yrs. Currently we don't have a corn bill so it's considered a continuous resolution until that's resolved. It may take time to work with that process.

11) Business of the District

A. **Old Business**

1. Approval of Revision to Policy 902-Purchasing- Chief Anderson mentioned that he sent it to Attorney Thompson for review due to one change to it. The change was adding a definition of a local vendor. That is the vendor's primary office should be 20 rural miles of the Immokalee Fire Administrative Offices. Any purchase less than \$10,000 requires a bidding process if the local vendor is not the low bid and if not below the 5% we would give preference to the local vendor. Attorney Thompson mentioned that the board pretty much approved it but we're just subject to bringing it back.

- Public Comment- No comment

**Motion was made to approve as amended Policy 902-Purchasing as amended by Commissioner Olesky and seconded by Commissioner Keen. Motion carried unanimously.**

2. Resolution 2013-07-01- Resolution 2013-07-01-Charges for Responding to Emergencies that Either Threaten or Could Threaten the Health and Safety of Persons, Property, or the Environment- Chief Anderson mentioned that the last one was called Reimbursement for Extraordinary Expenses and while working on that one he started researching on other areas that the district is allowed by law to charge user fees on. The original proposal was in line with what they call charges for responding to emergencies that either threaten or could threaten the health and safety of persons, property or the environment and that includes hazardous material spills on the roads and various other things. Attorney Thompson looked at it and the basic content of the original proposal was fine. So, what he did was to change the title of it and put it in a form of a resolution and changed the name of it. The language and what it pertains to is copied directly out

of the state statute. So, there's no question of whether we have the authority to do that or question on what that means. The hazardous materials emergencies were taken from other areas that were already charging for that and he decreased some of the amounts from what other people had. He made it more reasonable for the area we are in and the businesses and people we are dealing with. Anything that is not covered specifically on the list we would go with the FEMA schedule of fees. After reading the statutes it expanded into other things. If you look at user fees, the general process is that the Fire Department is like an insurance policy and the insurance pays for the availability for the fire department being here. Pays for the fire fighters to be on duty, building, equipment on the trucks and that gives the community the availability of the fire department if they need them. The reason we have to replace trucks is because we use them. You have to pay something where all this wears out. That is the concept of all this. For the most part, it would be charged to someone's insurance company.

- Public Comment- None Comment

**Motion was made to approve Resolution 2013-07-01 Resolution 2013-07-01 Charges for Responding to Emergencies that Either Threaten or Could Threaten the health and Safety of Person, Property, or the Environment by Commissioner Anderson but omitting fees for outside mutual response and seconded by Commissioner Deyo. Motion carried three to two.**

**B. New Business**

1. Approval of Policy 808 – Public Comment During Board Meetings
  - Public Comment
2. Establish Proposed FY 2013-2014 Millage Rate for Report to Property Appraiser
  - Public Comment
3. Set Dates for Budget Hearing in September
  - a. Need two hearings no sooner than September 3<sup>rd</sup> and no later than September 18<sup>th</sup>
  - b. Cannot be same day as County Commission or School Board meetings
  - Public Comment
4. Resolution 2013-07-02 – Charges False and Nuisance Fire Alarms
5. Resolution 2013-07-03 – Resolution 2013-07-03- Charges for Special Emergency Services, Refuse Fires, and Illegal Burns
  - a. Structure Fires in the District (Insurance Billed)
  - b. Structure Fires Outside of the District
  - c. Vehicle and Marine Fires (Insurance Billed)
  - d. Rail Car Fires
  - e. Fires in or at Refuse Dumps
  - f. Fires as a Result of Illegal Burns
  - Public Comment

12) Chief Evaluation/Discussion

(1) Public Comment

13) Concerns of Commissioners

14) Public Comment

15) Adjourn Meeting (State time for the Record)

**Next Meeting: August 15, 2013 at 5:00 p.m.**

**Budget Workshop**

**August 15, 2013 at 6:00 p.m.**

**Regular Scheduled Commission Meeting**