**Fire Commission Meeting**

**Immokalee Fire Control District**

**Special Board Meeting Minutes**

February 21, 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, Rice and Olesky; Chief Greenburg, Board Attorney Kenneth Thompson, Ann Carver, Alma R. Valladares, Jason Burr, Members of the Public. Commissioner Keen arrived at 4:08pm

Absent Commissioner: Terry Heath

 1) The meeting was called to order by Commissioner Anderson at 4:00pm.

2) The pledge of allegiance was led by Commissioner Anderson

3) Moment of silence was led by Commissioner Anderson

4) Negotiations with Top Candidate Paul Anderson. Commissioner Anderson asked Candidate Anderson if he had any questions on the packet handed to him. The budget cap for this year is $115,000 but there’s $95,000 right now.

Commissioner Rice asked Candidate Anderson if there are any questions or objections that were in the packet that he would like to discuss.

Candidate Anderson said that he noticed that on the current budget significant purchases were made this year that won’t be purchased this year. The money in the budget that’s available now could be used to negotiate the salary. He noticed that there’s $25,000 for bunker gear. His proposal in the future year is to reduce it to half the cost, which is $12,500. He wants to reduce the $15,000 by about 3,000. Just be those two items will cover the additional funding needed. Discuss full retirement. My consideration is not paying to the Florida Retirement System this year but start in October. He doesn’t want to lose his 5 years retirement. He would be willing to lose those six months in order to get that salary up and start paying in October 1st, when the funds are available. He wants to insurance for his family.

 Commissioner Rice mentioned that they are looking at example B, the salary is $90,000 and with everything it will be a total of $114,529 total without the retirement package. Also asked where the department was regarding the purchase of bunker gear and so forth this year.

 Chief Greenberg mentioned that the items purchased are in this years’ budget and what Mr. Anderson is mentioning are for the new budget process. It’s going to be over $13,000 that will have to be made into the budget process.

Commissioner Anderson mentioned that for October we will be over $115,000.

Commissioner Rice mentioned if Candidate Anderson would agree to that $90,000 for the first 6 months since we are almost half way thru the year and that also falls into our review plan already talked about the 30/60 and 90 days.

Candidate Anderson agreed.

Commissioner Rice also, mentioned if anyone has any objection to this.

Commissioner Olesky said that that was fine with him.

Chief Greenberg mentioned that the department needed to replace old gear and also the cleaning of the gear. We’ve purchased 5 sets of bunker gear but were budgeted for 10 sets. We’ve purchased some boots for $500 has been spent and $11,000 for bunker gear was just spent. It’s legal to do, The Florida Retirement System it has $90,000, total amount would be $130,000.

Commissioner Anderson mentioned that the board can do a contract from here to October or from the start date to October with an outline of what we are expecting.

Commissioner Rice asked Candidate Anderson would be acceptable to him.

Candidate Anderson mentioned that in order for him to carry his additional insurance he has to be employed thru April 1, 2013, and he also has 3 weeks’ vacation. He could start April 1st here and be on vacation there. His question was “when did the board need him to start.”

Commissioner Rice mentioned that they have a 30 day with the previous contract.

Attorney Thompson mentioned to the board, that even though it’s an expense, instead of cutting himself off of Big Cypress, he might only be gone for a couple of weeks during transition period. While the Chief is working he might have support, because they are currently staffing us with three people.

Commissioner Keen commented to Candidate Anderson that this is now a stressful time and Chief Greenberg has done an excellent job, but she’s having a problem with him coming in and asking for $130,000 without. She has a problem with raising the budget and taking it out in 6 months.

Candidate Anderson mentioned that there are various reasons to come here and that is to provide more for his family, to make more money. They haven’t gotten a raise in four years in Clermont.

Attorney Kenneth asked if he could suggest that maybe if Candidate Anderson needs assistance for moving, a couple of thousand dollars up front reduce his pay but do it as a transfer fee. If he wants 3 months’ severance, bill him maybe a month for severance for two months for 6 month period, reduce his rate if he wants the severance pay for the first 6 months and then re-evaluate him and then bump him back up at the end of 6 month period, those are some of the options to consider for moving and relocating people. Some sort of package along those lines and a little reduction of the $90,000 is something. During the first month he gets a week and if he’s bumped in the second he gets two weeks, about the three months when he leaves or 6 months, those are flexible for you to negotiate. Right not you are trying to solve an issue, and work things on, now is the time to negotiate.

Commissioner Rice asked Candidate Anderson if that is something that agrees upon.

Chief Greenberg mentioned that severance discussion as it relates to legislation is 20 weeks, that’s the maximum allowed, is almost 5 months to be exact.

Attorney Kenneth mentioned that a written or verbal letter should be done to help him move. Maybe pay $2,000 up front for moving. Offer him, instead of $90,000, maybe $85,000 building that he is here for more than, if he doesn’t serve out the first month then give him a months’ severance pay something along those lines.

Commissioner Rice we want to do a review 30/60/90 days so we can build in increments during those 30/60/90 days too.

Commissioner Anderson mentioned that he isn’t comfortable with the severance package of three months’; we only have seven months if he were to start April 1st.

Commissioner Rice asked Candidate Anderson if he was in agreement to work out those details and negotiate that.

Candidate Anderson mentioned that he would like to have everything worked out before he turned his notice to Clermont.

Commissioner Anderson asked Candidate Anderson what would be the severance pay he would be comfortable with from here to October or mid March 31st or beyond.

Candidate Anderson mentioned that he didn’t see a problem with his performance, there are changes to make if the board allows him to make, though there are problems when changes are made. He will need the board’s support if changes are to be made.

Commissioner Anderson asked how they would work out the difference in his pay. If we went with example B, would it be one agreement until October 1st and then another agreement from there to the end of the contract or the end of the agreement.

Candidate Anderson mentioned that it could be the same contract it could just be written to start paying in the contract into FRS in October 1st and beyond.

 Attorney Thompson mentioned that we have a labor lawyer to check FRS to confirm if we can do a written proposal.

Attorney Thompson mentioned to the board that if Candidate Anderson wants a years’ contract maybe he’ll take reduction in salary.

Commissioner Keen mentioned that she agrees with Attorney Thompson’s suggestion.

Candidate Anderson mentioned that he would like to stay with the $90,000; it’s only a little increase than what he is making now. He was promised a 4 to 6% increase in Clermont if he stayed. Commissioner Anderson is asking Chief Greenberg that looking thru the policy manual It’s worded, “for bargaining members”, which obviously Candidate Anderson, isn’t. He is asking if it’s typical for a Chief to be compensated for certifications outside their normal.

Chief Greenberg mentioned that if it’s not part of their job qualifications and requirement, it has happened in the past.

Commissioner Keen asked if their job is if Candidate Anderson gives them an offer and they are to decide to take this offer as our job and decide what we will do or won’t do.

Attorney Thompson confirmed to Commissioner Keen that this is what the 2 hr meeting was about. Commissioner Anderson asked Candidate Anderson if he had added the total incentives that he would qualify for.

Candidate Anderson commented that it would be $3000.

Chief Greenberg commented that the new contract was two- $1500 and two- $750.

Commissioner Keen mentioned that it would be $4500.

Commissioner Anderson mentioned if we reduced it to $85,000 with the incentive pay $4500 that would equal to $89500.

Attorney Thompson mentioned that Candidate Anderson is looking for security if you wanted to reduce the salary for extra security. In other words if he wants three months and he’d be willing to take a $5,000 or $10,000 pay cut. Again, these are not suggestions, they are just thoughts. Three months is roughly $22500 if you terminate him in three months and that’s what he wants.

Commissioner Keen mentioned that money is the issue on us.

Commissioner Rice commented on what Commissioner Olesky said, what is outlined in B at the $90000.

Commissioner Anderson commented to what about a year at $85000 with incentives moving it to $95000 as long as he qualifies for those at one year and what kind of severance.

Commissioner Rice mentioned with three months’ severance is fine.

Commissioner Anderson mentioned that his recommendation was that the $85000 plus incentive = with the 14.9% of the FRS, leave it at $90000 because the incentive will be cut in October. Candidate Anderson mentioned that that makes more sense to him. He knows there was a burden in the past and he understands, he will have to build on that reserve back up. He needs to do what’s right for his family.

Commissioner Rice mentioned that he motions for the salary of $90,000 that is in Section B, with the taxes and family insurance and a year contract with 3 month severance pay for the new chief. All this is subject to legal review.

Commissioner Olesky seconded the motion.

Commissioner Anderson asked if any further discussion, he called for a motion. Motion carried three to one: Commisssioner, Olesky, Commissioner Rice and Commissioner Anderson agreed, Commissioner Keen opposes motion.

Commissioner Rice asked Candidate Anderson if he had seen the benefits on the package. The benefits included are: A vehicle, uniform, cellular, $100 phone purchase, $100 for usage plan, vacation time recommended 2 weeks, sick time one week.

Commissioner Anderson commented that he wouldn’t have a problem with that after the one year.

Commissioner Keen mentioned that 2 weeks is great for the first year and it can build and that’s just my opinion.

Commissioner Rice mentioned that he already has four weeks’ vacation and adding the 2 weeks here would add up to 6 weeks.

Chief Greenberg mentioned that for the record, new employees coming to the district aren’t allowed vacation time; they earn it but are not allowed to use it. They work a year before they can get vacation.

Commissioner Anderson mentioned that we could accommodate that and that Candidate Anderson could balance his hours to a reasonable extent.

Candidate Anderson asked about sick time, how did the other employees accumulate sick time? Chief Greenberg mentioned that it’s accumulated at 12 hours per month.

Commissioner Rice motioned that the contract would include the benefits as described in our contract, vehicle provided, uniform provided and cellular phone with those stipulations, vacation time of 2 weeks and sick time 1 week.

Commissioner Olesky seconded the motion. Commissioner Anderson asked Candidate Anderson if he agreed with that.

Candidate Anderson agreed to that.

Commissioner Rice asked if the board was in agreement with these stipulations these clauses that we have covered. He motioned for sample B – taxes and family insurance and other benefit package.

Candidate Anderson agreed to all those items covered.

Chief Greenberg mentioned just to confirm the offer. The motion was to offer the salary of $90,000 salary, family insurance provided, taxes associated with the $90,000, 3 months’ severance package, two weeks’ vacation time, one week sick time, vehicle provide by the district with family not permitted in it presently, uniforms provided by the district, cellular phone with $100 purchase and $100 monthly usage, FRS payments beginning October 1, 2013, barring financial position of the districts, with 3 months’ severance pay without cause, subject to a one year contract with legal review. That is where we stand now.

Attorney Thompson mentioned that the severance pay is without cause.

Commissioner Rice asked Candidate Anderson if he was in agreement to all that.

Candidate Anderson agreed.

Commissioner Keen seconded the motioned. Motion carried unanimously.

Candidate Anderson asked what was the start date.

Commissioner Rice mentioned that March 25, 2013 is the start date.

Attorney Thompson asked if Commissioner Rice motioned for Candidate Anderson to start on March 25th and Commissioner Anderson seconded the motion. Motion carried unanimously. The length of the contract will be from April 1, 2013 to March 31, 2014.

Meeting Adjourned by Commissioner Anderson at 5:11pm

Minutes typed by Alma Rosa Valladares