**Fire Commission Meeting**

**Immokalee Fire Control District**

**Board Meeting**

**August 20, 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, Halman, Olesky; Chief Paul Anderson, Board Attorney Kenneth Thompson, Leo Rodgers and Jay Roth. Commissioner Keen out of town.

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 Anderson motioned to move as much as we can to the end. Commissioner Olesky motioned to approve Agenda and seconded by Commissioner Halman. Motion carries unanimously.**

1. Approval of the minutes of the following meetings:
	* 1. July 16, 2015 Regular Board Meeting

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

* + 1. July 21, 2015 Budget Workshop

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

1. Treasurer’s Report

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

1. Consent Agenda

Commissioner Goodnight mentioned to go through A, B, C and move D to the end. **Commissioner Halman motioned to approve Consent Agenda and seconded by Commissioner Anderson. Motion carries unanimously.**

* + 1. Fire Marshal’s Report
		2. Chief’s Report
		3. Status on Current Contracts
			1. Mechanic MOU expires September 30, 2015
			2. Mabry Brothers, Generator Maintenance, expires September 30, 2015
			3. Lawn Maintenance agreement expires September 30, 2015
			4. On-Line Training service contract expires September 30, 2015
			5. Payroll Service contract expires September 30, 2015, monthly thereafter, 30-day notice
			6. Employee Physical Examination NFPA 1582 & 1583 contract expires September 30, 2015
			7. User Fee Billing contract expires December 30, 2015
			8. Master Copy Machine contract expires February 28, 2016
			9. Seminole Tribe contract expires September 30, 2016

(10)Breathing Air System contract expires September 30, 2016

(11)Financial Auditor contract expires September 30, 2017

(12)Architect, Engineer, and Builder contracts expire November 30, 2017

* + 1. Revisions to District Personnel Policies
			1. **Cover Page**

Chief Anderson mentioned that this is just cleaning up the district policy.

* + - 1. **Table of Comments**

Chief Anderson mentioned that he added Policy 207 Administration Investigations.

* + - 1. **Mission Statement**

Chief Anderson mentioned that the Mission Statement was changed a little and updated the commissioner names.

* + - 1. **Policy 108 – Outside Employment**

Chief Anderson mentioned that we are not to discriminate or prohibit in any way a firefighter from volunteering on their time off as part of the requirement in order to receive federal grant funds.

* + - 1. **Policy 109 – Employment Background Investigations**

Chief Anderson mentioned that Attorney Lara Donlon made a couple of adjustments to it. She suggested on labor law and legalities updates. Something to follow.

* + - 1. **Policy 205 – Promotions**

Chief Anderson mentioned that it had 3 phases but he added a 4th phase which was Education and Experience to include that as part of their score in their hiring process. He’s developed a spreadsheet that includes pretty much any class that a fire fighter could ever get in his career. They get points in different categories and those points add up at the end in education and experience in fire fighter and military as well. He wanted to incorporate something that would look at their background and experience.

* + - 1. **Policy 207 – Administrative Investigations**

Chief Anderson mentioned that if this is unfounded, it’s not kept in their personnel file but still in an Administrative Investigations fie. Commissioner Goodnight mentioned to Commissioner Anderson if he can bring one from the Sheriff’s office to look at. We are putting this one on hold.

* + - 1. **Policy 303 – Holidays**

Chief Anderson mentioned that we added President’s Day back in.

* + - 1. **Policy 305 – Sick Leave Benefits**

Chief Anderson mentioned that this was in conflict with another policy. The maximum accrual of sick leave for employees will be 960 hours for a 40-hour employees and 1200 hours for 24- hour shift employees. Attendance Incentive Plan is for them not to use all their sick time. They can buy back so many hours, each year as of October 1st. They can accumulate leave time and rewards them for not using sick. If they routinely call in sick and not go to the doctor. If they accumulate 20 points, they get counseling. Their points can be reduced if they don’t call in sick for 2 months but if they accumulate 20 points again; the next time it’s a written reprimand and then suspended w/o pay and the discipline keeps progressing.

(10)**Policy 403 – Incentive Program**

Chief Anderson mentioned that we changed some numbers with the training coming up. We’ve had several of our people go to school to become a fire instructor. Specifically a live fire instructor; where we can go to a live burn building and take people in to do fire evolutions. We are going to need that when we start recruiting new volunteers. So, we increased number of people that were eligible to get incentive pay as a live fire instructor. We also added a Shift PPE Maintenance Coordinator because there are new State Fire Marshal’s regulations for maintenance and cleaning of bunker gear. They have tied into certain types of cancer associated with dirty bunker gear. We are in the process of ordering our mud boat; as well as Bonita Springs is giving us one of their boats. We already got water rescue equipment. All of our people went through the water rescue classes. So, there is another incentive pay available for a maintenance coordinator to take care of all the water rescue and marine equipment.

(11)**Policy 704 – Attendance and Punctuality**

Chief Anderson mentioned that this policy defines poor attendance. It was defined as greater than 30% of the time one is expected to be at work. He thought it was a little high so, he would like to lower it to 20%. When people don’t show up for work, that causes problems; they are not productive. It costs us money because we have to pay somebody overtime to come fill in the spot. It defines excessive tardiness. If you are tardy more than 4 times; he reduced it to 3 times in two months.

(12)**Policy 704B – Attendance Point System**

Chief Anderson mentioned that this if they call in sick without going to the doctor, they accumulate points. Anything that is covered by the FMLA is exempt from this. We cannot hold it against them if it’s a covered sickness or injury. If they just call in sick basically because they want to go hunting this weekend; they’re going to get points. We have had people that have been here for several years that have no sick time because every time they get sick time, they call in sick. He’s pulled all the records for the last three years and on some of them, you can see a pattern of when they are using all the sick time.

(13)**Policy 903 – Petty cash**

Chief Anderson mentioned that this policy conflicted with the purchasing policy. The purchasing policy said that petty cash was up to $200 and the petty cash policy said $100. So, we just made it the same.

(14)**Policy 911 – Formulation of District Budget**

Chief Anderson mentioned that he added some words. Instead of calling it a Preliminary Budget he’s changing it to Tentative Budget because that is what the state calls it.

 (15)**Policy 913 – Credit Card**

Chief Anderson mentioned that he spoke to Jeff Tuscan and he had no problem with this and he recommended some of the language that Chief wrote in this policy to be covered. It’s not a problem to issue each of the commissioners with a credit card in their name with a limit of $1500 and they can either chose to carry it with them or leave it here locked in the office until they need it. Commissioner Goodnight mentioned that the cards need to have names on them and Chief Anderson’s needs to have a name on them. Chief Anderson mentioned that most departments don’t have a problem with the department card because he wrote see fire dept. ID on the back in the signature space.

Commissioner Goodnight mentioned that it should be up to the commissioner if they want to keep it here or with them. Chief Anderson mentioned to bring all the receipts. Read the state statute 112 and make sure they understand the spending limits. Also, that it can be used for eating breakfast is $8, lunch is $11 and dinner is $16. Commissioner Halman asked about fire department ID’s. Can they get some issued to commissioners? Chief Anderson mentioned for them to get in contact with Jason Burr when they have a chance. He will ask Jason to be here at the next board meeting for the badges. Commissioner Goodnight read the last paragraph regarding signing out a credit card for fuel. Chief Anderson mentioned that we have fleet cards for fuel.

**Commissioner Anderson motioned to approve all policies with the exception of Policy 207 and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. Union Report

No one present to give report.

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

Chief Anderson mentioned that they cancelled the meeting again. There’s nothing to report.

* 1. Public comment

None

1. Status of Collier Emergency Services Task Force (County-wide Fire and EMS Merger/Consolidation)

Chief Anderson mentioned that he attended the meeting and they want to help us in joint training. He mentioned that we already rotate units to North Collier Fire Academy.

* 1. Public comment

None

1. Status of Fire Station 32 Property and Construction

Chief Anderson mentioned that he had another discussion with the county and haven’t heard anything from Barron Collier and told them that the Ave Maria project is being delayed; as well as the Carson Road Project. If they can’t provide a piece of property within a limited amount of time, we may put Ave Maria on old indefinitely. They understand about providing the property but they are not ready to commit the property yet. Barron Collier doesn’t have real commitments; they have interests. He has a meeting tomorrow with the architect for the Carson Road Project and wants to move forward with building that station. Attorney Thompson mentioned that we need to take care of Carson Road Station and be off their property so, we have no obligation to them. Commissioner Goodnight mentioned that she guesses that Ave Maria is not concerned that there’s no station out there. Jay Roth mentioned that they are getting the credit of the temporary station. There are discussions as to why the current station hasn’t been constructed. Attorney Thompson mentioned that Chief Anderson forwarded a letter to him from David Jenson that they are looking to expand their development of Ave Maria University. The county seems to be willing to let it run low and further and we are in the position to move forward because we have Impact Fees that need to be spent in a timely manner and the county is looking for us to make a contribution to this building. Without an allocation of plan we have to take care of Carson Road first so, we have no obligation to them. Chief Anderson mentioned that 2 to 3 Feet sits on Barron Collier property.

* 1. Public comment

None

1. **New Business**
2. Renewal of Mechanic Inter-local Agreement with Greater Naples Fire (revised)

Chief Anderson mentioned that he revised it because we hired our own mechanic. He took out work week, weekday and routine maintenance and left after hours/on calls. They will still bill us for $250/month until the end of September. Commissioner Anderson mentioned to change the 1st paragraph on Establishes an agreement with East Naples/Golden Gate Rescue and Immokalee Fire. Greater Naples Commission voted not to renew the contract, even for just after hours. Bonita Springs mentioned that they can help us when we need them. They will assist in everything we need. They don’t need an agreement and will bill us at the normal rate.

* 1. Public comment

None

**Commissioner Olesky approved to work with Bonita Springs as needed and Commissioner Anderson seconded the motion. Motion carries unanimously.**

1. Purchase Approval – Turnout Gear for New SAFER Grant Firefighter Positions

Chief Anderson mentioned that we are eligible to buy bunker gear for the 9 new fire fighters from the grant.

* 1. Public comment

None

**Commissioner Anderson motioned to approve purchase Turnout Gear for New SAFER Grant Firefighter Positions and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. Purchase Approval – Radios for New SAFER Grant Firefighter Positions

Chief Anderson mentioned that we need new radios for the new positions.

* 1. Public comment

**Commissioner Anderson motioned to approve purchase for Radios for New SAFER Grant Firefighter Positions and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. Set date for Collective Bargaining Negotiations Closed Commission Session

Chief Anderson mentioned he is done meeting with the Union and needs to set a meeting with Commissioners. Commissioner Goodnight mentioned that we have the meeting on September 14th through September 18th. Everyone agreed to have the Collective Bargaining Negotiations Closed Commissioner Session on September 14, 2015 at 6:00pm.

* 1. Public comment

None

1. Concerns of Commissioners

Commissioner Anderson asked if they can get the packets sooner. That’s becoming an issue now. The minutes haven’t been posted on website since December 2014; nothing’s been updated. He mentioned that Attorney Thompson can stop him if he needs to. He is acquainted with a person at WINK News and got information from him that there was an allegation that Chief Anderson had ran over somebody at a crash scene a couple of days ago. Also, about some emails back and forth. Since WINK is already reporting on it. He hasn’t heard anything about it and is not sure if any of the other commissioners have heard anything; but is there anything they should know before he is approached by this acquaintance. Attorney Thompson mentioned that maybe Commissioner Anderson wants a policy of when there is an accident and company vehicles are involved; they should be notified of that.

Chief Anderson mentioned that there was a traffic accident on SR82 and he parked his truck on the side of the road. They were working on the patients and got them out of the cars and we had been there for about 20 to 25 minutes. Somehow his truck slipped out of gear and it started rolling, and it started rolling towards a lady that was on a backboard on the ground that the guys were treating. Chief Anderson said he saw it happen and it did not look like it hit her from where he was standing and it certainly did not “run her over” as Commissioner Anderson said someone told him. FF Bryan Horbal jumped in the truck and stopped it before it hit anybody. Chief Anderson said he called the mechanic and told the mechanic that he wanted his truck looked at first thing Monday morning. The incident happened on the weekend. So, first thing Monday morning, the mechanic spent 2 to 3 hours and went over the truck and that all the linkage and everything else was fine. Both Chief Anderson and the mechanic researched to see if there were any recalls for that model and couldn’t find anything. Attorney Thompson asked if there was any contact with the vehicle and the lady. Chief Anderson said that he didn’t think so; it didn’t look like it hit her; it looked like the firefighter got in, stopped it, and put it in reverse before it hit the lady. Attorney Thompson mentioned that it was probably more of a scare than an actual contact. Commissioner Anderson asked if they could get copies of emails of back and forth. Chief Anderson mentioned that he doesn’t have any emails. This is the first time of him hearing about it. Commissioner Anderson mentioned that WINK broadcasted that there were emails exchanged from Chief Anderson and EMS before the meeting started and what Chief Anderson said didn’t happen; they are saying it did. Attorney Thompson mentioned that all that is public record and are entitled to it. Chief Anderson asked if he had emailed anyone internally. Armando Negrin said no. Chief Anderson said that he would contact EMS and get copies of any e-mails they have and also meet with the firefighters that were on the scene. Chief Anderson will notify our insurance company in case the lady files a lawsuit.

None

1. Public Comment

Armando Negrin mentioned the report on the news mentioned that the emails inspired from internal EMS directly to the news. It wasn’t produced by our agency. It was six emails sent. There was no indication on what they specifically said. Commissioner Anderson mentioned that he will listen to it on the break because they put it on an application. Armando Negrin mentioned that there was a statement from Chief Anderson as well. Commissioner Anderson mentioned that he is a little concerned. Commissioner Halman asked Chief Anderson if anyone of the victims have contacted him. Chief Anderson said no. Chief Anderson mentioned that the first he ever heard anything was at 5pm this afternoon. He mentioned that a reporter called him and ask him about it. They wanted to know if he could give them some information about the fire department truck that ran over a person at the accident scene. Chief Anderson mentioned that he told them that he didn’t know what they were talking about, that there was no fire department truck that ran over anybody in an accident scene and the entire conversation lasted about 90 seconds. After the news person explained more about the call and when and where it was, Chief Anderson understood what call they were talking about and told them that he didn’t see the truck hit the lady and he watched the whole thing happen. Also, that what it sounds like is that someone from EMS sent some information to the news. Attorney Thompson mentioned that it is something we will check into and Chief Anderson will write up a policy regarding incident report and bring it back to the board. In case there are any incidents, the board will be notified. Chief Anderson mentioned that at the time; he didn’t think it amounted to anything. The truck started rolling down the hill and it was stopped before it got to anybody. Commissioner Goodnight asked if anyone was in the truck. Chief Anderson said no. Chief Anderson said that no one from EMS came to him on the scene and told him that a fire district truck ran over or even hit someone, and he was the incident commander, so they should have reported it to him. Attorney Thompson asked if it’s common practice to leave the truck running so that you will have battery backup. Chief Anderson mentioned that you have to because you have to leave the lights on.

Commissioner Goodnight mentioned is there any way for the commissioners, if they have the capability to actually have the Agenda emailed to them. Chief Anderson said yes. He also mentioned that the issue with this, and he apologizes but there is just so much going on and he is just one person. He has been doing the budget and doing Union negotiations because he’s had to do all the revisions. The marked up versions of the contract to get ready for our meeting on that. As well as the promotional process. Also, the Safer Grant takes a lot of time and a lot of paperwork involved in that. Reports have been due for the grants we already have for the volunteer recruitment. He has had a tremendous amount of work on his plate. That’s why the packets are late. He has worked over 80 hours each week for the past 2 weeks, getting ready for this meeting. He stayed here all night and left at 5am this morning, went home, took a shower and then came back. He has been awake since 6am yesterday morning.

Commissioner Anderson asked about the statute 112.191 firefighter death benefits. It doesn’t have the same language when it comes to law enforcement; it has 112.19. They actually have a sub section for the agency to immediately pay a small amount to the family. Even if that is not written statute about that; is that not something we can do. Attorney Thompson mentioned that he would have to look into it.

Commissioner Anderson mentioned have some fund established where we could budget money; that if something happened, we could immediately help the family someway. Rather than having them wait on the state and insurance to pay. Commissioner Olesky mentioned to have a pre-paid funeral. It’s taken care of and they don’t have to worry about it. Tom Cunningham mentioned that it’s a line of duty death. There shouldn’t be any question about funeral. The department pays for it. Chief Anderson mentioned that one of the previous policy revision was for the sick time. He added that an employee’s balance of accrued vacation and sick time would be paid to their beneficiaries upon their death.

14) Adjourn Meeting at 7:27pm and meet again in 5 minutes for the Budget Workshop

**Next Scheduled Meeting(s):**

* **First Budget Hearing: September 17,** **2015, 5:05 p.m.; Immokalee Fire District Station 30, 502 New Market Rd. E, Immokalee , FL 34142**
* **Next Regular Board Meeting: September 17,** **2015, 6 p.m.; Immokalee Fire District Station 30, 502 New Market Rd. E, Immokalee , FL 34142**
* **Second Budget Hearing: September 28,** **2015, 6 p.m.; Immokalee Fire District Station 30, 502 New Market Rd. E, Immokalee , FL 34142**