**Fire Commission Meeting**

**Immokalee Fire Control District**

**Board Meeting**

May 21, 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 and Olesky. Commissioner Keen arrived at 6:20pm; Chief Paul Anderson, Board Attorney Kenneth Thompson, Leo Rodgers, Alma R. Valladares, Josh Bauer, Jay Roth, Ted Tuscan and Lisa.

1. **Call Meeting to Order**

Meeting called to order at 6:05pm 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 Goodnight mentioned if there were any changes to the Agenda. Chief Anderson mentioned that we don’t. **Commissioner Olesky motioned to approve the Agenda and seconded by Commissioner Halman. Motion carries unanimously.**

1. **Approval of the minutes of the following meeting:** April 16, 2015 Board Meeting was **motioned by Commissioner Anderson and seconded by Commissioner Olesky. Motion carries unanimously.**
2. Treasurer’s Report was **motioned by Commissioner Olesky and seconded by Commissioner Halman. Motion carries unanimously.**
3. Consent Agenda was **motioned by Commissioner Olesky 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. Seminole Tribe contract expires September 30, 2016
        9. Breathing Air System contract expires September 30, 2016

(10)Financial Auditor contract expires September 30, 2017

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

1. Union Report Josh Bauer, Vice President mentioned that there is not much to report except they are meeting with North Collier regarding merger. They will begin negotiations sometime next month.
2. Business of the District
3. **New Business**
4. Review of Annual Financial Audit

Jeff Tuscan went over the fiscal year 2013/2014 Audit. Also, went through the comments they reported to management. Jeff presented the graphs and mentioned that there are three important numbers to keep in mind: Fund Balance, Cash Balance and Ad Valorem Revenue. There was some discussion about the payroll company. Commissioner Keen mentioned that she thought we were going to go with Paychecks. Chief Anderson mentioned that we went with ESI because it was cheaper but want to go back to doing it ourselves in July. Jeff mentioned that we should wait until January to switch because of the financial reporting and try doing it ourselves in January 2016. Let ESI deal with doing yearly reports, W-2’s and so forth. If not, it’s going to involve a lot of backtrack and entries to be done by Alma manually and will take a considerable amount of time. He recommends to have Andy Higginbotham, an accountant in LaBelle, to come once a month and reconcile our balances and make sure our reports match. Chief Anderson agreed that we will wait until January 2016 to take over payroll.

* 1. Public comment

None

**Commissioner Anderson approved the Annual Financial Audit from Jeff Tuscan and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. Inter-local agreement with North Naples Fire Control & Rescue District for plans review services

Chief Anderson mentioned that our notice of termination of the interlocal agreement between East Naples and Immokalee recognizing East Naples as the Administrative District for the Fire Code Official’s Office (FCO) was sent in with the required 45 day notice, however Greater Naples (formerly East Naples) Board voted to make it effective immediately and directed their Chief to discontinue providing Immokalee plans review services immediately. That put us in a bind and caused several plans to be delayed. Chief directed Fire Marshal Rodgers to go to the Growth Management office and complete as many plans as possible in order to catch up until we could get the interlocal agreement with North Collier in place. Chief advised that he spoke with North Collier and they were prepared to begin providing services to us immediately. East Naples no longer has authority to act in Immokalee’s behalf on any decisions regarding the FCO.

* 1. Public comment

None

**Commissioner Halman approved the Inter-local agreement with North Naples Fire Control & Rescue District for plans review services and Commissioner Olesky seconded the motion. Motion carries unanimously.**

1. Purchase approval for tank/pump skid unit for brush truck

Chief Anderson mentioned that Immokalee received a military 6X6 brush truck from forestry that is newer and in better shape than our current brush truck, but is just the cab and chassis, with no tank or pump. Chief indicated that this would not be replacing our current brush truck, but would be an additional brush truck needed because of the construction in areas close to wildland areas. Chief also wanted to equip it with a pump with enough capacity to pump an attack line for a structure fire for use in the farm and ranch areas where they have added farm structures that are difficult to get to with a traditional fire engine. Chief requested that the tank/pump skid unit be purchased with impact fees. Attorney Thompson indicated that this purchase would be allowable use of impact fees due to it is an additional vehicle that we haven’t had before and needed due to new construction and growth.

* 1. Public comment

None

Commissioner Olesky approved the purchase of tank/pump skit unit for brush truck up to a maximum of $25,000 from impact fee fund and Commissioner Halman seconded the motion. Motion carries unanimously.

1. Resolution for mediation with Fire Code Office Administrative District

Chief Anderson mentioned that Attorney Thompson was working on a resolution document demanding mediation with Greater Naples FD regarding dissolution of the FCO and Distribution of assets. Attorney Thompson advised that this is the first step required in state statute before one government entity can file a lawsuit against another government entity. It does not necessarily mean that we will be filing a lawsuit; hopefully we can reconcile the problem before it comes to that; but this will allow us to take further action if we choose to.

* 1. Public comment

None

Commissioner Keen motioned to approve Resolution 2015-01 and Commissioner Anderson seconded the motion. Motion carries unanimously.

1. Revision to Policy 505, Tobacco Use

Chief Anderson mentioned that the Division of State Fire Marshal enacted a rule in the Florida Administrative Code (FAC) designating all Firefighter places of employment as 100% tobacco free. The rule includes all buildings, property, and vehicles. FAC carries the same weight as state statute, which basically makes it state law. This makes a revision to our tobacco use policy necessary, as we no longer can designate a smoking area on the property, as there now is no tobacco use of any kind allowed anywhere on the property. Anyone using tobacco of any kind must leave the property. The policy identifies locations off of FD property, but still on public property for members to go to use tobacco products. The rule defines tobacco use as including smoking, smokeless, chewing, “dip”, and “vapor” products.

* 1. Public comment

None

**Commissioner Anderson approved the Revision to policy 505, Tobacco Use and Commissioner Halman seconded the motion. Motion carries unanimously.**

1. Approval to declare old military surplus 6X6 truck as surplus and sell at auction

Chief Anderson mentioned that this truck is sitting out at Station 31 and is deteriorating. Would like to have it auctioned off and sold. A local farmer wants it for farm use.

* 1. Public comment

None

**Commissioner Olesky approved to declare old military surplus 6x6 truck as surplus and sell at auction and Commissioner Anderson seconded the motion. Motion carries unanimously.**

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

Chief Anderson mentioned that GNFD created a trust to fund FCO retiree health benefits using funds from the FCO reserve fund to fund the health benefits for retirees of the FCO up to the age of 65. Attorney Thompson mentioned that Greater Naples transferred the title to the FCO building to themselves. They are self-dealing. Chief Anderson mentioned that they had voted, approved and transferred the money into that trust. They hired a firm to get an appraisal and he read somewhere that there needed to be 2 appraisals done on a public building. The title is under E. Naples Fire District. They determined that the funds would go first to the retirement. They voted to transfer the title to Greater Naples Fire District. North Collier will be performing an audit of all FCO funds from the inception of the FCO to determine the percentage each participating district has vested in the FCO.

* 1. Public comment

None

**Commissioner Olesky approved to send a certified letter to GNFD and Commissioner Anderson seconded the motion. Motion carries unanimously.** Commissioner Goodnight mentioned to have Attorney Ken Thompson perform an audit for this. **Commissioner Anderson motioned to have Attorney Ken Thompson perform an audit and Commissioner Olesky seconded the motion. Motion carries unanimously.**

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

Chief Anderson mentioned that Chairman Goodnight wrote a letter to Janet Vasey regarding the meeting and Janet wrote a response back. Vice Chairman Travis Anderson also wrote back to her. Ms. Vasey isn’t too happy. Commissioners agreed that Chief Anderson should continue attending meetings to ensure that complete and accurate information is given at the meeting and not someone’s personal agenda. A Commissioner should try to attend as much as possible as well.

* 1. Public comment

None

1. Status of Fire Station 32 Property

Chief Anderson mentioned that when he first spoke to Barron Collier about our 2 potential sites. First, he went to them with all the documentation from the original meetings from the developer where it’s clear in those minutes that the intent was that the developer was to provide a piece of property and a build fire station. Barron Collier even talked about being a design build concept for them to save money to do it. That was years ago and about 1 ½ years ago he went to Barron Collier with all his documentation and discussed the property. They are paying taxes based on a value of about $120,000 and they wanted to charge us $445,000. We offered $2.40/sq. ft. which equals to $209,000/2 acres and they came back with $4/sq. ft. While he was at the Florida Conference in Orlando, he met Sue Zimmerman and mentioned that she had heard from Walter Kopka that we were in the design of the building and wanted to know how that was going and what piece of property had we selected. Chief told them everything that was going on. She mentioned that she wanted all the correspondences between Barron Collier and us and she has forwarded them to the County Land Use Attorney. She is sending it to the attorney who approved the language in the DRI for their opinion of what their intent was when they wrote that. When the attorney approved that. She already had a meeting with the attorney and mentioned that the intent was for them to sign over a piece of property for the fire station. Their intent was to develop a site to get it ready to be built on. Provided at no cost was their intent. She will set up a meeting with the county attorney. The county has offered assistance from their attorney in getting the property for us. Commissioner Anderson mentioned that if they do decide to give us the property, what happens with the money we already paid to the architect. It doesn’t say it has to cover the total cost of construction. It says they have to assist us. Chief Anderson mentioned that it doesn’t say they have to cover all the construction. It says they will assist us. We have done as much as we can with the design of the building until we identify a piece of property. We have done the space needs assessment, it will be a 2 story building, what size it will be, what rooms will be where. We are at a stand-still until we have the property. We can’t finish designing the building until we know which side the parking lot will be on. Commissioner Halman asked if EMS was going to be in the building. Commissioner Olesky asked if a sheriff’s office too. Chief Anderson said yes to both. Attorney Thompson mentioned that Sheriff’s office and common public use also. Commissioner Goodnight mentioned that when the meeting is set and if Commissioner Keen can’t go to the meeting, let her know and maybe she will go.

* 1. Public comment

None

1. Status of Fire Station 32 Construction

Chief Anderson mentioned that we are at a stand-still with the construction until the property is identified.

* 1. Public comment

None

1. Concerns of Commissioners

Commissioner Keen mentioned that she spoke to Commissioner Tim Nance about consolidation and that he said the public had already voted for the consolidation. She said that she explained that the wording on the ballot was misleading and not worded properly, that anyone who didn’t know any better would have voted yes because they were not completely informed. She said it would not be a problem if he could make it better, but that was not likely because of such difference in areas of the county. She said we don’t want consolidation, but his assistant was explaining that his neighbor pays $1.75 for Ad Valorem and he pays $3.5 because he lives in Corkscrew. Mr. Nance mentioned that they were going to make everything the same. Also, they had a town hall meeting on the building on Hwy 846 and we didn’t hear anything about that before the meeting. She is very concerned about that. She doesn’t know how we can get a commissioner that cares for Immokalee. Chief Anderson mentioned if the wording is put on a ballot like they did; everybody will vote for it. The general citizen without any knowledge of what’s really happening in the background, is going to vote for it. Commissioner Keen mentioned that the Master Plan had been voted in but they still didn’t let them do it. The people voted to do the Master Plan and the commissioners wouldn’t let them do it. Commissioner Halman mentioned that they consider the CRA an advisory group. Commissioner Goodnight mentioned that North Naples and Corkscrew, which North Naples has some major players in the political scene. They have voted on consolidating their two districts. They don’t even know if it’s going to be successful. So, if they go and put it on the ballot now, there is going to be a large group that is going to be out there campaigning against them doing this. They don’t know, we are all talking about an unknown. It looks good on the paper but they are not talking about the 30 or 40 miles from there to here to take care and they are thinking that they are going to put it out here and they can’t give us the same as what they’ve got because they are reducing the tax base. They will need to improve the tax base to be able to send the money to Immokalee and she said, “trust me, there is no one in Naples that is going to want to send money to Immokalee to improve any of our services.”

Public Comment

Chief Anderson mentioned that North Naples lowered their millage rate to .95 this past year. They are the lowest in the county and Big Corkscrew is at 3.5. Within 5 years, those 2 have to be joined into one and with the same common millage rate. If you consolidate the entire county is going to go up. Those people will not vote to have their millage rate go up so that more money can go to Ochopee and Immokalee. Commissioner Goodnight mentioned that with the homeowner and the millage staying the same, the money that she has to pay depends on how much Abe Skinner says that my property is worth. So, if my property values increase and my millage stays here, she’s still paying more than she did last year. Even if the millage rate goes down because her property value has increased. They are not looking at the millage as the amount they are having to pay. Commissioner Anderson mentioned to put the verbiage on the ballot to say, “vote for consolidation if it was all within the 35 minutes response time and the entire county pays 3.5 mills”. Would you be ok if with moving the fire trucks out of Immokalee to provide coverage in Big Corkscrew and see how many vote, “yes”? Commissioner Keen mentioned that it would be our job to let the people know if it comes up on the ballot. Chief Anderson mentioned that he went to a meeting of the Safety Advisory Board and North Collier has requested to expand the advanced life support (ALS) certificate of public convenience and necessity (COPCN) for their district. From the old Naples district to the new North Collier district to include the Big Corkscrew area. His proposal is to support the expansion. The intent with the movement with EMS is that COPCN is to decrease the average ALS response time county-wide. His proposal is for them to support the expansion of the North Collier (COPCN) to allow the current Big Corkscrew firefighters that are already certified as paramedics, to act as paramedics on Big Corkscrew engines. They have enough paramedics to put paramedics on 3 fire units in Big Corkscrew area. Instead of adding one ALS unit to the mix, they could of added 4; which would significantly decrease the average response time for ALS. His proposal was to give them the expansion of the COPCN and let them put paramedics on fire trucks. Take the county EMS paramedic that is on a fire truck right now and assign that to Immokalee fire truck. Now we have an additional ALS in Immokalee and we have a paramedic still in Immokalee when the ambulance is transporting someone to the hospital and they will be gone for 2 hrs. We would still have a paramedic responding to someone’s heart attack 5 minutes after the ambulance took off to transport someone an hour away. Ms. Vasey is on the Safety Advisory Council and she is not our friend. It appeared that she really wasn’t interested in looking at that. He would like to request our Chairman Goodnight to write a letter or he can even sit down to write the letter to go to the county commission supporting the expansion of North Collier (COPCN) and explaining how that would improve service in Immokalee by reallocating that paramedic resource to Immokalee. Commissioner Goodnight mentioned that is has to be done before the 5th of June because she is leaving on June 5th. In regards to the Impact Fees; maybe at the next board meeting we could put on the Agenda how we can gather having the Attorney Ken Thompson sign off a letter or something on our packet saying that whatever is purchased with Impact Fees has been reviewed and that it meets the Impact Fees laws. Chief Anderson mentioned that we have done a letter for the new trucks and the new equipment on the trucks. He doesn’t know why it wasn’t put when we purchased the trucks. Commissioner Goodnight mentioned that maybe we should attach it to the agenda when there is an item to purchase something from Impact Fees and it would become part of public record. If it didn’t get put in the file it would still be public record. Attorney Thompson mentioned that it will be done. Chief Anderson mentioned that June 2nd is the County Commission Workshop to go over the RFP’s that were submitted for fire protection in the dependent district areas if anyone is interested in that. He is going to go.

1. Adjourn Meeting at 8:34pm

**Next Scheduled Meeting(s):**

**Next Regular Board Meeting: June 18,** **2015, 6 p.m.; Immokalee Fire District Station 30, 502 New Market Rd. E, Immokalee , FL 34142**