

# East Naples Fire Control and Rescue District

Board of Fire Commissioners Meeting

June 9, 2009

## I MEETING OPENED at 5:30 pm

Commissioner Cannon called to order the regular meeting of the East Naples Fire Control and Rescue District's Board of Fire Commissioners at 5:30 pm on June 9, 2009, at 4798 Davis Blvd, Naples, FL. Present were Commissioners Cannon, Gibbons, Davis, Hughes and Boyer. Also present were Assistant Chief Potteiger, Deputy Chiefs Biondo, Teague, Bogert, Director Bishop, Community Relations Officer Speers, James Popiol, Ed Riley FCO, Robert Salvaggio FCO, Leo Davis Driver/Engineer Grant Danskine, Lt. Harry Zafirir, FF David Perez, FF John Taylor, Administrative Assistants Mary Ann Orlick and Dianne Leocadio.

### A. Pledge of Allegiance

Commissioner Cannon opened the meeting with the Pledge of Allegiance.

### B. Additions or Deletions to the Agenda

- Commissioner Cannon added item J for a complaint regarding one of our commissioners
- Chief Dyer added item K under new business an update about Dr. Tober's allegations
- Under old business added item F for the new headquarters building
- Under G in old business: general bond issue
- H will be topics by the Board.

Commissioner Davis made a motion to approve the agenda with the above additions and deletions. Commissioner Hughes seconded the motion and it passed unanimously.

### C. Approval of Minutes of the May 12, 2009 Meeting

Commissioner Hughes made a motion to approve the minutes of the June 9, 2009 Regular meeting, Commissioner Davis seconded the motion and it passed unanimously.

### D. Treasurer's Report

Treasurer's report is as submitted. Commissioner Davis made a motion to approve the treasurers' report subject to audit. Commissioner Gibbons seconded the motion and it passed unanimously.

### E. Awards and Recognition

1. Deputy Chief Bogert recognized Driver/Engineer Grant Danskine for 10 years of service.
2. Director Bishop introduced Dianne Leocadio.
3. Commissioner Gibbons recognized Lt. Harry Zafirir who ran, FF David Perez who cycled, and Eng. John Taylor who swam in a triathlon. They beat Golden Gate again. Commissioner Gibbons made a motion to reimburse them for the \$150 they had to pay to participate. Commissioner Davis seconded the motion and it passed unanimously.
4. Ed Riley recognized Bob Salvaggio who also participated in the same triathlon; he cycled, swam and ran.

### F. Reports

#### 1. Fire Service Steering Committee: Commissioner Davis

Commissioner Davis said the next meeting will be July 23, 6pm, Station 30 in Immokalee.

#### 2. Fire Administration: Chief Dyer

- a. **Personnel:**
  - 1. John Hoover is home from the hospital and doing well.
  - 2. Eric Clere is still on light duty.
  - 3. Andy Gomez was injured on a training exercise but was only out 2 days.
- b. Line of Duty Deaths read by Chief Dyer, a moment of silence was observed.
- c. **Community Relations:**  
Report is as submitted.
- d. **AT-A -BOYS:** Chief Dyer read a thank you card from the Sims Family.
- e. **Other:** Chief Dyer commented on his findings about the complaint by Brenda Grant. After attending the FASD meeting last week, he met with an attorney who gave him information on the Florida State Ethics Commission and would like to forward our findings to the Florida State Ethics Commission for a ruling on the record. The Commissioners agreed.
- f. Public Comment – No comments were brought forward.

### 3. Administration: Assistant Chief Potteiger

- a. **Shop** with fuel reports, as submitted. Assistant Chief Potteiger spoke about the new column added to the fuel report.
- b. **Fire Code Official's Office** with fuel report is as submitted. Assistant Chief Potteiger spoke about the meetings with Ed Riley in Lee County. The county is shutting down on Fridays. Ed explained about Lee County plan review. A couple of the Chief's met with the building industry people in the county. A lot of the contractors do not want us in Lee County because we follow the codes. It's not a dead issue yet and the 2 chiefs that want us there are still looking to move it forward.

Regarding the new building: Laura Donaldson re-wrote the condo docs that are being sent to the underwriters for them to approve the changes.

The county is going to a 32 hour work week and closing the doors on Fridays. We will have our separate entrance. I have asked Chief Potteiger if we could go to a four ten hour week because we don't have access to some of the records. The county may be doing this 8 or 10 weeks. It was agreed that the hours for FCO will remain the same.

Ed also presented the Fire Code proposed budget for next year.

- c. **GRIT** – Nothing was submitted.

### 4. Fire Prevention: Deputy Chief Biondo

Report is as submitted with one addition. We have not heard anything about the Jaycees doing a fireworks show. Deputy Chief Biondo will follow up to see if the show will still go on. He also commented about the work load at fire prevention and getting caught up with old existing inspections. Some projects are on the books but won't get started until 2010 to CO in 2011.

### 5. Support Services: Director Bishop

Report is as submitted. Director Bishop talked about health care renewal, FASD conference, uniforms, inspections and the 175. Greg Houchin got a great review from assistant Chief Potteiger about repairs being started and completed. Commissioner Cannon asked about a draft audit, the director explained she is waiting on information from Mr. Brouse.

### 6. Plans, Policies & Integration Report – Deputy Chief Teague

Report is as submitted. Deputy Chief Teague explained that he would have all the SOG's completed by this meeting but will have it for July board meeting. The VaxCare issue was turned over to Laura Donaldson for her review. We are still waiting for Dr. Tober's approval.

#### **7. Fire Operations – Deputy Chief Bogert**

Suppression report is as submitted. We did receive the Assistance to Firefighter grant for new P.E. equipment and vehicle exhaust systems. 3 bids in for the P.E. Equipment have been received. An executive summary will be ready for the July meeting. Our portion of that grant will be \$8000. ENFD will be able to acquire enough equipment to outfit 2 gyms: stations 20 and 21. On the vehicle exhaust systems, we are waiting on a maintenance agreement. Our portion of that project is \$30,000.

#### **II Old Business- On Going**

- a. Commission Cannon talked about the Shell Bill. The next meeting is June 30<sup>th</sup> with Attorney Donaldson present. Commissioner Cannon addressed the board and asked if any board member has any questions please write them up and they will be presented at the meeting.
- b. Pension Trustee: Assistant Chief Potteiger had a meeting with Dave Becker. He has been in town for 25 years. He works with CCEMS as a Paramedic- 20 years. He is very interested in helping out with anything. He will have to present a letter of interest and it would be presented to the board.
- c. Self Insured Plan Document. Director Bishop explained that none of the commissioners came forward with any questions or comments. We could vote to approve or disapprove the other things that got inserted into it, Cobra Law, Michelle's law. If there are no any problems with those issues, we should be ready to sign it.
- d. Mutual Aid Agreement: Chief Dyer explained the new version of this document and what we can get back from FEMA. Commissioner Davis made a motion to approve the Mutual Aid Agreement, Commissioner Gibbons seconded the motion and it passed unanimously.
- e. Drug Free Workplace & Alcohol Policy with an approved change is signed by the board. Commissioner Davis made a motion to approve the Drug Free Workplace & Alcohol Policy, Commission Gibbons seconded the motion and it passed unanimously.
- f. Headquarters Administration Building: Chief Dyer talked about the DeVoe Pontiac Dealership on Airport Road. He spoke with Mark DeVoe on a number of occasions. We have showed an interest the property. The assessed value is \$12.5 million. The property has 3 parcels, approx. 9 acres, a building large enough to accommodate our needs plus expansion. It has a huge storage area for all of inventory items, bunker gear, a 6 bay shop in the main building and a 3 bay shop in the out building that meets all the EPA requirements. We have set up a meeting on June 15<sup>th</sup> with Commissioner Cannon, Assistant Chief Potteiger, the DeVoe Family, the DeVoe's CPA and Attorney. The purpose of the meeting is to go with the real price or assessed value. Chief Dyer explained to the DeVoe family that \$12.5 million was not something we could do but if there is some creative financing that we could work out. We continue to investigate.
- g. Bond Issue: Chief Dyer met with 2 different people at FASD Conference and one of them will be in the Naples for the 24<sup>th</sup>. He has agreed to meet with any of the departments in the area and discuss a couple of different Bond ideas.
- h. Board of Fire Commissioners: (Topics Initiated by the Board)

#### **III New Business**

- a. GASB 45: Director Bishop explained about having the actuary study done. This covers post employee health and life insurance and talked about the three proposals. Commissioner Cannon asked that we ask for references of the first company and not do anything with the last two proposals. Boyer suggested contacting Jerry Nichols and Assoc. and then move ahead.
- b. FASD highlights: Chief Dyer explained that he enjoyed most of his classes others were not that informative. Other topics around the state were about budget cuts in administrative departments, cutting hours, and using less fuel. Chief Dyer did a lot of networking.
- c. COCPN Letter: Chief Dyer explained the request to switch the attorney dealing with this matter and recommends using a local attorney; his fee is comparable. Commissioner Davis made a motion to approve the letter from attorney Richard Yovanovich from Goodlette, Coleman, Johnson, Yovanovich & Koester, Commissioner Gibbons seconded the motion and it passed unanimously.
- d. FY 2009-2010 Budget: Chief Dyer we have our DR420 from the property appraiser's office. We are currently at 1.3498 at mils and probably should go to 1.5 mils based on the assessment value which is about 2.3 million short from last years revenue. The adjustment would make it about 900,000 dollars short which we can work out from the budget. Commission Hughes made a motion to propose the 1.5 milleage rate, Commission Davis seconded the motion and it passed unanimously. Proposed budget will be turned into the Commissioners by the end of June.
- e. Joint Commissioners quarterly meeting July 29<sup>th</sup>, 5:30 at station 45.
- f. Electronic Mail Public Records Policy. Director Bishop talked about ENFD using this document for our policy and use guidelines. She asked the board for their approval. Chief Dyer explained to the Commissioner that if they use their personal computers to communicate with each other that it is subject to the Sunshine Law.
- g. Disposal of the ProStar 816 phone system: Commissioner Boyer made a motion to declare the disposal of the ProStar 816 phone system surplus, Commissioner Davis seconded the motion and it pass unanimously.
- h. Complaint against one of the commissioners: Commissioner Cannon asked the board to assign Chief Dyer or Assistant Chief Potteiger to investigate this complaint.
- i. Dr. Tober Allegations: Chief Dyer was contacted by a reporter from the Naples Daily News regarding the allegations that our paramedics cheated on his test. We have met with an attorney who represents us as well as North Naples, the attorney suggested public records requests to assist us with our internal investigation. Dr. Tober specifically named Captain Andrea Schultz and that is a slander and liable suit. Chief Dyer on behalf of Captain Schultz asked if the board would reimburse her for the \$295 consultation fee and the \$5000 retainer fee. Commissioner Cannon agreed that it would be a good idea to help her. Commissioner Davis agreed and that we should stand behind our employees. Commissioner Davis made a motion to stand behind Captain Andrea Schultz during this law suit and support her with the \$295 initial fee and the \$5000 retainer fee she needs to move forward on the case. Commissioner Gibbons seconded and the motion passed 4 to 1 Commissioner Boyer voted nay.
- j. **Topics Initiated By the Board**  
Commissioner Cannon read a letter from Christopher Lombardo, the Chairman of the North Naples Board of Fire Commissioners. He is asking for assistance from in paying for the legal fees related to the creation of the legislative draft to create a new fire district also known as the Shell Bill. Commissioner Cannon recommended that we do not assist with the expense of the Shell Bill. Commissioner Boyer made a

motion not to incur any expenses relating with the legislative draft regarding the Shell Bill. Commissioner Gibbons seconded and it passed unanimously.

The commissioners had a conversation regarding impact fees, Fiddler's Creek and Lake Park Properties, what our 5 year plan is and what we will be building.

July 14<sup>th</sup> 2009 meeting will be held with Commissioner Boyer via phone.

**SUMMARY OF ASSIGNMENTS:**

Bond Information, GASB 45, AFG Grant; Executive summaries for the Exhaust and P. E. equipment, Fiddler's Creek Parcel.

**ADJOURNMENT:**

Commissioner Cannon asked if we have a motion to adjourn. Commissioner Gibbons made a motion to adjourn. Commissioner Boyer seconded the motion and the **June 9, 2009** meeting was adjourned.

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<b>Commissioner Thomas G. Cannon</b>	<b>Date</b>
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<b>Commissioner Richard Gibbons</b>	<b>Date</b>
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<b>Commissioner Angela Davis</b>	<b>Date</b>
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<b>Commissioner Robert L. Hughes</b>	<b>Date</b>
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<b>Commissioner Robert A. Boyer</b>	<b>Date</b>
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Respectfully Submitted by Mary Ann Orlick