

MINUTES  
EAST NAPLES BOARD OF FIRE COMMISSIONERS MEETING  
April 8, 2008

I. MEETING OPENED

Commissioner Cannon called the meeting to order at 5:32 P. M. Present were Commissioner Cannon, Commissioner Gibbons, Commissioner Davis, Commissioner Miller, and Commissioner Boyer. Also present were Chief Schank, Assistant Chief Potteiger, Deputy Chief Bogert, SSA Bishop, CRO Speers, Fire Code Officials Ed Riley, Bob Salvaggio, Jackie DeLaOsa, Ricco Longo, Mechanic Popiol, and E/A Friday.

A. Pledge of Allegiance

Commissioner Cannon opened the meeting with the Pledge of Allegiance.

B. Additions or Deletions to the Agenda

Commissioner Cannon said he would like to table agenda item "D. Old Business D. Criteria for Chief's Position" until the next meeting.

Commissioner Boyer made a motion to approve the agenda with the deletion and Commissioner Gibbons seconded the motion. The motion passed unanimously.

C. Approval of Minutes of March 11, 2008 Meeting

Commissioner Miller made a motion to approve the minutes of the March 11, 2008 meeting. Commissioner Boyer seconded the motion and it passed unanimously.

D. Treasurer's Report

Tara said the report is as submitted. She pointed out that on page 5 there is a negative figure under vehicle repair expense and that was due to an insurance check we received.

Commissioner Boyer asked how we are doing on the payroll situation of receiving proper pay. Tara said they are going back to the 2001/2004 contract and checking everyone up

to the current date and this should take a couple of weeks. She said they have put procedures in writing for Finance so they understand step raises, caps, etc. She said the previous Chief Financial Officer knew those things in her head but maybe didn't pass them on. Pott said back when the union and management wrote the appendixes some people only received an eleven percent. He said they did it right but unfortunately either an employee would call or the Chief Financial Officer would take it upon herself to put in a different amount. He said they found a lot of those and right now they are working with the union. The union has bent over backwards to get through this and fix it.

Commissioner Cannon said he would like to see us retain the services of our auditor to come in and review payroll. He said that way we are getting an independent party in here to review it. Commissioner Boyer made a motion to have our auditor review the payroll, starting in 2001 with the appendix and carry through 2008. Commissioner Gibbons seconded the motion and it passed unanimously. Commissioner Boyer made a motion to approve the Treasurer's Report, subject to audit. Commissioner Cannon seconded the motion and it passed unanimously.

#### E. Awards and Recognition

Fire Code Official, Ed Riley, said during the Fire Task Force meetings his staff spent a phenomenal amount of time documenting their processes and defending the codes and processes they have to follow by state law. Ed said they did exceptional work during that process and because of that he would like to show his appreciation and present Ricco Longo, Jackie DeLaOsa, and Bob Salvaggio with Certificates of Appreciation.

Ed said Ricco designed a very complicated computer program for them that tracks contractors and rejections. He said this program will have the ability to show what percentage of time the contractors get their stuff approved, when they are rejected, what they are being rejected for, and a complete history of the permits. Ed presented Ricco with an award for a job well done.

Pott presented Ed Riley and his staff with a Certificate of Appreciation for their outstanding dedication, diligence, and

professionalism exhibited during their participation on the joint Fire Code Review Task Force.

Commissioner Cannon said he had the misfortune of sitting in some of those meetings and the Fire Code Office, as Pott said, outshined the county. He said it started out as a witch hunt and they turned it around and showed what the county was doing wrong and the Fire Code Official's Office is doing right. He said that on behalf of the Board they would like to thank Ed and his staff for the fine work they did on this.

F. Reports

1. Fire Administration

a. Personnel

Chief Schank reported that Brian Anderman is still out on Workman's Comp as is John Obst who had knee surgery. Nate is working light duty at the shop and Ray Kilmer is working light duty in the office.

b. Other

Chief Schank advised there is a Steering Committee Meeting on April 24, 2008 at Big Corkscrew and he encouraged anyone who can make the meeting to be there at 6 P. M.

c. Public Comment

No comments were presented.

2. Administration: Assistant Chief

a. Fire code Official's Office (with fuel report)

Pott said the Fire Code Office had numerous meetings with SFWMD and there are some issues that came up with North Naples Fire that Ed will be explaining.

Pott said North Naples still owes us impact fees; it has been two years now that they have owed this. East Naples sent everything we owed and

he feels its time that we try to get ours back. He asked the Board for their direction in this matter. Commissioner Cannon said North Naples feels it is the county's fault and they shouldn't have to pay for the county's mistake.

Ed Riley said about a month ago they were notified by the impact fee people that a contractor came in and questioned the fire impact fees that he paid on a building. Ed said they reviewed this and found they overcharged him for his impact fees. The contractor did three buildings and two were the right fees and one was wrong. The reason was that when it came in it was just before the impact fees went up. He said they didn't put the impact fees in because they were all incomplete documents. When he pulled his permit about a year later the new impact fees were in place for about a year and they put the new fees in instead of the old fees. That was North Naples job. Ed said the day he found this out he contacted Becky to let her know what the situation was, the amount, all the documentation, showed that they got their money, and that the gentlemen questioned the information. They took it to Laura to see whether or not the county was responsible for that money and Laura advised them they needed to pay that money back should the guy ask for it. They were supposed to authorize that payment at their last board meeting. Ed said Chief Brown called him and said it would be in their best interest to have an attorney check the legality of the Fire Code Official's Office calculating the impact fees for new commercial construction. Ed said this has been done since before he got here eight years ago and has been done with no questions or problems. Ed said he contacted Terry, our attorney in Fort Myers, and he is looking into this. Ed said there is an interlocal agreement for the impact fees and the county is responsible for collecting them. Ed said the interlocal agreement for his office does not list the collection of impact fees in his duties or his office duties. He said in a different section of that same interlocal it does talk about the

county being responsible for collecting them based on the information from the FCO or the districts. Ed said he doesn't care one way or the other if he collects them or not but he feels it is important that he gets an opinion because it is the county's contention that if he didn't work for them that he would have been responsible for that extra money, which is \$17,000.00. Ed said he asked our attorney about this and he is working on it right now. Pott said if we collect them it will take a lot of our staff time.

Ed said there is a unique report within his reports. He said the county notified the FCO with a list of permits that had never been finalized because all the fees had not been collected. Ed said they went after those people and so far they have collected \$1,571.00 for the fire districts and \$5,200.00 that was due the FCO Office for things that didn't get paid through the county. He said it cost them \$148.00 in mailing in order to do that. He said they have another batch that is going out now. The first batch was sent certified mail but the second batch is not being sent certified mail and they will see how it goes.

Ed said they signed off the Flea Market today at 4:30 P. M. He said the simultaneous review came through and it was correct so it was signed. This project's total is 92,000 square feet. They paid the impact fees a year early. Nick has been out there but they have not done a formal inspection.

b. GRIT

No report.

c. Public Comment

Pott said we are going to be working on the rank structure for the FCO.

Pott asked the Board if they wanted to do anything about the impact fees. He said about

two years ago the county did an audit and determined that some of the departments owe money to other departments for impact fees and another department owes our department impact fees. He said we paid ours to the different agencies. North Naples has not paid us their share of overage which is about \$40,000.00.

Commissioner Cannon said he would recommend that we write a certified letter to North Naples chairman requesting payment and it should be signed by him. Then we can decide if we want to take them to court.

3. Fire Prevention: Deputy Chief

Pott said Nick's report is as submitted.

Commissioner Cannon questioned if the Bureau is doing a lot more inspections at night and Pott said the county building is at night and Griffin does that and the county is paying for that. He asked if Inspector Riley is working at night and Pott said Inspector Riley's problem is that he can't catch up with his days so he is at the office about two to three hours to finish what he started. He said he is not aware of his working at night. Commissioner Cannon said Pott should check into that and Pott said he has a meeting with Nick tomorrow so he will check on that.

4. Support Services Report: Deputy Chief

Tara reported that recycling project is in full force.

She asked the Board for their opinion on the Best Engine Company presentation to C Shift, the crew that finished at the top. The upcoming dates are April 23<sup>rd</sup>, a Wednesday, or April 29<sup>th</sup>, a Tuesday. The Board felt this should be done during a Board Meeting and Commissioner Cannon said he agrees but if we want to do this one on the 23<sup>rd</sup> or 29<sup>th</sup> he is available either day.

Then from this day forward the award ceremonies will be during the Board Meetings. The Board agreed to have the Best Engine Company presentation at 4:30 P. M. on May 13<sup>th</sup>, just prior to the Board Meeting.

Tara reported that we closed on the Lake Park Property and the paperwork has been given to Orion and the proposal should be ready early next week on the financing.

CPR Day will be in the morning at Lely High School on Saturday, April 19<sup>th</sup> and first aid will be in the afternoon.

Greg advised that we received a Thank You Note from Lely High School for helping out at the Plancher Funeral wherein over 3,000 people attended. They also wrote that our group was very professional.

a. Shop

Tara said Engine 20 should be back in service by the end of this week.

b. Fuel Reports (Shop)

Tara said the fuel report is as submitted.

Commissioner Boyer once again asked why we keep L21 on our inventory list and said he would like to declare it surplus and get rid of it. The Operations Chief was instructed to do a feasibility study to justify keeping it and report on its future usefulness.

5. Training Report: Deputy Chief

The training report is as submitted. The Board was invited to attend the Courage to Be Safe presentation to be held on April 15, 2008 at Station 20.

6. Fire Operations: Deputy Chief

D/C Bogert said his report is as submitted.

Eugene reported there will be a consolidation meeting on the 17<sup>th</sup> of April to formulate the final draft. This will go before the Collier County Board of Commissioners, then to the Florida Fire Chiefs, then to the Fire service Steering Committee.

II. OLD BUSINESS

A. On-Going

No topics were raised.

B. 175 Retirement – Chief Potteiger

Pott advised that on April 23<sup>rd</sup> Attorney Sugarman will be here all day long to go over the pros and cons on FRS and 175. He said they are trying to get the buy back rate to 3%.

C. East 41 Property – Commissioner Boyer

This topic was previously covered.

D. Criteria for Chief's Position – Commissioner Cannon

This was tabled until the May 13<sup>th</sup> meeting.

E. Board of Fire Commissioners  
(Topics initiated by the Board)

Commissioner Boyer advised he is researching a GPS that reports in realtime.

III. NEW BUSINESS

A. Replacement of 175 Trustee

Pott advised that a trustee from 175 retired from ENFD and resigned as a trustee on the 175 Board. A trustee must be a resident of the district. The seat was declared available and Brenda from the Collier Citizen was requested to put a notice regarding this in her paper.

Commissioner Cannon made a motion to set the date for receiving the resumes by the next Board Meeting. Commissioner Boyer seconded the motion and it passed unanimously.

B. Draft Mutual Aid Agreement

Chief Schank reported that we had Laura Donaldson check this agreement and she approved it. Chief Schank said he put the draft copy of the agreement in the packet so the Board members would have time to go over the agreement and he will bring it back to the next meeting for their approval or disapproval.

C. Executive Summary 2008-01 Self Contained Breathing Apparatus (SCBA)

This item was budgeted at \$60,000.00 and an additional \$43,745.00 is needed for the replacement of 17 SCBA's as the total cost is \$103,744.77. The \$43,745.00 would be funded from other ad valorem line items within the budget.

Commissioner Boyer made a motion to approve Executive Summary 2008-01 Self Contained Breathing Apparatus (SCBA) and Commissioner Cannon seconded the motion which passed unanimously.

D. Board of Fire Commissioners  
(Topics initiated by the Board)

No topics were brought forward.

IV. ADJOURNMENT

Commissioner Gibbons made a motion to adjourn and the meeting adjourned.

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Thomas G. Cannon

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Karen M. Miller

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Richard Gibbons

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Robert A. Boyer

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Angela S. Davis