

**East Naples Fire Control and Rescue District
Board of Fire Commissioners Meeting
February 10, 2009**

I MEETING OPENED at 5:32pm

Commissioner Cannon called to order the regular meeting of the East Naples Fire Control and Rescue District's Board of Fire Commissioners at 5:32 P. M. on February 10, 2009, at 4798 Davis Boulevard, Naples, Florida. Present were Commissioner Cannon, Commissioner Gibbons, Commissioner Davis, Commissioner Hughes, and Commissioner Boyer. Also present were Chief Dyer, Deputy Chief Biondo, Deputy Chief Teague, Deputy Chief Bogert, Community Relations Officer Speers, Director Bishop, Fire Code Official Salvaggio, Ed Riley, Mechanic Popiol, Joyceanna Rautio, Leo Davis, Thomas and Jonathan Bryan, Juan Ortega, Captains: Liford, Shultz, Leal, Burkhardt, Lieutenants: Watson, Ogden, Arroyo, Anderson, Padilla, Davenport, Riley, Hanson, Quinn, Bigica, FPB Inspectors Frazier, Cruz, Driver Engineers: Winslow, Reeve, Cotter, Weinbaum, Sims, Lentovich, Firefighters: Palermo, Crato, Occhipinti, D. Perez, Boutilier, Asher, Kilmer, Anzualda, McGee, Garcia, Varro, Crouse, Knoff, Santana, Administrative Assistant Orlick, Administrative Assistant Lucier.

A. Pledge of Allegiance

Commissioner Cannon opened the meeting with the Pledge of Allegiance.

B. Additions or Deletions to Agenda

Chief Dyer, Director Bishop & Commissioner Davis added the following following:

- Flu Shots under New Business
- Add two new employees under reports for Fire Personnel
- Retiree Health Insurance Policy under Old Business
- Direct Deposit under Treasurer's Report
- Color for new apparatus under New Business

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

C. Approval of Minutes of January 13, 2009 Meeting

Commissioner Cannon made a motion to approve the minutes of the January 2009 meeting, Commissioner Davis seconded and the motion and it passed unanimously.

D. Treasurer's Report

Chief Dyer said the Treasurer's Report is as submitted. Commissioner Davis made a motion to approve the Treasurer's Report, subject to audit. Commissioner Gibbons seconded the motion and it passed unanimously.

Chief Dyer proposed a pay increase for Nicole Chesser and Charlotte Johnson for their outstanding job performances. The increase comes to \$2500 each for the balance of the year and through out. It was noted that both employees are

doing the job of 3 people. Chief Dyer justified this in a discussion with Commissioner Boyer. A motion was made by Commissioner Cannon to approve the increase, the motion was seconded by Commissioner Davis and it passed unanimously.

Director Bishop pointed out that the annexation monies were received from Ruffina/and Eagle View. Commissioner Cannon questioned the inclusion of Commerce Park.

Commissioner Cannon remarked that he wanted to comment on CD rates but the information was not immediately available.

E. Awards and Recognition

1. Two Firefighters, FF Jose Santana, and FF Jay Crouse; hired on 10/1/08. FF Jose Santana just completed Paramedic School.
2. FF Lucas Garcia was recognized for 5 years of service to ENFD.
3. 2 Inspectors promoted to Lieutenant, Brian Quinn & John Bigica.

F. Reports

1. Fire Administration

a. Personnel

- Ben Brown Termination
- Greg Houchin was introduced as the new Facilities Maintenance person.
- Mary Ann Orlick was introduced as a Temporary Administrative Assistant filling in for Mary. Eric Clere has returned to light duty. He is the last person on light duty.

b. Other:

1. Chief Dyer requested an executive session to present the Union Contract. The proposal that the board allowed us to present to the union back on 12/16/08. Last Wednesday local 2396 met and ratified our proposal and I have a letter here from President Kevin Nelmes accepting those terms and conditions and they did offer a friendly amendment to it on the breakout of the percentages. It would save us about \$8700 over the life of the contract if we were to do that. We can talk about that at the executive session. All were in agreement.

2. Community Relations: Greg Speers as always is all over the place, Verona Walk, C.E.R.T. and the community held a pancake breakfast this past Saturday morning with well over 200 participants that raised \$1400 for the Sneaker Drive. Greg was instrumental in helping and encouraging them with the C.E.R.T. program and is winning many friends in the community. Thank you Greg!

3. Fiscal Year 2008 Assistance to Firefighters Grant

Lt. Diana Watson is winning friends at the Federal level, it takes a lot of guts to ask for a lot of money, and Diana, through the Assistance to Fire Fighter Grant wrote an outstanding write up, convincing this panel of tough people to give us about \$200,000 in grant money for vehicle exhaust systems as well as physical fitness equipment. Thank you Diana!

c. Public Comment: No public comments were brought forward.

2. Administration: Assistant Chief Potteiger

Chief Potteiger is on vacation. Shop and fuel report is as submitted.

b. Fire Code Official's Office:

Ed Riley reported that his report is as submitted (with fuel report). The question was put forth from Commission Boyer about the amount of inspections that are performed. We are slowing down, 515 reviews last month; expect the same for the near future. Building Department will be laying off 20 more people, 8 out of the building side, which is plan review, inspectors because they are so slow.

The new building and the opening of the vehicles bids were left off agenda. We were looking into the Wachovia Bank building and had our attorney go through the lease, a master lease and sub lease over 200 pages. It's not something we want to deal with. We would own the building but they would own us. Wachovia controls the building.

As is previous discussions with Mr. Mike Metcalf who owns 4 buildings directly west FCO property, Mr. Metcalf is willing to swap our land for a building according to the appraisals of our property and his. Estimating costs of the swap would be \$210, 000. Adding computer support, run a fiber optic line to the county computer system, not to exceed \$100,000 to upgrade.

Commissioner Boyer made a motion to approve the FCO build out proposal with a pending the approval of the other Districts. Commissioner Cannon seconded and the motion passed unanimously.

c. GRIT:

No report was presented.

d. Other:

3. Fire Prevention:

Deputy Chief Biondo report is as submitted. Went to Treviso today, they are not quite ready. I don't think there any major issues, just some vegetation issues that they will address and take care of.

We have gone up in existing with inspections and gone down in new construction. The hours committed to services are about the same. We still may need to move a couple people from new to existing because we are way behind.

4. Support Services Report:

Director Bishop's report is as submitted.

At the request of multiple employees, we did looking the option of direct deposit into several other banks rather than just Sun Coast. Orion Bank does have the services available to us for \$35 a month with a .07 cent per deposit per transfer fee. It should be looked as a benefit and cost savings to the Department since we will not have to cut checks and stuff envelopes. This would streamline payroll.

A motion was made by Commissioner Boyer to proceed with the direct deposit program with the option of a two year trial period, then, review again at that time. Commissioner Cannon seconded and the motion passed unanimously.

5. Training Report:

Deputy Chief Teague's Training report is as submitted.

ENFD Training web site is up and running and he encourages everyone to take a moment and visit the site and see what a great job has been done on it. Captain Leal had an announcement regarding the best engine company trophy presentation, on 2/26/09. Food and Fun.

6. Fire Operations:

Deputy Chief Bogert will be revamping his report. He also spoke about The Golf Tournament at Treviso Bay and what staff and equipment will be at the event. Tickets have been donated to ENFD. Some sort of lottery will be put in place to distribute the tickets.

II Old Business: On-Going

a. The commission has approved seeking legal council to lobby on our departments behalf at the state legislature for changing the FRS 175 buy back rate to 3%. We have an engagement letter from Laura Donaldson stating just that. And because you have already approved that, I think Chief Potteiger has already signed it and sent it back. Less than \$5,000.

Phoenix awards on March 10, at the next County Board Meeting. Approx. 12 people will be receiving the award.

b. Consolidation – Joint Meeting:

Chief Dyer had a meeting 2/9/09 with The Fire Chief's Association and the request for proposal that we were working on with the county who provided us a draft. FSSC decided to put that off to the side in lieu of revisiting the legislative bill that would create one countywide fire district. The topic of discussion focused on a number of issues, primarily to see if everyone wants to consolidate, if you create this legislative bill that means you want to join it. The second part of that was whoever gets it that countywide consolidated district first gets to establish the ground rules regardless of whoever may follow afterword. If one particular district does not opt in and everyone else does then they may, by default have to

defend why they don't want to opt in. Chief Brown and the attorney, Laura Donaldson, are looking to see if we can have sub districts, for example, instead of one district opting into this countywide fire dept., 2 neighboring districts could decide to merge or consolidate some sort of a subordinate district within that county district and then another 2 or 3 districts could do the same. It's not forcing all 5 of the independent districts plus the 2 dependent districts, or if the 2 cities or the EMS wanted to do it, it wouldn't force us all to try to jam into this organization at one time and create chaos. This would build a more structured approach to doing it. If it gets approved by the various boards, once we get this drafted bill back, the discussion that Chief Brown was pushing forward to get it to the legislative session coming in the spring for enactment in general law. For a referendum would be in November of 2010. Boards would have to decide. This new district's mileage rate would be capped at 1.5%.

Commissioner Davis added that there will be a Joint Consolidation meeting after the Steering Committee meeting on April 23, 2009 at 7:00 o'clock at station 73.

c. Medical Director Meeting:

Commission Cannon met with Dr. Tober on January 19, 2009, it was interesting because he brought along Chuck Moelke, an activist within the community. I don't think Dr. Tober knew that Chuck. We had a nice discussion. Basically my intention was telling Dr. Tober his fight is with himself. ENFD had no plans to transport which in all his literature that he wrote, he talked about that all Fire Departments want to do is get EMS's money. I informed Dr. Tober that we don't want to transport. If I consolidated and voted in favor of consolidation, it would be without EMS because it's a physical financial liability to whoever has it. The only reason the county wants to get rid of it, is to get rid of the financial liability associated with EMS, and at the point Commissioner Fiala agreed. Basically he staying strong in his portion that he only wants to see the fire service provide BLS service. We met for about an hour. We agreed to open up a level of communication and basically said if you have a problem with East Naples, call us. At that point he said, well, I don't have a problem with East Naples, I have problems with another department. I told him I couldn't help him there but if he has a problem with East Naples, call us and we will sit and talk about it.

Commissioner Cannon suggests to the board to continue with what we have discussed in the past and go for our own COPCN ALS license, non-transport.

Chief Dyer says we would be able to that with a little bit of investigation. I think it's a straight forward process. North Naples is also interested in doing that. It's just a matter sequencing some of the other peripheral things that are involved in getting that COPCN, so that we don't set ourselves up from getting the rug pulled out from under us. I will have that application completed and sent for signature probably in a week, week in a half or so. Chief Dyer says as long as we are operating under EMS's advance life support license and Dr. Tober's license as a medical director, we are obligated to do whatever we can negotiate with them. If we are able to get our own COPCN, then we would obviously have a medical director that coordinates the protocols with Dr. Tober's office. Commissioner

Boyer asked what are the chances of getting that done. Chief Dyer answered probably pretty difficult but we will keep pressing on. Commissioner Cannon says that he can see this ending up in court system. I forgot one part, when I was talking with Dr. Tober, I mentioned and rephrased and emphasized that EMS came to us to start and ALS engine program with a swap program and we encouraged all our fire fighters to become paramedics and practice their ALS and everything. Chief Dyer said commissioners if you're not aware it requires a 3 to 2 vote by the board of county commissioners to get our own COPCN. Commissioner Cannon says the he doesn't think that those 3 to 2 are there right now. Maybe get 1 to 4. I had a little conversation with Commissioner Colletta at the Swamp Buggy races. Basically we talked about consolidation, and he is so big on consolidation. I told him that it's not going to happen countywide for a while. But it may happen urban and rural. Chief Dyer said that was the way it is legislative bill was being worked as well.

d. Union Contract:

Chief Dyer received a copy of the resolution for the 175 stop start from the attorney, Bob Sugarman via email. After talking to Chief Potteiger, Kevin Nelmes, and Manny, management would also like to get our legal representation to look at it. Because there is a lot of fuzzy language, I just don't understand all the details of it. As well as, in the resolution as drafted by Mr. Sugarman, there is 10 day public notification process that we would have to advertise.

e. Chapter 175

f. Thomas Bryan Investigation:

Commissioner Davis completed her investigation and concluded that Chief Dyer's decision was the right one and suggests the Board accept Thomas Bryan's resignation. Commissioner Davis made the motion to accept Thomas Bryan's resignation and to uphold the termination by Chief Dyer, the motion was seconded by Commissioner Cannon and pass unanimously. Thomas addressed the board.

g. Board of Commissioners (Topics initiated by the Board)

h. SIP

Retiree Health and Life insurance Policy has multiple facets to the policy that needs to be addressed covering re-employment of retired employees.

III New Business:

a. Presented to the Board: Job Descriptions for Plans, Policies and Integration Chief and Assistant Plans Officer. Chief Dyer explains the never ending battle in getting ahead of the day to day grind of stuff that comes at us. Examples are our properties that are or are not suited to our needs. We have sold an old engine and bought a new one. We didn't plan to do it we just did it. We seem to react rather than look ahead and that needs to be changed. This division will focus on looking at certain specific things and how they impact our service delivery. How events will impact our taxes.

Personnel changes: Moved Chief Teague and Lt. Watson into the Planning, Policies, Integration division and moving Captain Leal and Captain Schultz under operations. Training should be a part of the operations division.

Commissioner Davis likes the wording in the job description regarding short and long term planning. Commissioner Cannon agrees. There are no pay increases or rank changes associated with this. The other positions will remain unfilled.

A motion was put forth by Commissioner Boyer to accept the draft proposal to open the discussion of the positions of Plans, Policy and Assistant Plans Officer, the motion was seconded by Commissioner Hughes. All Commissioners are in favor of this motion. Motion was passed unanimously. This change will take effect March 1, 2009.

b. Beal Building: Chief Dyer explains that he has been looking at several properties so that the headquarters would be under one roof. We looked at the 3 story building at the corner of Outer Drive and 41 and found it does not meet our purposes. The Beal Building which is just southeast of that and is a 4 story building, the layout was good but it was not a very well planned idea. We are still keeping our eyes open. There are many buildings to look at in the future.

c. Opening Bids:

1997 Ford Ranger: Winning bid \$1201.99, Bid won by Carol Hendricks

2003 Ford Escape: Winning bid \$3800.00, Bid won by Vince Tominominelli

2002 Ford Explorer: Winning bid \$3800.00, Bid won by Vince Tominominelli

Commissioner Hughes made a motion to accept the highest bid for the 1997 Ford Ranger, Commissioner Davis seconded, the motion passed unanimously. Commissioner Davis made a motion to accept the highest bid for the 2003 Ford Escape and the 2002 Ford Explorer for \$3800.00 each, Commissioner Hughes seconded, the motion passed unanimously.

d. Lee County Plan Review

Ed Riley explains being approached by a Fire Chief of Lee County to see if we would be interested doing a plan review for a portion of or all the districts in Lee County, currently being done by Lee County. At that time he told him that we could not do it because we were too busy at that time. Several things have changed and since that time and the plan review numbers have dropped as you have seen month by month, our average is about 1200 a month. We are at 515 right now. I want to keep my people as busy as possible. 6 employees can do the reviews for both counties without negatively impacting our review times. 29% of our reviews would be in Lee County and 71% would be in Collier County. We would have to enter into some sort of inter local agreement, or a contract type deal. Whatever would be negotiated between the counties. A fee schedule would need to be in place. Revenue would be on the high side. I am looking to

see if we can make this work with Lee County without impacting our services to Collier County. Board direction would be needed.

Commissioner Davis made a motion for Ed to take this project to the other boards and see what they think, and talk to Lee County to see if that can work out. Commissioner Cannon seconded the motion, **this motion was not completed.**

e. Commissioner Travel:

Commissioners confirmed which annual conferences they will attend.

f. Executive Summary - Phillips Monitors:

Chief Teague is requesting to phase in the Philips Monitors and phase out the Zoll Monitors that are on loan from the county. Philips rep agreed to provide 2 Philips Monitors, full factory warranty for the price we had budgeted for 1. \$4800 in annual service contracts will go away. These monitors will pay for themselves in 4 to 5 years.

A motion was made by Commissioner Hughes to go with the staff recommendations to purchase the Philips Monitors for the budgeted amount of \$29,999.60, Commissioner Davis seconded the motion, the motion passed unanimously.

Flu Shots:

Chief Teague has been communicating with a company named Vaxcare that provides flu shots through various organizations. They would provide the flu vaccine materials and the fire dept. would offer up a community outreach program for the public to come to the firehouse to get their flu shots. All of our employees will get free flu shots. A certain percentage of revenues would go back to community in the form of outreach programs. We talked about doing this during an open house. Contract and disclosures, all the paperwork, signage & PSA's will be handled by Vaxcare. This program would possibly start in September. Board advises to keep looking into it and see what the impact would be to local business such as Walgreens, Publix and local doctors that give flu shots.

Truck Color:

Jamie presented the color for the new truck. Everyone went out into the bay to look at the color.

SUMMARY OF ASSIGNMENTS:

Direct Deposit - 2 year Sunset

Retiree Health and Life Insurance Recommendations

Additional Research Flu Shots

Insurance Premium Tax Database

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 meeting adjourned.

Commissioner Thomas G. Cannon

Commissioner Richard Gibbons

Commissioner Angela S. Davis

Commissioner Robert L. Hughes

Commissioner Robert A. Boyer

Submitted by Mary Ann Orlick