

MINUTES
EAST NAPLES BOARD OF FIRE COMMISSIONERS MEETING
July 22, 2008

I. MEETING OPENED

Commissioner Cannon called the meeting to order at 5:33 P.M. Present were Commissioner Cannon, Commissioner Gibbons, Commissioner Davis, Commissioner Miller, and Commissioner Boyer. Also present were Chief Schank, A/C Potteiger, D/C Dyer, D/C Biondo, D/C Teague, Capt. Burkhardt, Capt. Schultz, Lt. Anderson, Fire Code Official Ed Riley, Mechanic Popiol, SSA Bishop, Terry Odom, Rich Cameron, Naples Daily News Staff Writer Elysa M. Batista, A/A Friday.

A. Pledge of Allegiance

Commissioner Cannon opened the meeting with the Pledge of Allegiance.

B. Additions or Deletions to Agenda

Commissioner Davis made a motion to approve the agenda, Commissioner Miller seconded the motion and it passed unanimously.

At this point of the meeting Commissioner Cannon addressed agenda item:

E. Awards and Recognition

Deputy Chief Doug Dyer presented Terry Odom and Rich Cameron a Certificate of Appreciation for rescuing an individual whose car plunged into a lake.

Chief Schank presented Mary Friday with a Ten Year Plaque and Doug Dyer with a Fifteen Year Plaque.

Commissioner Cannon addressed, under New Business, agenda item:

B. Bid Selection for Station 23 Workout Room

Commissioner Cannon divided the sealed bids amongst all the Commissioners and the bids were opened. Upon completion of opening and reading the sealed bids Commissioner Cannon instructed staff to review the bids to see if they comply with all the criteria listed in the RFP. Pott asked if the Board wanted staff to pick the lowest and Commissioner Cannon said to pick the lowest as long as they met the requirements.

Commissioner Cannon returned to the original order of the agenda and addressed agenda item:

C. Approval of Minutes of May 13, 2008 Meeting

Commissioner Davis made a motion to approve the minutes of the May 13, 2008 meeting, Commissioner Gibbons seconded the motion and it passed unanimously.

D. Treasurer's Report

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

E. Awards and Recognition

This agenda item was previously presented.

F. Reports

1. Fire Administration

a. Personnel

Chief Schank reported that Steve Liford, Eric Clere, and Brian Anderman are still out on workman's comp. Ray Kilmer is working light duty under workman's comp. Tony Palermo and Clay Wilroy have returned to full duty. John Obst has been cleared by workman's comp to

return to full duty, but the doctor treating him for other non-related workman's comp injuries will not release him to full duty at this time.

Clay Wilroy and Elizabet Otero were married on July 4, 2008.

b. Other

Chief Schank advised the Board that the Steering Committee Meeting has been cancelled for July and is rescheduled for August 28, 2008 at 6 P.M. here at Station 20.

Chief Schank said he would personally like to congratulate Doug Dyer, the new Fire Chief, who will be taking office this August 1, 2008. He said he and Doug have worked out a system wherein they will both be acting as chief. Chief Schank said he looks forward to working with Doug.

Commissioner Boyer asked for clarification of the minutes of the June 18, 2008 Board Meeting, which starts on the bottom of page 8 and rolled into the beginning of page 9, and stated he would absolutely, 100%, desire Bob Schank to stay in full capacity except for the fact the Board said Doug was to start August first. He said he doesn't see how we can have two chiefs in one organization and he cannot see us running without Chief Schank who has had a lot of input. He said he values Chief Schank's opinions, knowledge, and skills in the field. He stated that in all fairness, if he is going to be judging Chief Dyer on what he is doing or not doing, it should be one chief, not two chiefs making the decisions. He said he wants Chief Schank here as long as he can be here, but with Chief Dyer starting August first, in his opinion, Doug has to have the final say but he hopes he will take into guidance the wisdom of Bob Schank.

Commissioner Cannon said Chief Schank just advised that he and Doug have worked out all

the situations among themselves wherein they will be working together, communicating together, and he doesn't see that presenting a problem. Commissioner Boyer asked who he holds responsible, Chief Schank or Chief Dyer. Commissioner Cannon said to hold them both responsible. Commissioner Boyer said he will be evaluating what the new chief does because that is his job, to evaluate how the new chief operates.

c. Public Comment

No comments were presented.

2. Administration: Assistant Chief

a. Shop (with fuel report)

Assistant Chief Rob Potteiger thanked everyone who took care of him in his illness.

Pott said, as promised to the Board, that staff would try to gain a 30% fuel savings so he asked the IT person to make a percent savings from the prior month on the fuel report. He said we are getting there.

Pott said Nate has been off on workman's comp for a back injury and is going to be having surgery in August. He advised that we are using Willie Douglass part-time to give Jamie a hand on some of the trucks that are coming in for repairs. He said we will evaluate it monthly to see what he needs. Commissioner Boyer asked if there is anyone we can hire part-time to help Jamie instead of an employee as he doesn't know where we are with our Right to Work laws, wages, and state and federal requirements in regards to having an employee who is already on the payroll come in extra hours.

Pott said because Willie owns his own business we did it as a business account because if he worked as an employee we would have to pay overtime. He said we are paying him as a part-

time business. Pott said we could advertise for a mechanic if that is what the Board chooses but he said he wouldn't advise it at this time as he wants to wait and see how long Nate will be out.

Commissioner Boyer said he would prefer that we go with a part-time mechanic instead of taking someone from fire suppression. Commissioner Cannon said Willie Douglass is familiar with the trucks and was probably involved in all the Apparatus Committees that bought the trucks and he is a good mechanic.

b. Fire Code Official's Office (with fuel report)

Ed Riley said they did 842 reviews last month and their percentages are under the time frames that have been set.

Pott said they lost one person in the Fire Code Office and are not looking to replace that person.

Commissioner Boyer asked where we are at with the construction and Ed said we received word last week that SFWM is no longer interested. Ed said they are checking to see what their property is worth and trade their property for another two buildings that are already constructed.

c. GRIT

No report.

d. Other

No topics were presented.

3. Fire Prevention: Deputy Chief

Deputy Chief Nick Biondo said his report is as submitted. Nick advised the Board that no one attended the Public Information Meeting regarding the new ordinance.

Nick said, regarding the false alarms, they billed out the total amount that was owed to us, \$36,345.00,

prior to January first and started the new billing as of July first under the new program.

Nick said inspections are down a little bit and they are doing more existing inspections.

4. Support Services Report: Deputy Chief

Deputy Chief Doug Dyer said he and Chief Schank conducted interviews with five potential employees to replace the three openings. Doug said they hired two of the three and their start date is September 2, 2008. He said they are going to interview again for the third candidate and that candidate's start date will also be September 2, 2008.

Doug said in reference to Lake Park Commissioner Boyer had requested information from an engineering consulting firm about preparation for a site development plan. Essentially what Commissioner Boyer was asking was for them to bid or present a proposal on it but they don't do sealed bids. Their process is that you contact them and basically enter into negotiations with them based on what you want. If you don't like what they present you go with another engineering firm.

Doug and Pott discussed this matter and we can choose to pursue individual engineering firms which would probably cost us eighty to one hundred thousand dollars. Pott suggested an alternative which is, if we can, to piggy-back it onto the SDP we have going with the 951 property. This would potentially accelerate getting the SDP completed at a lower cost. Commissioner Boyer said he would like something started by the next Board meeting.

Commissioner Cannon asked what we are doing here and Pott said, as far as he understands, Commissioner Boyer wants to start the engineering department on doing what we are doing for the 951 property wherein we get a SDP and be able to apply for a permit and start bringing in fill dirt. Commissioner Cannon asked if we would have an estimated cost of the whole process by the next meeting. Doug said the first thing is to get the engineers to go in and draw the plans at a

cost of \$80,000.00 to \$100,000.00 approximately. Once we get that, get a site development plan approved from that, then we can start clearing, filling, etc. with the cost associated with that and the permits to do all of that. Doug said this is just in reference to the land, not the building. Ed Riley said an SDP is good for two years. Pott said he can get a price from Johnson Engineering by next week if we piggy-back. No money will be spent before this is brought back before the Board.

5. Training Report: Deputy Chief

Deputy Chief Keith Teague said his report is as submitted. Keith said at the last meeting he had reported they were going to be doing Mayday training during the first two weeks of the month and officer training during the last two weeks. He said they extended their time at Naples Steel and were able to do more engine company ops and Mayday training for the last two weeks. The first two weeks was a joint training with North Naples Fire and Golden Gate Fire. The Sheriff's Dept. also participated in the training. Keith said they will be rescheduling the officer training for possibly the middle of next month.

6. Fire Operations: Deputy Chief

Deputy Chief Eugene Bogert said his report is as submitted.

Eugene said that is the final draft of the consolidation report from the operation's chiefs that is going to the Steering Committee for approval and to the Collier County Commissioner to look at it. He requested the Board review this as it is very important and the Boards have the final say.

Commissioner Cannon said to have the Board review this and then we will discuss it.

Commissioner Cannon said that a district to the North of us has hired an attorney to draft legislation to set up a new independent fire district county wide. He met with the attorney on this and voiced his displeasure with the district North of us for not

bringing it to the other districts by letting us be involved if we so desired. They will draw up a county wide fire district and the independent districts will have an opportunity to opt in if they so decide. He said we will have an opportunity to comment on that between now and March/April of next year if they can find somebody to sponsor the bill.

Eugene said they will be revisiting the tactical guidelines to make sure everyone in the county is on the same page.

Commissioner Cannon requested Eugene to make sure his columns add up right for the next meeting.

II. OLD BUSINESS

A. On-Going

No topics were presented.

B. 175 Retirement – Chief Potteiger

Pott said the 175 Retirement meeting has been moved up because of the Fire Chief's Convention and he will leave the dates in the Board's boxes.

Pott advised that we have not received any applications for a 175 trustee. He said at the next 175 meeting they will be discussing the start/stop further with the attorney and with the union. Pott said there are some points he does not understand yet so he prefers not to clarify it until he has a better understanding.

C. Impact Fee Interlocal – Chief Potteiger

Pott said that as he discussed at the last meeting with the Board of County Commissioners and with the release of the district to our North on impact fee monies that are owed to us, the Interlocal has been put in the Commissioner's boxes so they could read it before signing same as it needs Board's action on it. Commissioner Boyer asked if we got our money back or not and Pott advised we will get our money once the Interlocal is signed.

Commissioner Davis made a motion to approve the Interlocal Fire Impact Fee Reconciliation Agreement. Commissioner

Gibbons seconded the motion and it passed unanimously. Commissioner Cannon explained that this agreement is correcting the errors that the county made in disbursing the impact fees to the wrong departments. With this interlocal the departments will pay the money to the county and the county will disburse it to independent departments. We will probably gain \$35,000.00. Commissioner Cannon advised that Ed Riley's office found the errors and they are keeping an eye on current distribution to make sure they are handled properly.

D. 951 Property Update

Pott advised that last week he was supposed to meet with the engineering firm regarding eminent domain but had to cancel the meeting and it has been rescheduled.

E. Replacement of 175 Trustee

This topic was previously discussed. No applications were received. Commissioner Boyer said with the Board's direction, he would like to see Chief Potteiger get the advertisement out in the community by radio, TV, and newspaper. Pott said he would get with Greg and come up with something.

F. Draft Retiree's Insurance Benefits Policy Revised

Doug advised the issue here is that Bobby Elliott had an injury, he had the retiree's insurance benefit and that ran out. That benefit accounts for 50% of the total number of years that he worked here and in order to renew that you will see the language that is in bold typing and underlined on page 59 of the meeting booklet which is based on discussions Mary had with the insurance company. This is what we need to do to comply with the statute, to offer a retired employee insurance. This is priced at the cobra rate minus a 10% administrative fee and the life insurance is capped at \$75,000.00. Doug asked the Board to provide any recommendations or changes and this will be brought before the Board at the next regular meeting.

G. Resolution 2008-06 Fire Prevention Code – Chief Biondo

Deputy Chief Nick Biondo said they went through a whole scenario with the Task Force and because this was a Collier County Fire Prevention and Protection Ordinance that we ran through the county, even though we need not run through the county, they may pull the ordinance. Our ordinance was going to sunset on December 31 so we needed to enact locally, in each of the districts, the new ordinance in place. We brought it before our Board instead of going through the county.

Commissioner Boyer made a motion to approve Resolution 2008-06 Fire Prevention Code and Commissioner Davis seconded the motion. It passed unanimously.

H. Bid Selection for Truck Laptops and Software (if bids are received)

Doug reported we received two bids but the bidders failed to comply with our requirements and they were not sealed bids, they came by email. Doug said the prices remain unchanged and this will run approximately \$70,000.00 total with close to a 50/50 split for hardware and software. This would include software only for the captain and operation chiefs' vehicles as they already have laptops in their vehicles so this would be for seven laptops and software for nine. Doug said this is an unbudgeted item and it is his recommendation that if the Board wishes to pursue this, seeing it is so close to the end of the year, to see if we can fit it into next year's budget.

Commissioner Cannon said he believes we went forward with this on the assumption that we would use whatever proceeds we would get from selling the ladder truck. The ladder truck will be advertised in the trade magazines. Commissioner Cannon said to make this part of next year's budget.

I. Policy 2008-01 – Policy on Reissuing Checks – Chief Dyer

Doug said this was presented last month as a draft; there have been no recommended changes since that time, so we recommend the Board approves this policy.

Commissioner Davis made a motion to approve Policy 2008-01 – Policy on Reissuing Checks, Commissioner Boyer seconded the motion and it passed unanimously.

- J. Request for Executive Session Immediately Following Regularly Scheduled Board Meeting.

Commissioner Cannon said management requested an Executive Session immediately following this Board Meeting. The Board agreed to the Executive Session.

- K. Board of Fire Commissioners
(Topics initiated by the Board)

No topics were presented.

III. NEW BUSINESS

- A. Request for Workshop for Admin Bldg. – Chief Potteiger

Commissioner Cannon stated that August and September are always our busy months and we need to schedule some budget workshops, management would also like a workshop on administrative buildings, we need to schedule our first and final public budget hearings, and we need to decide whether we need a regular August meeting. Commissioner Cannon said he feels we could fit in the two workshops as a regular Special Meeting. He asked if August 19th would work for a date for the Special Meeting and two of our discussions would be the workshop for the administrative building and our budget workshop but it would be advertised as a regular Special Meeting. There were problems with the 19th so Commissioner Cannon asked if we could hold it on Wednesday, August 20th which worked with the Board. Commissioner Cannon asked if the Board felt we needed a regular meeting during August or if everything could be fit in the special meeting and the Board agreed to just having the Special Meeting. Commissioner Cannon requested staff to provide them with a rough draft of the budget as soon as possible so they can study it before the 20th. August 8th was the date selected to receive the rough draft of the budget.

September 9, 2008 was chosen for the First Public Budget Hearing and September 23, 2008 for the Final Public Budget Hearing.

B. Bid Selection for Station 23 Workout Room – Chief Potteiger

This item was previously discussed.

C. Request to Investigate ENFD Application for Advanced Life Support (ALS) Certificate of Public Need and Convenience (COPCN)

Doug said in order to provide Advanced Life Support services in the State of Florida under Chapter 402, each agency that provides Advanced Life Support, whether they are transport such as Collier EMS or non-transport such as South Trail Fire Department, you have to be licensed to do that or operate under someone else's license. We currently operate under Collier County EMS's license with the State of Florida and provide ALS non-transport services. This is a cooperative agreement, however, there continues to be a number of challenges mostly associated with changing protocols and other things that the medical director chooses to do. This keeps us tied to Collier County EMS in providing Advanced Life Support.

Doug said what we are asking for is permission from the Board to investigate what the legal requirements are for us to pursue our own Certificate of Public Convenience and Need to get our own license which would include our own medical director either as an individual department or in cooperation with other fire districts. Doug said it is not their intent to expend excessive amounts of funds; we just want to research it, get legal fees, and get the Board's permission to do so. He said we could do it with a \$5,000.00 cap. Commissioner Cannon asked if this is something a number of departments are looking at and Doug said it is and he knows for sure that North Naples is discussing this. Doug said he spoke with the EMS Chief for North, Jorge Aquilera, and as Dr. Tober's contract is up for renewal, one of the things they want to do is change some of the terms of this contract and to get another medical director in there that is more flexible. The third option is to create with all the different fire districts that want to participate, the office of the medical director similar to the Fire Code Official's Office. This would be a part-time job.

Commissioner Cannon stated what we are looking to do at this time is just do some research and spend a couple of thousand dollars on legal fees if we need to.

Commissioner Davis made a motion to allow ENFD to investigate how this program will work and allow a couple of thousand dollars for legal fees to determine if this will work for ENFD. Commissioner Gibbons seconded the motion and it passed unanimously.

D. Schedule Budget Workshop(s)

This topic was previously discussed.

E. Set Dates for First and Final Public Budget Hearings

This topic was previously discussed.

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

Commissioner Davis said they had their first annexation meeting on July 14th as the city is annexing the Southwest corner of Goodlette Road and Golden Gate Parkway between the Naples Zoo and Lucky Lane to build an assisted living facility. She said they went through the first negotiations with everybody working out all the service agreements for those who do water, etc. in that area. We have Laura Donaldson working with us to get this going and they have their second meeting on August 18th in the County Attorney's Office at 1 P.M.

Mary requested the millage rate the Board would tentatively approve for the 2008/2009 fiscal year budget year as she only has until August 4th to complete the DR-420 and get it to the Property Appraiser. Commissioner Cannon said we should have scheduled a budget workshop way before August 4th.

Commissioner Boyer made a motion to tentatively set the millage rate at 1.4657 for the 2008/2009 fiscal year budget and if the Board wishes we can reduce it. Commissioner Cannon seconded the motion and it passed unanimously.

IV. ADJOURNMENT

Commissioner Davis made a motion to adjourn which was seconded by Commissioner Miller. The meeting adjourned.

Thomas G. Cannon

Richard Gibbons

Angela S. Davis

Karen M. Miller

Robert A. Boyer