

Iona McGregor Fire District Board of Fire Commissioners
September 19, 2018
6:00 PM

THE FOLLOWING MINUTES OF THE BOARD OF COMMISSIONERS MEETING REPRESENTS A SUMMARY OF THE STATEMENTS MADE DURING THE MEETING AND INCLUDES ALL OFFICIAL ACTION TAKEN BY THE BOARD. THEY DO NOT CONSTITUTE A VERBATIM RECORD OF THE ACTUAL COMPLETE STATEMENTS MADE DURING THE BOARD OF COMMISSIONERS MEETING. ANYONE WHO IS INTERESTED IN A VERBATIM AUDIO RECORDING OF THE BOARD OF COMMISSIONERS MEETING CAN REQUEST AN AUDIO RECORDING FROM THE RECORDS CUSTODIAN OF THE DISTRICT.

Meeting call to order at 6:12 pm

Roll Call of Commissioners

Present – Commissioner Walker, Commissioner Dorsett, Commissioner Barbosa, Commissioner Taylor

Opening Prayer and Pledge of Allegiance was waived as previously observed during Final Millage and Budget Hearing.

Amendments to the Meeting Agenda – none

Presentations/Awards – none

Public Input on Business Agenda Items –

Business Agenda Items (Agenda Items Requiring Action)

- 1) Meeting Minutes – Budget Workshop and Regular minutes of August 15, 2018; Tentative Millage and Budget Hearing of September 5, 2018 (Approval)

Chair noted that minutes had previously been submitted and asked if there were any corrections. Commissioner Walker stated that he had made a comment on salary adjustment for one individual and the commission vacancy was not automatically moved to the September agenda. Chief responded that minutes include what action was taken with the Board and we can elaborate in the minutes to include comments when asked. He added that the minutes are not transcripts, not verbatim but we can amend minutes to include all comments. Chief continued by stating the procedural action of commission vacancy item was that the motion died which is why it was not included on September's agenda. The item has been brought back as walk on and it is up to Board to accept. Commissioner Walker stated that he will change after the November election how minutes are recorded. Following discussion, **motion** (5576) to approve the Budget Workshop and Regular minutes of August 15, 2018 and the Tentative Millage and Budget Hearing minutes of September 5, 2018 was made by Commissioner Barbosa with a second from Commissioner Dorsett... carried.

- 2) Financial Report – August 2018 (Approval)

Chair stated that report had previously been submitted and asked if there were any corrections or questions. Commissioner Walker requested numerous clarifications of CFO Winzenread pertaining to the financial reports. Commissioner Walker's queries and concerns regarding accounts receivable, retained earnings, cash carry forward and other items were addressed by CFO Winzenread clarification and understanding. **Motion** (5577)

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to approve Financial Report of August 2018 as presented made by Commissioner Walker, second Commissioner Dorsett... carried.

3) District 7 Collective Bargaining Agreement Ratification

Chair stated that following negotiations, a tentative agreement was reached between District 7 and the district which went before District 7 members for a vote. As District 7 has ratified the agreement, Chief is recommending that the Board approve agreement as submitted and finalize the ratification. **Motion** (5578) to approve agreement made by Commissioner Walker with second offered by Commissioner Dorsett. Following discussion... carried.

4) Station 74 Concrete Repair/Replacement

Chair deferred item to Chief Howard who briefly discussed the needed repairs/replacement of concrete at Station 74. **Motion** (5579) to select GCM Contracting Solutions to perform concrete work as submitted in proposal made by Commissioner Dorsett, second Commissioner Barbosa ... carried. Following vote, Commissioner Walker asked if this repair comes under Chief Guzman, and did you draw up specs. DC Guzman commented that Gary, our building maintenance technician, did most of the specifications. Chief added that they referred to original engineering plans.

5) Budget Amendment

CFO Winzenread briefly described budget amendment and had attorney read the corresponding resolution into the record. "Resolution 2018-07, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT, LEE COUNTY, FLORIDA, TO AMEND THE BUDGET AND FUND BALANCES FOR THE DISTRICT FOR THE 2017/2018 FISCAL YEAR; TO RESCIND ALL RESOLUTIONS IN CONFLICT; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR LIBERAL CONSTRUCTION; TO PROVIDE FOR SCRIVENER'S ERRORS; TO PROVIDE FOR AN EFFECTIVE DATE... increasing grant revenue account balance by \$246,546 with equal increased in the Unassigned Fund Balance to reflect reimbursement of Hurricane Irma expenses." Following, a **motion** (5580) to adopt resolution 2018-07 was made by Commissioner Dorsett with second by Commissioner Barbosa. With no questions or comments from the public, Roll vote –

Barbosa – Aye

Dorsett – Aye

Walker – Aye

Taylor – Aye

Motion carries. After vote, Chief stated that he would like to recognize staff for their work during storm, and special thanks to CFO Winzenread and HR Zinger in dealing with FEMA for reimbursement.

6) Audit Engagement Letter

CFO Winzenread would like to extend current agreement with audit firm. Commissioner Walker stated that he does not like the extension to 2023 and is wondering if District should have fresh eyes on the audit and that the fees of \$230.00 per hour seem high. He added that finance is doing most of the work, am I right? CFO Winzenread responded by informing that having been auditor, much work is done in preparing an audit by both sides, the auditor and the district. Mark continued with a detailed explanation of the audit process for governments and significantly different from public sector audits. Following discussion, Commissioner Walker commented that CFO Winzenread is underpaid and is worthy of an increase; he then asked attorney if board is authorized to adjust. Mr. Pringle replied that the

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Chief has the authority to make adjustments, but there is a non-written agreement that salaries are brought to Board for approval. if you want, it could come back to board. When could I make this, questioned Commissioner Walker? It is not on agenda and should be added to next agenda if this is your wish responded attorney. Commissioner Dorsett remarked that it is appropriate to ask for a review of position throughout the areas as we do not want to pick number out of a hat which could skew other salaries. Chief stated that he does agree that there are positions that need to be reviewed with regards to the neighboring areas. The goal is to have complete report easy to understand whereby a position can be plugged in and get comparison. This is currently being worked on and will present in near future, December 1st is deadline. **Motion** (5581) to approve the extension agreement with provision past 2019 be removed made by Commissioner Walker, adding that he doesn't know if negotiated but think fresh eyes and selection be left up to new board. Should sit down and see if can get a better deal. Commissioner Taylor asked CFO Winzenread what he thought of only one year to which response was that they may accept and may not, adding that the pool of available local auditing firms consists of two. Mr. Pringle added that the audit agreement which was negotiated included a not to exceed cap; and recommend adding provision in extended agreement as well. Commissioner Taylor asks Commissioner Walker to modify his motion to include Attorney Pringle and CFO Winzenread in negotiation of the extension agreement. Commissioner Walker amended to have executive branch bounce off and include attorney if needed. Commissioner Taylor said may not be able to hold price for one-year agreement – would like to address Commissioner Walkers concerns, but still make it work. Ok, with right to cancel added to agreement will be fine for 2023. Final **motion** (5581) to approve the extension of Tuscan agreement containing a not-to-exceed cap and a cancellation clause affording no penalty cancellation at the end of fiscal period made execution of same made by Commissioner Walker, second by Commissioner Dorsett ... carries.

7) Banking Change

CFO Winzenread would like to change the primary banking services to BankUnited. Commissioner Barbosa questioned the reasoning for change to which CFO Winzenread noted that BankUnited gave a presentation to Lee County Fire Chiefs Association – in addition Bonita selected BankUnited and the transition was seamless. **Motion** (5582) to authorize CFO Winzenread to establish a banking relationship with BankUnited and take necessary steps in making BankUnited the primary banking provider for District made by Commissioner Dorsett with second by Commissioner Barbosa... Before the vote, Commissioner Walker abstained as he has relationship with the bank. Motion carried.

8) Commissioner Vacancy –

Commissioner Taylor wanted to wait and give thought to filling the vacancy. We followed policy for vacancy and had only one applicant, we have application and move that gentleman that the who applied be appointed to fill Kuhn's vacancy stated Commissioner Walker. Motion seconded by Commissioner Barbosa... Attorney readdressed the vacancy procedure and informing there are choices in boards discretion to select applicant, reject applicant, re advertise, or leave vacant. Following discussion voting results are three in favor, one opposed. Motion carries.

9) Fire Chief Report

Chief stated that the Executive Report is as submitted and added that pertaining to the Chief's job description education adjustments to include EFO, DC Comer has completed the

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EFO program, and all three Division Chiefs here this evening (Aquil, Guzman, and McMillion) have been accepted for the Executive Fire Officer Program. Very proud.

10) Attorney Report

Regarding the Tuscan agreement, clarifying that we will be adding a provision that says District can terminate in its sole discretion at end of any fiscal year. Also, the lease agreement with County was to go to BOCC for approval and awaiting document.

11) DVP Report – District 7 – none

12) DVP Report – District 25 – none

Public Input on Non-Business Agenda Items – none

Commissioner Comments –

Commissioner Walker had question for CFO Winzenread or Attorney Pringle, why can't we bill when we respond to a call at assisted living? EMS bills to individual and sends to insurance and if not paid by insurance the individual is required to pay. Commissioner Barbosa stated that he had to pay for his ambulance bill when his insurance company did not pay. Pringle added that Lehigh collects what insurance pays and accepts as payment; however, if individual does not pay, can be sent to collection. DC McMillion offered that we are not a transport agency, and under our COPCN we are not allowed to charge for service. Hearing that, an adjournment motion was sought.

Adjournment

Motion to adjourn made by Commissioner Walker, second Commissioner Barbosa...

Meeting adjourned at 7:23pm

Approved by: _____

Print Name: _____