

**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 called to order** at 6:00pm

**Opening Prayer and Pledge of Allegiance** observed

**Roll Call** – Chair asked for roll to begin with Attorney Pringle; Richard Pringle, Attorney for the District; Dave Howard... Commissioner Walker interjected that he believes roll call should only be of commissioners. Following brief discussion and decision to add item to next month's agenda, roll continued with Dave Howard, Fire Chief; Cynthia Zinger, HR & Administrative Compliance; Mark Winzenread, Finance Director; Tracy McMillion, BC Training; Ed Steffens, BC Prevention; Seth Comer, Deputy Chief; Jim Walker, Commissioner; Scott Kuhn, Commissioner; Steve Barbosa, Commissioner; Todd Taylor, Commissioner; Mary Ellen Dorsett, Commissioner; DVP Brian Tansey

**Approval of Minutes** – September 20, 2017 Final Millage & Budget Hearing and the September 20, 2017 regular monthly meeting

**Motion** (5173) to approve minutes of September 20<sup>th</sup> final millage and regular monthly meeting minutes made by Commissioner Barbosa, second Commissioner Taylor...during discussion Commissioner Walker stated the he wants his comments verbatim, and voiced his concern as follows, "My concern is that the chair person has used the commission attorney for her personal use and I have been told that she continues to use her capacity as chair to mettle in the affairs of the department, thus superseding the authority of the chief; and because of her dictatorial conduct and abuse of her position, and using the services of the attorney for matters, I ask that the chair remove herself immediately as chairperson of this commission.:" Chair Dorsett interjected by inquiring of Chief if she does override decision making decision, and tell him what to do; yes or no. Chief replied that have had challenges during first year, over last 6 or 7 months relationship has improved, some is awareness on my part and noticed improvement in trust and development in working relationship. Chief added that he has worked closely with chair person as directed by Board to work with on various issues, providing example of T-3 agreement. Commissioner Walker questioned Chief, has she told you what to do? Chief replied, no. Following discussion, motion carries.

**Approval of Treasurers Reports** – September, 2017

FD Winzenread addressed a correction to report submitted whereby heading above Cash Balances should read September on left side on page 3. He added that he has modified reporting this year by adding page numbers and renaming Statement of Revenue and

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Expenditures and included table of contents. Commissioner Walker stated that gave example and spoke to FD Winzenread about the report. Brief discussion of formatting of financial reporting occurred. Streamlined is requested by Commissioner Walker. Commissioner Walker was reminded that the financial reporting is an agenda item and should be addressed then. **Motion** (5174) to approve September, 2017 Treasurers Report made by Commissioner Taylor, second Commissioner Barbosa... approved.

Agenda Items Requiring Action

- 1) Chief's Employment Agreement
- 2) Insurance Benefits for Board of Fire Commissioners
- 3) Financial Reporting
- 4)

Adoption of Agenda

**Motion** (5175) to adopt agenda as presented made by Commissioner Kuhn and seconded by Commissioner Taylor... approved.

Public Comment on Agenda Items – none

Chief's Report –

Chief briefly addressed upcoming retirements of Dave Porter in November and Kirby Bradford in December. November 16<sup>th</sup> at Station 74 will be luncheon to celebrate their careers. He continued addressing items included in the previously submitted report. Following the prepared report, Chief discussed the legislative meeting today concerning the referendum on 2018 ballot which reads, do you support consolidation of fire... which is to be presented to voters in Lee County in November 2018 elections. In January when the item first approached the Legislative arena, district submitted correspondence to legislative bodies with views and concerns. Still some additional research needs to be done before further communications or actions should be done at this time. Barbosa questioned if EMS and Fire would be in one? Some of this was questioned today; however, there are no answers at this time. Mr. Pringle informed that this is a non-binding straw poll ballot to see if voters even interested in consolidation. Decision Board needs to make is what actions are wished to be done for educating the resident. If ballot approved, next legislative session could have legislation to approve provision for consolidation and contain opt out process. Best place to stop from moving forward is to educate voters now before straw ballot as to what this means. What will happen with tax base, what will happen with blending of services, what will mean for Iona residents, etc... what does board want to do to education about the possible impact of this legislation. Laws have changed since last educational process the District was involved in; further evaluation and descriptions have been given by courts as to what you can or cannot do. Chair Dorsett noted that seasonal residents may not be back after this season prior to the next voting period; may be timing urgency. Attorney will gather additional information concerning the allowable parameters and recommends placing on November agenda if not addressing tonight. Would like to have attorney Pringle submit letter of what we can and cannot expend funds on. Commissioner Barbosa made **motion** (5176) to add agenda item for marketing, seconded by Commissioner Taylor... carried.

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Commissioner Walker inquired as to where we stand on the Strategic Plan marketing piece? Chief responded that he sent an update to commissioners via email indicating progress made in quarterly strategic update, adding that it was meant as a progress report only, not intended for meeting this evening. Commissioner Walker wishes to place strategic plan update on agenda for November meeting.

Attorney Report –

Attorney informed Board that he and Chief have discussed his employment agreement and Mr. Pringle has prepared a first amendment to agreement that extends term that Chief wishes to have extension to. Other item included in first amendment was revision of termination without cause provision to specifically define supermajority vote of board to be either 5/0 vote of board or 4/1 vote of board or 4/0 vote of board or 3/0 vote of board if only 3 commissioners present at time. Chief is in agreement with amendments proposed. Future boards may amend this agreement. Mr. Walker commented that discussion for replacement of commissioners was done and did not receive revised copy.

Division/Committee Reports –

DC Comer – conducting interviews FF next week, looking to hire 4. Looking at specs for new Sutphen engine and hopefully will have agreement soon. Looking to update a few job descriptions, looking for January to fill DC Operations position and may have ripple effect.

BC Steffens – Prevention has adopted much of the effort of website, if like to visit new site, established under new domain name and will eventually be joined to current. Photographic items have not been added currently, will be in revision 2. Fundamentally changed the way we control our site, we will own and control our site rather than outside and within month should be able to join the two sites, adding that we will be ready to handle any marketing strategies Board requires. Prevention addresses nuisance alarms, we took from community risk reduction approach and do have ability to declare alarms as nonfunctioning and place in fire watch. Public Education, Lauri has worked well in events and scheduling; touched almost 1000 residents this month through classes, fire safety talks, cpr classes, and outreach programs.

BC McMillion – Was asked last month how many credentialed paramedics we have; we currently have 51 operational of 77 staff, and for the administrative staff, 62% are credentialed paramedics as well. Attended Fort Lauderdale Fire Expo and picked up tricks and tools to bring back. Engineer Fischer attended and one of our firefighters, Jon Lockwood taught. Florida Firefighters Safety and Health Collaborative brochure handed out; IMFD is spearheading the region with this program.

Unfinished Business

1) Chief's Employment Agreement

Chief addressed the agreement by stating pretty much covered and no additional comments. Five copies of first amendment of employment agreement between Chief Howard and District were distributed and attorney read the agreement provisions to all, extension to November 30, 2020 and without cause termination to be either 5/0 vote of board or 4/1 vote of board or 4/0 vote of board or 3/0 vote of board if only 3 commissioners present at time. Chair informed Board that Chief has completed CDM and Masters as well as enrolled for

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NFA New Chief program. **Motion** (5177) made by Commissioner Kuhn to accept the amendment, Commissioner Barbosa seconded... During discussion, Commissioner Walker questioned supermajority and stated he didn't like that and would like to strike the 3/0 provision. Commissioner Kuhn informed that because three commissioners is quorum, cannot statutorily restrict actions of board. Following discussion, approval of amendment was unanimous.

New Business

1) Insurance Benefits for Board of Fire Commissioners

Chief mentioned that Commissioner Barbosa is looking for individual, not family coverage for medical – not dental and vision. Organization is statutorily able to expend funds for this coverage, stated Chief and if desire of board to provide benefit to officers, could offer said coverage. Attorney Pringle stated that the Attorney General (AG) issued opinion where independent fire district had authority to purchase health insurance for board of commission, AG concluded that yes, have authority and spoke directly of this 112.08 (2)(a) section and 191.00 (5), 191.00 (6).

Regarding dependents, expenditure also authorized. If wish AG answer specific to IMFD, question will need to be asked of; however, belief is that allowable and same rules under CBA could be for Board members as well. First decide if coverage approved and then if approved, to whom does it apply. Commissioner Walker states he is uncomfortable with this and thinks it unfair to taxpayers. He added that the board members are elected, regardless of what the statute says, and are not employees; and bad political move. Brief discussion ensued. Commissioner Barbosa **motions** (5178) to approve Commissioners' participation in the District's health insurance, second Commissioner Taylor... four in favor, one opposed; motion carries. Attorney stated that motion did not approve for dependent and asked if better to have dependent included in separate motion and is district paying and portion, and if, what portion. Commissioner Walker **moved** (5179) to include dependent coverage, second from Commissioner Taylor... carried. Attorney informed that last action is how premium cost is going to be paid? Chief reported that the commissioner-alone current premium is \$6461.00 annual; family coverage \$18,738 annual, and the dependent contribution for employees is currently 10%. Commissioner Kuhn mentioned that he is not prepared to vote on District monies at this point. **Motion** (5180) to allow District to pay 100% commission-only premiums made by Commissioner Barbosa, second Commissioner Taylor... three in favor, two opposed. Commissioner Walker added that does not feel should pay.

2) Financial Reporting

FD Winzenread addressed the item by stating difference with Iona's and Punta Rassa's financial reporting, and added that following his discussion with Commissioner Walker, he will increase the narrative for more detail and remove coloring in heading. **Motion** (5181) to follow FD Winzenread's changes in formatting made by Commissioner Walker, second Commissioner Taylor... carried.

3) Marketing

Chief states in conversations with CFO Winzenread, there are dollars but don't know the direction of board and awaiting legal information. He would like Board to approve Chief to

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work with Mr. Pringle... Commissioner Walker interposed that he doesn't need motion to run the department. Chief continued explaining that there are no funds budgeted for this item and requires board approval. He added that the majority of Special District's are opposed to consolidation but not consensus amongst all. Chair Dorsett stated that time is of essence and need to allow Chief to move forward and suggest up to \$10,000; Commissioner Walker is against. **Motion** (5182) to give Chief \$10,000 to work on marketing and educational piece moving forward was made by Chair Dorsett with second by Commissioner Taylor... four in favor; one opposed.

DVP Report –

Where are we with the T-3 agreement, as receive inquiries constantly. Mr. Pringle informed that the T-3 agreement is at lawyer for T-3; after last board meeting T-3 attorney said there needed to be an early termination fee as opposed to the 120 day termination language in agreement because they have third party agreements which must be honored. Chief agreed to termination language and modification has been made. Mr. Pringle added that our current provider's agreement does not expire until mid January. What is timeframe coming back, questioned Walker. Attorney stated he will be daily contacting lawyer until agreement received.

Public Comment – non agenda items – none

Commissioner Comments – none

Adjournment

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

Meeting adjourned at 8:34 p.m.

Approved by: \_\_\_\_\_

Print Name: \_\_\_\_\_