

Iona McGregor Fire District Board of Fire Commissioners Agenda  
November 18, 2020  
6:00 PM

Meeting call to order

Roll Call of Commissioners

Opening Prayer and Pledge of Allegiance

Amendments to the Meeting Agenda

Public Input on Business Agenda Items

Public Recognition

Business Agenda Items (Agenda Items Requiring Action)

- 1) Meeting Minutes – October 21, 2020
- 2) Financial Report – October 2020
- 3) Commission Manual Draft
- 6) Executive Report
- 7) Attorney Report
- 8) DVP Reports – Districts 7 & 25

Public Input on Non-Business Agenda Items

Commissioner Comments

Adjournment

Iona McGregor Fire District Board of Fire Commission  
October 21, 2020  
6:00 PM

Meeting called to order at 6:00 p.m.

Roll Call of Commissioners – Present were Commissioner Louwers, Secretary Andersen, Treasurer Langford, and Chair Walker; Vice Chair Barbosa present via telephone

Opening Prayer and Pledge of Allegiance observed

Amendments to the Meeting Agenda – none

Public Input on Business Agenda Items – none

Public Recognition – none

Business Agenda Items (Agenda Items Requiring Action)

1) Meeting Minutes – September 16<sup>th</sup> Tentative Millage & Budget Hearing, September 23<sup>rd</sup> Final Millage & Budget Hearing, and September 16, 2020 Monthly meetings Minutes were provided prior to the meeting. With no questions or comments, **motion** (5741) to approve minutes as submitted was made by Commissioner Walker, second Commissioner Langford... carried.

2) Financial Report – September 2020 as Hearing no discussion or questions, Commissioner Walker made **motion** (5742) to approve financial report as submitted, second from Commissioner Langford... passed.

3) Surplus Items  
CFO Winzenread noted that although surplus is for one item, it contains two inventory ID's due to the original inventory tag and the second following upgrade. After brief explanation, **motion** (5743) to deem this item, inventory ID 00716 & 01276, as surplus and authorize Chief to dispose of in accordance with FS 274.06 was offered by Commissioner Louwers and seconded by Commissioner Walker... carried

6) Executive Report  
The executive report was submitted prior to the meeting. After brief discussion of a recent resignation, **motion** (5744) to accept Executive report was made by Commissioner Anderson, second Commissioner Langford... carried. Following vote, Chief Howard noted the Division Chief Prevention job description is being amended by moving 'Completion of IMFD's Fire Marshal Credentialing Workbook', a previously required class, to preferred.

7) Attorney Report  
Attorney Pringle noted that Monday a draft Commission Manual was distributed. It was determined that a hard copy will be given to each member; and should be addressed at the next meeting. Commissioner Barbosa questioned the wording of section 3. Attorney Pringle will address and clarify language, providing 'clean' copy for printing and disbursement.

Iona McGregor Fire District Board of Fire Commission

October 21, 2020

6:00 PM

8) DVP Reports – Districts 7 & 25

Neither DVP has anything to report this month

Public Input on Non-Business Agenda Items – none

Commissioner Comments – none

Adjournment

Motion to adjourn was made by Commissioner Louwers and seconded by Commissioner Walker... carried.

Meeting adjourned at 6:12 p.m.

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

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

Iona McGregor Fire District Board of Fire Commission  
October 21, 2020  
6:00 PM

**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT  
SUMMARY STATEMENT OF ACTIVITIES - GENERAL FUND  
For The Twelve Months Ended September 30, 2020 (Unaudited)**

Revenues	Amended	Actual	Variance	
	Budget		\$	%
Cash Carry Forward	\$ 9,606,935			
Ad valorem taxes	19,878,190	\$ 19,793,405	\$ (84,785)	99.57%
Permits, Fees & Special Assessments	95,000	99,387	4,387	104.62%
Intergovernmental	59,160	109,628	50,468	185.31%
Charges for services	51,000	44,567	(6,433)	87.39%
Interest Check/Demand Accounts	270,000	169,296	(100,704)	62.70%
Miscellaneous	53,453	95,738	42,285	179.11%
Proceeds from debt	-	-	-	N/A
<b>Total Revenues</b>	<b>20,406,803</b>	<b>20,312,020</b>	<b>(94,783)</b>	<b>99.54%</b>

Total revenues and cash carry forward 30,013,738

Expenditures				
Personnel services				
Salaries	10,529,757	9,732,669	797,088	92.43%
Benefits	5,676,405	5,263,592	412,813	92.73%
Operating Expenditures				
Professional and contractual	820,713	717,692	103,021	87.45%
Travel	106,475	29,234	77,241	27.46%
Communications & freight	143,320	138,825	4,495	96.86%
Utilities, equipment rental, and insurance	281,507	259,109	22,398	92.04%
Repairs and maintenance	694,143	585,941	108,202	84.41%
Other operational and administrative	321,320	287,420	33,900	89.45%
Supplies, tools & small equipment	387,370	342,624	44,746	88.45%
Education and training	133,150	58,865	74,285	44.21%
Capital expenditures	2,104,296	1,489,473	614,823	70.78%
Debt service	162,295	162,295	(0)	100.00%
<b>Total Expenditures</b>	<b>21,360,751</b>	<b>19,067,739</b>	<b>2,293,012</b>	<b>89.27%</b>

Revenues over/(under) expenditures (953,948) \$ 1,244,281 \$ 2,198,229

Fund Balance/Cash Carry Forward 8,652,987

Total expenditures and reserves \$ 30,013,738

	SEPTEMBER	AUGUST
Cash Balances		
BankUnited - Operating	\$ 1,114,914	\$ 878,310
Petty Cash	-	-
	<u>1,114,914</u>	<u>878,310</u>
Investments		
General - SBA - Fund A	7,923,988	9,671,630
BankUnited Money Market	2,011,520	2,010,698
	<u>9,935,508</u>	<u>11,682,328</u>
Total Cash and Investments	<u>\$ 11,050,422</u>	<u>\$ 12,560,638</u>

Submitted for approval on October 21, 2020

Approved By:  (Signature)

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**Iona McGregor Fire District**  
**Financial Report**  
11/18/2020

<b><u>Included Reports (unaudited)</u></b>	<b><u>Page(s)</u></b>
Financial Report Notes	1
Balance Sheet as of October 31, 2020	2
Summary Statement of Activities – General Fund	3
Detailed Statement of Activities – General Fund	4-5
Check Register – Month of October 2020	6-8

**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT  
FINANCIAL REPORT NOTES  
BALANCE SHEET AND STATEMENTS OF REVENUES AND EXPENDITURES  
(UNAUDITED)  
For the Month Ended October 31, 2020**

**Notable items on the Balance Sheet:**

Cash and Investments

The rates of return on surplus funds for the month of October are as follows:

- 0.29% - SBA (Florida PRIME Local Government Investment Pool)
- 0.50% - BankUnited

Liabilities

Liabilities totaling \$32,766 consist of trade accounts payable and amounts withheld from employees' pay for retirement, insurance and other voluntary payroll deductions.

**Notable items on the Statements of Revenues and Expenditures:**

Revenues

- Inspection fees totaled \$5,147 for the month of October.
- Interest on invested surplus funds totaled \$2,592 for the month of October.
- Recorded quarterly payment received in September for the space rented to Lee Co. EMS - \$8,701.
- Miscellaneous revenue of \$8,243 consists mainly of workers' compensation benefit payments.

Expenditures

- 25% down payment on workers' compensation insurance - \$77,798
- 1st Quarter property appraiser fees - \$34,881
- Annual premium for accident and sickness policy - \$20,878
- 25% down payment on liability and auto insurance - \$29,148
- Annual subscription for scheduling software - \$6,963
- Annual membership fee and capital contribution to USAR Task Force - \$23,840

Total expenditures reflect 4.07% of budget and are within expected ranges.

Beginning this fiscal year the line item "Capital Outlay under \$1,000" has been replaced with "Small Tools and Equipment". The threshold for capitalizing assets is now \$5,000 in accordance with the change in Rule 69I-73.002, Florida Administrative Code effective October 1, 2020.

IONA MCGREGOR FIRE DISTRICT (IMF)

ASSETS

CASH

Operating Account - BankUnited	\$	1,077,964.15	
<b>Total CASH:</b>			1,077,964.15

INVESTMENTS

Investments - SBA		6,175,729.18	
Money Market - BankUnited		2,012,370.29	
<b>Total INVESTMENTS:</b>			8,188,099.47

<b>Total ASSETS:</b>			<b>\$ 9,266,063.62</b>
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LIABILITIES

LIABILITIES AND OTHER CREDITS

Accounts Payable		10,077.30	
<b>Total LIABILITIES AND OTHER CREDITS:</b>			10,077.30

ACCRUED EXPENSES

FRS - Employee Contribution - ADMIN		3,857.23	
FRS - Employee Contribution - OPS		19,359.99	
Colonial Insurance - Pre-Tax		(50.16)	
Iona McGregor 457 Plan		100.00	
Iona McGregor 457 ROTH Plan		100.00	
FL Deferred Comp 457(b) Plan		(600.00)	
Voluntary Life Insurance - Principal Group		(78.32)	
<b>Total ACCRUED EXPENSES:</b>			22,688.74

<b>Total LIABILITIES:</b>			32,766.04
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EQUITY

Retained Earnings-Current Year		(841,642.95)	
Prior Year Revenues Over/(Under) Expenditures		330,112.61	
Fund Balance		9,744,827.92	
<b>Total EQUITY:</b>			9,233,297.58

<b>Total LIABILITIES &amp; EQUITY:</b>			<b>\$ 9,266,063.62</b>
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**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT**  
**SUMMARY STATEMENT OF ACTIVITIES - GENERAL FUND**  
**For the Month Ended October 31, 2020 (Unaudited)**

<u>Revenues</u>	<u>Amended</u>	<u>Actual</u>	<u>Variance</u>	
	<u>Budget</u>		<u>\$</u>	<u>%</u>
Cash Carry Forward	\$ 10,076,867			
Ad valorem taxes	20,049,066	\$ -	\$ (20,049,066)	0.00%
Permits, Fees & Special Assessments	95,000	-	(95,000)	0.00%
Intergovernmental	59,760	-	(59,760)	0.00%
Charges for services	51,000	5,507	(45,493)	10.80%
Interest Check/Demand Accounts	50,000	2,592	(47,408)	5.18%
Miscellaneous	54,122	16,944	(37,178)	31.31%
Proceeds from debt	-	-	-	N/A
<b>Total Revenues</b>	<u>20,358,948</u>	<u>25,043</u>	<u>(20,333,905)</u>	0.12%

Total revenues and cash carry forward 30,435,815

<u>Expenditures</u>				
Personnel services				
Salaries	10,814,942	473,741	10,341,201	4.38%
Benefits	5,852,730	196,868	5,655,862	3.36%
Operating Expenditures				
Professional and contractual	848,093	40,625	807,468	4.79%
Travel	107,395	-	107,395	0.00%
Communications & freight	146,225	8,827	137,398	6.04%
Utilities, equipment rental, and insurance	282,478	59,148	223,330	20.94%
Repairs and maintenance	758,015	19,762	738,253	2.61%
Operational, small tools and equipment	427,225	14,471	412,754	3.39%
Fuel, supplies, and administrative	424,994	50,667	374,327	11.92%
Education and training	128,625	2,576	126,049	2.00%
Capital expenditures	1,427,000	-	1,427,000	0.00%
Debt service	100,045	-	100,045	0.00%
<b>Total Expenditures</b>	<u>21,317,767</u>	<u>866,685</u>	<u>20,451,082</u>	4.07%

Revenues over/(under) expenditures (958,819) \$ (841,643) \$ 117,176

Fund Balance/Cash Carry Forward 9,118,048

Total expenditures and reserves \$ 30,435,815

	<u>OCTOBER</u>	<u>SEPTEMBER</u>
Cash Balances		
BankUnited - Operating	\$ 1,077,964	\$ 1,114,914
Petty Cash	-	-
	<u>1,077,964</u>	<u>1,114,914</u>
Investments		
General - SBA - Fund A	6,175,729	7,923,988
BankUnited Money Market	<u>2,012,370</u>	<u>2,011,520</u>
	<u>8,188,099</u>	<u>9,935,508</u>
Total Cash and Investments	<u>\$ 9,266,064</u>	<u>\$ 11,050,422</u>

Submitted for approval on November 18, 2020

Approved By: \_\_\_\_\_  
 (Signature)

**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT**  
**DETAILED STATEMENT OF ACTIVITIES - GENERAL FUND**  
**For the Month Ended October 31, 2020 (Unaudited)**

	<u>ORIGINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>	
			<u>\$</u>	<u>%</u>
<b>REVENUES</b>				
Cash Carry Forward	\$ 10,076,867			
Ad Valorem Taxes	20,691,066	\$ -	\$ (20,691,066)	0.00%
Excess fees	140,000	-	(140,000)	0.00%
Penalties	19,000	-	(19,000)	0.00%
Discounts	(755,000)	-	755,000	0.00%
Refunds Deducted	(50,000)	-	50,000	0.00%
Ad Valorem Taxes Prior Years	4,000	-	(4,000)	0.00%
Impact Fees	95,000	-	(95,000)	0.00%
FEMA Revenue	-	-	-	N/A
State Firefighter Supplemental	59,760	-	(59,760)	0.00%
Grant Revenue	-	-	-	N/A
Inspection Fees	50,000	5,147	(44,853)	10.29%
CPR - Books & Masks	1,000	360	(640)	36.00%
Interest Check/Demand Accounts	50,000	2,592	(47,408)	5.18%
Rents	34,122	8,701	(25,421)	25.50%
Sale of Equipment	15,000	-	(15,000)	0.00%
Contributions	5,000	-	(5,000)	0.00%
Miscellaneous	-	8,243	8,243	N/A
Proceeds from Debt	-	-	-	N/A
<b>Total Revenues</b>	<u>20,358,948</u>	<u>25,043</u>	<u>(20,333,905)</u>	0.12%
<b>Total Revenues and Cash Carry Forward</b>	<u>30,435,815</u>			
<b>EXPENDITURES</b>				
<b>Personnel Services</b>				
Salaries - Commissioners	30,000	2,500	27,500	8.33%
Salaries - ADM	1,814,195	114,491	1,699,704	6.31%
Salaries - OPS	7,131,726	321,417	6,810,309	4.51%
Salaries - FLSA	557,356	25,284	532,072	4.54%
Salaries - Sick Pay - ADM	104,666	-	104,666	0.00%
Salaries - Sick Pay - OPS	264,409	-	264,409	0.00%
Salaries - Holiday Pay	137,419	-	137,419	0.00%
Salaries - Out of Class Pay	45,000	48	44,952	0.11%
Salaries - One Time Payouts - ADM	23,908	-	23,908	0.00%
Salaries - One Time Payouts - OPS	93,873	441	93,432	0.47%
Salaries - Clothing and Uniform Allowance	3,200	-	3,200	0.00%
Salaries - Ins Deductible & Subsidy- ADM	3,240	243	2,997	7.50%
Salaries - Ins Deductible & Subsidy- OPS	39,703	3,080	36,623	7.76%
Salaries - Phone Allowance	12,000	1,000	11,000	8.33%
Salaries - ER H.S.A Contribution - ADM	46,500	-	46,500	0.00%
Salaries - ER H.S.A. Contribution - OPS	235,500	-	235,500	0.00%
Salaries - Overtime Staffing - ADM	7,892	-	7,892	0.00%
Salaries - Overtime Staffing - OPS	122,170	90	122,080	0.07%
Salaries - Overtime Training - OPS	82,425	-	82,425	0.00%
Salaries - Overtime USAR/Strike Teams - ADM	-	-	-	N/A
Salaries - Overtime USAR/Strike Teams - OPS	-	-	-	N/A
Salaries - State Education ADM	16,440	1,370	15,070	8.33%
Salaries - State Education OPS	43,320	3,776	39,544	8.72%
Social Security Taxes - ADM/Commissioners	110,243	5,559	104,685	5.04%
Social Security Taxes - OPS	521,288	20,889	500,399	4.01%
Medicare Taxes - ADM/Commissioners	29,083	1,708	27,375	5.87%
Medicare Taxes - OPS	122,687	4,885	117,802	3.98%
Retirement - ADM	353,291	(3,847)	357,138	-1.09%
Retirement - OPS	1,968,831	(81,830)	2,050,661	-4.16%
Veba Plan Contribution - ADM	93,574	-	93,574	0.00%
Veba Plan Contribution - OPS	422,991	-	422,991	0.00%
Health Insurance - ADM	683,547	56,963	626,584	8.33%
Health Insurance - OPS	1,411,986	117,999	1,293,987	8.36%
Health Insurance - Admin Contribution	(15,286)	(1,183)	(14,103)	7.74%
Health Insurance - OPS Contribution	(82,599)	(7,028)	(75,571)	8.51%
Health Insurance - Retiree Contribution	(429,777)	(35,872)	(393,905)	8.35%
Employee Insurance - Other - ADM	86,546	10,922	75,624	12.62%
Employee Insurance - Other - OPS	264,698	29,906	234,792	11.30%
Workers Compensation Insurance - ADM	42,167	10,503	31,664	24.91%
Workers Compensation Insurance - OPS	269,460	67,295	202,165	24.97%
<b>Total Personnel Services</b>	<u>16,667,672</u>	<u>670,610</u>	<u>15,997,062</u>	4.02%

**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT**  
**DETAILED STATEMENT OF ACTIVITIES - GENERAL FUND**  
For the Month Ended October 31, 2020 (Unaudited)

	ORIGINAL BUDGET	ACTUAL	VARIANCE	
			\$	%
<b>Operating Expenditures</b>				
Legal	60,000	-	60,000	0.00%
Computer Support Services	35,000	2,580	32,420	7.37%
Other Professional	125,550	2,083	123,467	1.66%
Audit and Accounting	36,000	-	36,000	0.00%
Tax Collector's Commission	404,000	-	404,000	0.00%
Property Appraiser's Commission	138,083	34,881	103,202	25.26%
Custodial & Janitorial Services	35,460	1,075	34,385	3.03%
Other Services - MVR Review	14,000	6	13,994	0.04%
Travel and Per Diem	107,395	-	107,395	0.00%
Telephones	90,000	7,511	82,489	8.35%
Wireless User Fee	54,025	1,213	52,812	2.25%
High Speed Internet Connect	-	-	-	N/A
Freight & Postage	2,200	102	2,098	4.65%
Water	13,300	827	12,473	6.22%
Electricity	58,425	3,247	55,179	5.56%
Cable Television	3,787	300	3,487	7.93%
Garbage	12,625	932	11,693	7.38%
Propane	7,710	72	7,638	0.93%
Equipment Rentals & Leases	46,631	3,744	42,887	8.03%
Insurance	140,000	50,026	89,974	35.73%
Equipment Maintenance	175,900	357	175,544	0.20%
Building Maintenance	404,523	2,598	401,925	0.64%
Vehicle Maintenance	177,592	16,807	160,785	9.46%
Promotional Activities	33,200	594	32,606	1.79%
Promotional Activities - ADM	5,000	2,037	2,963	40.75%
Small Tools & Equipment	137,615	11,333	126,282	8.24%
Turnout Gear	108,010	-	108,010	0.00%
Annual Medical Exams/Wellness	50,000	-	50,000	0.00%
Legal Advertising	2,000	-	2,000	0.00%
Hiring Costs	19,500	-	19,500	0.00%
Uniforms	63,900	441	63,459	0.69%
Office Supplies	8,000	65	7,935	0.82%
Fuel	65,000	6,095	58,905	9.38%
Janitorial Supplies	27,600	3,059	24,541	11.08%
Medical Supplies	84,525	2,919	81,606	3.45%
Other Operating Supplies	87,780	1,729	86,051	1.97%
Memberships, Publications & Subscriptions	160,089	36,865	123,224	23.03%
Educational Reimbursement	50,920	1,276	49,644	2.51%
Training	77,705	1,300	76,405	1.67%
<b>Total Operating</b>	<u>3,123,050</u>	<u>196,076</u>	<u>2,926,974</u>	6.28%
<b>Capital Outlay</b>				
Buildings	-	-	-	N/A
Equipment	97,000	-	97,000	0.00%
Vehicles	1,330,000	-	1,330,000	0.00%
<b>Total Capital Outlay</b>	<u>1,427,000</u>	<u>-</u>	<u>1,427,000</u>	0.00%
<b>Debt Service</b>				
Principal	97,686	-	97,686	0.00%
Interest	2,359	-	2,359	0.00%
<b>Total Debt Service</b>	<u>100,045</u>	<u>-</u>	<u>100,045</u>	0.00%
<b>Total Expenditures</b>	<u>21,317,767</u>	<u>866,685</u>	<u>20,451,082</u>	4.07%
Revenues over Expenditures			<u>\$ (841,643)</u>	
<b>Reserves</b>				
Assigned:				
Operating Expenditures Oct - Dec	4,904,550			
Hurricane/Disaster	2,452,275			
Capital (Facilities, Apparatus, Equipment)	1,250,000			
Health Insurance (Level Funding Reserve)	500,000			
Unassigned:				
General Operating	11,223			
<b>Total Reserves</b>	<u>9,118,048</u>			
<b>Total Expenditures and Reserves</b>	<u>\$ 30,435,815</u>			

**Check History Report**  
**Sorted By Check Number**  
**Activity From: 10/1/2020 to 10/31/2020**

**IONA MCGREGOR FIRE DISTRICT (IMF)**

**Bank Code:** B BANKUNITED - OPERATING

Check Number	Check Date	Vendor Number	Name	Check Amount	Check Type
020099	10/9/2020	ABCFIRE	ABC FIRE EQUIPMENT CORP	931.00	Auto
020100	10/9/2020	ACADEMY	SWFL PUBLIC SERVICE ACADEMY	1,000.00	Auto
020101	10/9/2020	ALADTEC	ALADTEC, INC.	6,963.00	Auto
020102	10/9/2020	ALERTAL	ALERT-ALL CORP	594.00	Auto
020103	10/9/2020	CFPSE	CENTER FOR PUBLIC SAFETY EXCEL	11,980.00	Auto
020104	10/9/2020	CINTAS	CINTAS CORPORATION #294	92.32	Auto
020105	10/9/2020	CROWN	CROWN INFORMATION MANAGEMENT	25.00	Auto
020106	10/9/2020	CRS	CRS TECHNOLOGY	2,400.00	Auto
020107	10/9/2020	DEO	FL DEPT OF ECONOMIC OPPORTUNITY	175.00	Auto
020108	10/9/2020	DONE	DONE RIGHT FIRE GEAR REPAIR	14,213.00	Auto
020109	10/9/2020	FASD	FL ASSOC. OF SPECIAL DISTRICT	4,000.00	Auto
020110	10/9/2020	GROUND	GROUND EFFECTS	1,075.00	Auto
020111	10/9/2020	JANPRO	JAN-PRO CLEANING SYSTEMS OF SWFL	1,040.00	Auto
020112	10/9/2020	LEE DOT	LEE COUNTY BOCC	3,141.45	Auto
020113	10/9/2020	LMHS	LEE MEMORIAL HEALTH SYSTEM	725.00	Auto
020114	10/9/2020	MARCADI	MARCADIS SINGER, PA TRUST ACCOUNT	233.70	Auto
020115	10/9/2020	MARINE	MARINEMAX	127.58	Auto
020116	10/9/2020	MES	MUNICIPAL EMERGENCY SVCS, INC.	273.00	Auto
020117	10/9/2020	MOTOROL	MOTOROLA SOLUTIONS INC.	27,499.44	Auto
020118	10/9/2020	NEWSLEG	THE NEWS PRESS	994.40	Auto
020119	10/9/2020	OFFPRID	OFFICE PRIDE COMMERCIAL CLEANING SVCS	1,011.83	Auto
020120	10/9/2020	PGIT	PREFERRED GOVERNMENTAL INS TRUST	77,798.00	Auto
020121	10/9/2020	RICOH	RICOH USA, INC.	72.64	Auto
020122	10/9/2020	RYAN	RYAN PETROLEUM	2,351.20	Auto
020123	10/9/2020	SEATOW	SEA TOW	179.00	Auto
020124	10/9/2020	SOUTH	SOUTH FL EMERGENCY VEHICLES	16,547.25	Auto
020125	10/9/2020	TEN8	TEN-8 FIRE EQUIPMENT, INC.	833.52	Auto
020126	10/9/2020	UPS	UNITED PARCEL SERVICE	167.65	Auto
020127	10/9/2020	VFIS	VFIS	49,936.63	Auto
020128	10/20/2020	AD	ADVANCED DISPOSAL-FT MYERS	931.65	Auto
020129	10/20/2020	AIRGAS	AIRGAS	219.67	Auto
020130	10/20/2020	ALLHAND	ALL HANDS FIRE EQUIPMENT	58.93	Auto
020131	10/20/2020	ARMCHEM	ARMCHEM INTERNATIONAL	600.00	Auto
020132	10/20/2020	BOULEVA	BOULEVARD TIRE CENTER	181.25	Auto
020133	10/20/2020	CINTAS	CINTAS CORPORATION #294	92.32	Auto
020134	10/20/2020	CORPORA	CORPORATE BILLING, INC	236.33	Auto
020135	10/20/2020	CRISMAN	BRIAN CRISMAN	1,276.08	Auto
020136	10/20/2020	CRYSTAL	CRYSTAL SPRINGS	25.26	Auto
020137	10/20/2020	DELL	DELL MARKETING L.P.	4,207.00	Auto
020138	10/20/2020	DONE	DONE RIGHT FIRE GEAR REPAIR	356.50	Auto
020139	10/20/2020	EAGLE	EAGLE ENGRAVING. INC.	2,037.45	Auto
020140	10/20/2020	FFS	FLORIDA FIRE SYSTEMS, LLC	850.00	Auto
020141	10/20/2020	FNG	FLORIDA NATURAL GAS	25.02	Auto
020142	10/20/2020	FPL8590	FL POWER & LIGHT CO.	506.75	Auto
020143	10/20/2020	GRALEY	GRALEY MECHANICAL, INC.	150.00	Auto
020144	10/20/2020	HINTON	DAVID HINTON	150.00	Auto
020145	10/20/2020	LEESAR	LEESAR INC	1,754.04	Auto
020146	10/20/2020	LONGSWO	LONGSWORTH COMFORT AIR LLC	668.00	Auto
020147	10/20/2020	LOWES	LOWE'S	495.96	Auto
020148	10/20/2020	MARCADI	MARCADIS SINGER, PA TRUST ACCOUNT	233.70	Auto
020149	10/20/2020	MARINEE	MARINEMAX EAST	1,547.25	Auto
020150	10/20/2020	OFFICE	OFFICE DEPOT BUSINESS ACCOUNT	319.97	Auto
020151	10/20/2020	OFFICE2	OFFICE DEPOT	160.32	Auto
020152	10/20/2020	OVERHEA	OVERHEAD DOOR CO OF FORT MYERS	146.00	Auto

**Check History Report**  
**Sorted By Check Number**  
**Activity From: 10/1/2020 to 10/31/2020**

**IONA MCGREGOR FIRE DISTRICT (IMF)**

**Bank Code:** B BANKUNITED - OPERATING

Check Number	Check Date	Vendor Number	Name	Check Amount	Check Type
020153	10/20/2020	PHARMA	PHARMALINK, INC.	499.00	Auto
020154	10/20/2020	RICOH	RICOH USA, INC.	420.36	Auto
020155	10/20/2020	ROGUE	ROGUE FITNESS	3,654.09	Auto
020155	10/20/2020	ROGUE	ROGUE FITNESS	3,654.09-	Reversal
020156	10/20/2020	SOUTH	SOUTH FL EMERGENCY VEHICLES	2,814.32	Auto
020157	10/20/2020	UPS	UNITED PARCEL SERVICE	89.82	Auto
020158	10/20/2020	VALVO	SUNSHINE LUBES LLC	66.27	Auto
020159	10/23/2020	BOCC	LEE COUNTY BOCC	8,072.01	Auto
020160	10/23/2020	JETDOCK	JET DOCK SYSTEMS	17,748.52	Auto
020161	10/23/2020	LEESAR	LEESAR INC	446.58	Auto
020162	10/23/2020	MARINE	MARINEMAX	137.06	Auto
020163	10/23/2020	MARRERO	PETER MARRERO	150.00	Auto
020164	10/23/2020	PRINCIP	PRINCIPAL LIFE INSURANCE CO	29,553.00	Auto
020165	10/23/2020	SOUTH	SOUTH FL EMERGENCY VEHICLES	629.03	Auto
020166	10/30/2020	BOULEVA	BOULEVARD TIRE CENTER	2,271.28	Auto
020167	10/30/2020	CINTAS	CINTAS CORPORATION #294	92.32	Auto
020168	10/30/2020	FPL0598	FL POWER & LIGHT CO.	1,429.27	Auto
020169	10/30/2020	FPL3327	FL POWER & LIGHT CO.	18.98	Auto
020170	10/30/2020	FPL5324	FL POWER & LIGHT CO.	597.20	Auto
020171	10/30/2020	FPL6245	FL POWER & LIGHT CO.	694.30	Auto
020172	10/30/2020	HOMD	Home Depot Credit Services	254.47	Auto
020173	10/30/2020	MARCO	MARCO OFFICE SUPPLY, FURNITURE & PRINTING INC.	2,304.63	Auto
020174	10/30/2020	MARINE	MARINEMAX	192.86	Auto
020175	10/30/2020	MES	MUNICIPAL EMERGENCY SVCS, INC.	960.71	Auto
020176	10/30/2020	NAFECO	NAFECO	167.90	Auto
020177	10/30/2020	OFFICE	OFFICE DEPOT BUSINESS ACCOUNT	65.47	Auto
020178	10/30/2020	PAPYRUS	PAPYRUS DOCUMENT & DESIGN, LLC	180.00	Auto
020179	10/30/2020	PEDIA	PEDIATRIC EMERGENCY STANDARDS, INC.	930.00	Auto
020180	10/30/2020	RYAN	RYAN PETROLEUM	3,286.18	Auto
020181	10/30/2020	SHRM	SOCIETY FOR HUMAN RESOURCE MGM	219.00	Auto
020182	10/30/2020	STAND	STANDARD INSURANCE CO.	13,039.18	Auto
020183	10/30/2020	SWFUSAR	SW FLORIDA USAR, TASK FORCE-6	23,840.00	Auto
020184	10/30/2020	UPS	UNITED PARCEL SERVICE	12.40	Auto
020185	10/30/2020	ZORO	ZORO TOOLS, INC.	204.89	Auto
W00460	10/1/2020	LOCUMS	LOCUMS DOC, INC	2,083.37	Wire Transfer
W00461	10/1/2020	LCPA	LEE COUNTY PROPERTY APPRAISER	34,880.64	Wire Transfer
W00462	10/5/2020	BU9855	CARDMEMBER SERVICE	5,817.03	Wire Transfer
W00463	10/6/2020	NEWS	NEWS-PRESS MEDIA GROUP	316.95	Wire Transfer
W00464	10/10/2020	CABLE1	COMCAST CABLEVISION	27.96	Wire Transfer
W00465	10/10/2020	CABLE2	COMCAST CABLEVISION	62.91	Wire Transfer
W00466	10/10/2020	CABLE3	COMCAST CABLEVISION	41.94	Wire Transfer
W00467	10/10/2020	CABLE4	COMCAST CABLEVISION	97.86	Wire Transfer
W00468	10/17/2020	CABLE5	COMCAST CABLEVISION	69.75	Wire Transfer
W00469	10/20/2020	ENTERPR	ENTERPRISE FM TRUST	3,139.86	Wire Transfer
W00470	10/13/2020	UHC	UNITED HEALTHCARE INS. CO.	174,962.04	Wire Transfer
W00471	10/20/2020	LCU	LEE COUNTY UTILITIES	917.05	Wire Transfer
W00472	10/26/2020	T3	T3 COMMUNICATIONS, INC.	7,511.45	Wire Transfer
W00473	10/27/2020	TECO	TECO	46.95	Wire Transfer
W00474	10/23/2020	PITNEYB	PITNEY BOWES GLOBAL FINANCIAL SVCS LLC	159.00	Wire Transfer
W00475	10/21/2020	MICROSO	MICROSOFT CORPORATION	1,172.00	Wire Transfer
W00476	10/23/2020	VERIZON	VERIZON	1,213.34	Wire Transfer
W00477	10/28/2020	COLLIFE	COLONIAL LIFE PREMIUM PROCESSING	4,110.14	Wire Transfer
<b>Bank B Total:</b>				<b>591,627.31</b>	

**IONA MCGREGOR FIRE DISTRICT (IMF)**

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Report Total:	591,627.31
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**BOARD MEETING AGENDA ITEM SUMMARY****Board Meeting Date:** \_\_\_\_\_**(Select All that Apply)**☐ **Decision Making Agenda Item**☐ **Discussion Purposes Only Agenda Item**☐ **Walk On Agenda Item****SUBJECT:****PERSON(S) MAKING SUBMITTAL OF AGENDA ITEM:****BACKGROUND/DETAIL OF AGENDA ITEM:****BUDGET IMPACT: Yes / No / Unknown – If Yes, how much? From where?****REQUESTED BOARD ACTION:**



**BOARD OF COMMISSIONERS MANUAL (“MANUAL”)**  
**IONA MCGREGOR FIRE CONTROL AND RESCUE DISTRICT**

## **TABLE OF CONTENTS**

	Line
I. COMPOSITION OF THE BOARD .....	1
Composition of Membership .....	2
Membership Designated by Numbers.....	4
Elections.....	6
Qualifications .....	13
Filling Vacancy .....	15
II. GENERAL SCOPE OF COMMISSIONERS' RESPONSIBILITIES .....	20
A. CODE OF ETHICS.....	55
Chapter 112 of Florida Statutes – Ethics Rules .....	56
Solicitation or Acceptance of Anything of Value.....	60
Purchasing by District from Business Owned by Commissioner .....	64
Business between Commissioner in Private Capacity and District .....	69
Acceptance of Compensation .....	71
Abuse of Privilege.....	76
Relationship with a Business Doing Business with District.....	80
Relationship with a Business Affecting Commissioner's Private Interest .....	83
Disclosure of Information not Available to General Public .....	87
Commissioner not an Employee of District.....	92
Commissioner's Authority Regarding Employment of Relative.....	94
Approval of Budgets .....	96
Approval of Collective Bargaining Agreements.....	99
Voting Conflicts.....	102-133
Financial Disclosure Requirement.....	134
Gift Disclosure Requirement .....	139
B. GOVERNMENT IN THE SUNSHINE LAW .....	143
Purpose.....	144
Requirements .....	148

Meetings Open to Public.....	153
Compliance .....	157
Action Permitted and Prohibited.....	160
Discussions Outside of Board Meeting.....	162
Designee of Board Member .....	166
Examples of Prohibited Discussions.....	168-176
All Statements of Board Members Part of Meeting Record .....	177
Prohibition of Secret Voting .....	181
Prohibition of Discussion of Upcoming Items.....	185
Prohibition of Meetings Outside of District or State of Florida .....	188
Daisy Chaining – Description and Prohibition .....	190
Prohibition of Third Party Daisy Chaining.....	201
Exceptions to Prohibition of Board Member Discussion Outside of Public Meeting ....	205
Pending Litigation – Executive Session .....	208
Requirements of Executive Session.....	219-227
Collective Bargaining Agreement (CBA) Negotiations .....	228
Permitted Attendees of Executive Session - CBA.....	235
Applicability of Sunshine Law to Board Member Designee .....	237
One Way Communications .....	243
Penalties for Violation .....	251
C. PUBLIC RECORDS .....	276
Definition of Public Record .....	279-292
Public Records Held by a Commissioner .....	293-309
Statutory Exemptions.....	310
Private Information .....	319
Additional Exemptions .....	332-247; 355
Distinction Between Confidential and Exempt Records .....	342
Requirements to Maintain and Preserve Public Records.....	348-354
D. OTHER APPLICABLE LAWS.....	365
III. REMOVAL OF BOARD MEMBERS FOR UNEXCUSED ABSENCES.....	379
Number of Unexcused Absences .....	380

Definition of Excused Absences .....	384
Definition of Unexcused Absences.....	393
IV. QUALIFICATIONS OF CANDIDATES FOR COMMISSIONER.....	409
Qualified Elector .....	410
Oath of Office, Application and Bond.....	412
V. COMMISSIONER VACANCY .....	418
Process to Fill a Commissioner Vacancy.....	419
Notice of Commissioner Vacancy .....	421
Response to Notice of Commissioner Vacancy.....	431
Notice of Process to Fill a Commissioner Vacancy to be Placed on Website.....	436
Letter of Interest and Resumé from Candidates .....	438-451
Evaluation Process .....	452-473
Requirement to Run for Election .....	474
VI. ELECTION OF OFFICERS ON THE BOARD .....	482
Term.....	483
Positions.....	484
Re-election .....	485
Vacancy.....	486
Reorganization .....	488
VII. BOARD MEETINGS.....	492
Regular and Other Board Meetings .....	493
Definition and Requirements .....	494-504
Order of Business (Agenda Format) .....	505-531
Public Participation/Public Input (Generally).....	532
Public Input on Business Agenda Items .....	539
Three Minute Limit for Public Input .....	542
Requirements for Public Input .....	545-565
Instances Where Public Input is Not Required.....	566-578
Public Input on Non-Business Agenda Items .....	579-586
Placing an Agenda Item on a Board Meeting Agenda (Generally) .....	587
Placing an Agenda Item on Board Meeting Agenda <u>Before</u> it is Published.....	591-610

Placing an Agenda Item on Board Meeting Agenda <u>After</u> it is Published (“Walk On”)..	611-629
Placing a Walk On Agenda Item on Board Meeting Agenda During Meeting <u>After</u> Amendments to Agenda Item .....	630-634
Walk On Agenda Item During Board Meeting.....	635
Allowance of Public Input Requirements on Walk On Agenda Items Added During Meeting .....	638
Commissioner Comments, Chief’s Report and Attorney Report .....	643-659
Board Meeting Will be Open to the Public.....	660
Exempt Meetings .....	664
Seating Capacity .....	670
Accessibility to Board Meetings.....	673
Order of Business at All Other Board Meetings.....	675
Publication of Board Meeting Agenda Requirements .....	681
Special Aid or Services .....	689
Disorderly Conduct.....	692
VIII. PROCEDURAL RULES FOR BOARD MEETINGS .....	700
Quorum and No Quorum .....	704-713
Remaining in Chambers.....	714
Voting Conflict/Conflict of Interest.....	719
Presiding Officer.....	726
Chair – Responsibilities .....	727-751
Vice Chair in Absence of Chair .....	752
Rules of Debate.....	755-762
Motion Making Process .....	764-775
Process to Amend a Motion.....	776
Voting by the Board.....	789
Absent for Vote; Changing Vote .....	799
Majority Vote; Extraordinary Majority Vote; Tie Vote .....	804
IX. PARLIAMENTARIAN.....	811
X. APPEALS .....	816
XI. ATTORNEY/BOARD RELATIONS .....	820

Board Policy.....	821
Purpose.....	823
General Guidelines.....	826
XII. RELATIONS WITH DISTRICT PERSONNEL .....	847
Chief's Purchasing Authority .....	862
XIII. AMENDMENTS OF THE BOARD MANUAL .....	867
XIV. CONSTRUCTION AND SEVERABILITY .....	874
XV. EXHIBITS TO BOARD OF COMMISSIONERS MANUAL.....	887
XVI. OTHER BOARD POLICIES.....	888

1     **I.       COMPOSITION OF THE BOARD**

2             This Board of Commissioners (hereinafter “Board”) consists of five (5) Board members,  
3     duly elected by the registered voters of the Iona McGregor Fire Control and Rescue District.

4             The office of each member of the Board is designated as being a seat on the Board,  
5     distinguished from each of the other seats by a numeral of 1, 2, 3, 4, or 5.

6             Elections for seats will be on even numbered years, with elections for Board seats number  
7     \_\_\_, number \_\_\_ and number \_\_\_ to be held in the general election in November of one even numbered  
8     year, and with elections for Board seats number \_\_\_, and number \_\_\_ to be held in the general  
9     election in November of the next even numbered year. Such elections shall be held at the time and  
10    in the manner prescribed by law for holding general elections in accordance with Florida law,  
11    including Florida Statutes §191.005, as amended, and each member shall be elected for a term of  
12    four (4) years and serve until the member’s successor assumes office.

13            Each member of the Board must be a qualified elector of the District at the time he or she  
14    qualifies for a seat, and continually throughout his or her term.

15            Should a Board member fail to complete his or her term for any reason, the remaining  
16    members of the governing Board may fill the vacancy in accordance with Florida law and in  
17    accordance with the “Process to Fill a Commissioner Vacancy” which was adopted by the Board  
18    on May 12, 2017, as said process may be amended in the future. The Process to Fill a  
19    Commissioner Vacancy adopted by the Board is further described in Section V below.

20     **II.      GENERAL SCOPE OF COMMISSIONERS’ RESPONSIBILITIES**

21            A commissioner of the District is an elected public official as defined by Florida law and  
22    is, therefore, subject to Florida law that governs actions of an elected public official, including the  
23    ethics laws (generally Part III of Chapter 112, of the Florida Statutes) and the Sunshine Law

(generally § 286.011, Florida Statutes). The District and the commissioners of the District are also subject to a number of other Florida laws such as Chapter 189, Florida Statutes (the general law governing special districts), Chapter 191, Florida Statutes (the general law governing independent special fire control districts), and Chapter 119, Florida Statutes (the general law governing public records). A commissioner of the District is required to attend the regularly scheduled Board of Commissioners (Board) meetings for the District, which are generally scheduled to be held once a month at Station #74, 6061 South Pointe Boulevard, Fort Myers, Florida 33919, and other meetings of the Board, as they are scheduled. Except for statutorily prescribed exceptions, all meetings of the Board are public meetings which are subject to the Florida “Sunshine” laws. Florida law provides that a commissioner shall be removed if a commissioner has three consecutive unexcused absences from regularly scheduled Board of Commissioners meetings. The District is generally governed by Chapter 191 of the Florida Statutes with regard to the specific statutory authority of the District that is exercised primarily by the Board of Commissioners. The District is also governed by the District’s enabling legislation. The Board of Commissioners establishes the annual budget and the annual tax millage rate to be charged by the District for the ad valorem tax revenue generated for the District. Generally speaking, the Board exercises, by majority vote, all of the powers stated in Chapter 191, Florida Statutes and the other powers listed in other laws of Florida and in the District’s enabling legislation. Many of the general powers of the District, which are exercised by the Board, are listed in Section 191.006, Florida Statutes. Unless specifically authorized by an official act of the Board, an individual commissioner is not authorized to make decisions on behalf of the District or to direct any District employees to perform any particular acts. The decision making authority of the Board is reserved to official action of the Board that is properly taken at a legal meeting of the Board. The Board is responsible

for entering into contracts with third parties, including other government agencies and outside vendors unless the Board has given authority to the Chief or another representative of the District to enter into contracts with third parties. As an example, the Board has previously given the Chief the authority to enter into contracts with third parties up to a total value of \$30,000.00. The Board is responsible for the approval of the Chief's employment agreement and for enforcing and carrying out the terms of the Chief's employment agreement. The Board is also responsible for providing direction to the Chief. The Board is responsible for the approval of the collective bargaining agreements for the District.

#### **A. CODE OF ETHICS**

Part III of Chapter 112 of the Florida Statutes (Code of Ethics) contains the general body of the ethics rules that apply to commissioners as the elected officials/public officers of the District. Many of the provisions in the Code of Ethics are "Thou shall not..." provisions that are directed to elected officials. Several relevant provisions of the Code of Ethics are as follows:

1. No commissioner "shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the (commissioner) would be influenced thereby." (Section 112.313(2), Florida Statutes.)

2. No commissioner, in his or her official capacity, "shall either directly or indirectly purchase, rent, or lease any realty, goods, or services" for the District from any business entity of which the commissioner or the commissioner's spouse or child is an officer, partner, director, or proprietor, or in which any of the above has a "material interest". (Section 112.313(3), Florida Statutes.)

69                   3. No commissioner, acting in a private capacity, shall “rent, lease, or sell any  
70 realty, goods, or services” to the District. (Section 112.313(3), Florida Statutes.)

71                   4. No commissioner, or his or her spouse or minor child, shall, at any time, “accept  
72 any compensation, payment, or thing of value” when the commissioner knows, or should know,  
73 that the compensation, payment, or thing of value was paid to the commissioner in order to  
74 influence the commissioner’s vote or other action in the commissioner’s official capacity. (Section  
75 112.313(4), Florida Statutes.)

76                   5. No commissioner “shall corruptly use or attempt to use his or her official  
77 position or any property or resource which may be within his or her trust, or perform his or her  
78 official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.”  
79 (Section 112.313(6), Florida Statutes.)

80                   6. No commissioner shall “ever hold any employment or contractual relationship  
81 with any business entity or any agency which is subject to the regulation of, or is doing business  
82 with,” the District. (Section 112.313(7)(a), Florida Statutes.)

83                   7. No commissioner shall “have or hold any employment or contractual  
84 relationship that will create a continuing or frequently recurring conflict between his or her private  
85 interests in the performance of his or her public duties or that would impede the full and faithful  
86 discharge of his or her public duties.” (Section 112.313(7)(a), Florida Statutes.)

87                   8. A commissioner “may not disclose or use information not available to members  
88 of the general public and gained by reason of his or her official position, except for information  
89 relating exclusively to governmental practices, for his or her personal gain or benefit, or for the  
90 personal gain or benefit of any other person or business entity.” (Section 112.313(8), Florida  
91 Statutes.)

92                   9. A commissioner cannot be an employee of the District while he or she is a  
93 commissioner of the District. (Section 112.313(10), Florida Statutes.)

94                   10. A commissioner cannot appoint, employ, promote, or advance in the District  
95 any individual who is a relative of the commissioner. (Section 112.3135(2), Florida Statutes.)

96                   a.) Approval of budgets for the District does not constitute appointing,  
97 employing, or promoting a relative who works for the District. (Section 112.3135(2)(b), Florida  
98 Statutes.)

99                   b.) Approval of a collective bargaining agreement that includes a relative  
100 of a commissioner who is an employee of the District does not constitute appointing, employing  
101 or promoting a relative who works for the District.

102                   11. A commissioner cannot vote on a matter that will create a “voting conflict”  
103 which is generally defined as voting on a matter that will result in special private gain or loss to  
104 the commissioner. (Section 112.3143(3), Florida Statutes.)

105                   a.) Special private gain or loss is generally defined as a gain or loss that is  
106 unique or different for the commissioner compared to the other commissioners.

107                   b.) A commissioner cannot vote on an item where he knows, or should have  
108 known, that the approval of the item will result in a special private gain or loss to him or her.

109                   c.) Approval of a collective bargaining agreement that includes a relative  
110 of a commissioner who is an employee of the District does not constitute a “special gain” or a  
111 voting conflict.

112                   d.) A special private gain or loss for a commissioner includes a special  
113 private gain or loss for the commissioner or a relative or business associate or a business that the  
114 commissioner is employed by or retained by.

e.) In the event of a voting conflict under Section 112.3143, a commissioner is required to publicly declare the conflict before the vote is taken and the commissioner must then abstain from voting on the item or participating in the discussion of the item. After the meeting where the public disclosure of the voting conflict occurs, a written notice of the voting conflict must be filed with the District within 15 days of the meeting date.

f.) The test for what does or does not constitute a voting conflict is not a simple bright line test which results in an easy determination of whether a voting conflict is present. Instead, the determination of whether a voting conflict exists is a fact based test that is made on a case by case basis. Unfortunately, if there is a perception of a voting conflict or an appearance of a possible voting conflict, an allegation of a voting conflict can be made to the Ethics Commission. The Ethics Commission tends to take a dim view on the appearance of a voting conflict. The Ethics Commission also appears to use a method of interpreting facts that results in finding a voting conflict, if possible, in an Ethics violation case. Special care should be taken to be aware of possible voting conflicts. If there is a possibility if a voting conflict present, a commissioner can elect to abstain from voting on the topic even if there is not a clear voting conflict so that the commissioner can avoid an appearance of a voting conflict that might be reported to the Ethics Commission for an ethics violation investigation.

g.) The voting conflict topic is a significant topic for elected officials, members of the public, and the Ethics Commission.

12. Commissioners must file financial disclosures under Section 112.3145, Florida Statutes. Each commissioner has to file a "Statement of Financial Interests" form (Form 1) on an annual calendar year basis, on or before July 1 of each year, with the Lee County Supervisor of

137 Elections. The form requires disclosure of sources of income, ownership of real and intangible  
138 personal property, liabilities, and business interests. (Section 112.3145, Florida Statutes.)

139           13. If a commissioner receives a gift from anyone who is doing business with the  
140 District that the commissioner believes has a value of more than \$100.00, the gift must be disclosed  
141 by submitting a “Quarterly Gift Disclosure Form” (Form 9) to the Supervisor of Elections. (Section  
142 112.3145, Florida Statutes.)

## 143           **B. GOVERNMENT IN THE SUNSHINE LAW**

144           The purpose of Florida’s Government in the Sunshine law is to require Boards, and their  
145 designees, including the Board of Commissioners of an independent special fire district, to hold  
146 public meetings after reasonable notice of the meeting is given so that official decisions made by  
147 the Boards, or their designees, will occur in public forums instead of in private settings.

148           1. The basic requirements of the Government in the Sunshine laws, which are  
149 generally found at Section 286.011 of the Florida Statutes are:

- 150                   a.) meetings must be open to the public;
- 151                   b.) there must be reasonable public notice of meetings;
- 152                   c.) a record of the meetings must be kept.

153           2. In addition to statutory law, Article I, Section 24 of the Constitution, especially  
154 at subsection (b) provides that the meetings of elected Boards (or their designees) of special  
155 districts at which official action is to be taken must be open to the public and properly noticed to  
156 the public.

157           3. Clearly, the elected officials of fire districts, and their designees, are subject to  
158 the Government in the Sunshine laws so that Board members of fire districts, and their designees,  
159 must comply with the Government in the Sunshine laws requirements.

160                   4. Under the Government in the Sunshine laws, what must be done and what  
161 actions are prohibited?

162                   a.) Board members must conduct and discuss, in a properly noticed public  
163 Board meeting, all District business on which foreseeable action may be taken by the Board in the  
164 future; therefore, the Board members are strictly prohibited from discussing Board decision  
165 making business items with other Board members outside a properly noticed public board meeting.

166                   b). The Sunshine Law requirements apply to designees of the Board who  
167 are exercising any decision making authority of the Board.

168                   c.) What are some examples?

169                   i.) Board members cannot have discussions with other Board  
170 members about budget items or ad valorem tax rate setting outside a Board meeting.

171                   ii.) Board members cannot have discussions with other Board  
172 members about contractual items outside of public meetings including contracts with third parties  
173 and contracts with bargaining units.

174                   iii.) There is an exception where Board members can discuss  
175 bargaining unit contract negotiations with other Board members if the Board members are in a  
176 proper executive session meeting during the negotiations of a Collective Bargaining Agreement.

177                   5. All statements made by Board members during a public meeting should be a  
178 part of the meeting record; therefore, off the record discussions such as whispered/private  
179 conversations or conversations during meeting breaks cannot occur between Board members  
180 concerning District business.

181                   6. Board members cannot vote secretly at Board meetings, but they can vote by  
182 written ballot as long as they put their name on the ballot and their ballot vote is publicly disclosed

and read into the record of the Board meeting and then made a part of the public record of the Board meeting so that everyone in the public is made aware of each commissioner's vote.

7. Generally speaking, Board members cannot have discussions with other Board members about any item that they know, or should have known, is later coming before the Board for official decision making action.

8. Board members cannot meet outside the District or outside of Florida and avoid the Sunshine Law. The Sunshine Law applies to Board members wherever they are located.

9. What is daisy chaining? Daisy chaining is generally defined as a situation where one Board member passes information to another Board member via a third party and finds out what another Board member is thinking via a third party, including a District employee, who is passing information between the Board members. When information being passed between Board members via a third party is information which cannot be discussed between Board members outside a public meeting, the use of a third party to pass information between Board members is as illegal as two Board members having an illegal face to face discussion. The use of a third party to convey information between Board members on a future Board decision making item is improper under the Government in the Sunshine laws and must not occur. Board members should be careful about avoiding daisy chaining circumstances on items that constitute a Sunshine Law violation.

10. In addition to Board members being diligent to watch out for daisy chaining events, third parties who have contact with Board members, such as friends or people interested in District operations or District employees, should also be very diligent to not violate the Government in the Sunshine laws.

11. Are there any exceptions where Board members can meet and discuss matters outside a properly noticed public Board meeting? Yes. There are two general exceptions which apply to fire districts:

a.) The first exception is related to pending litigation where the District is a party. Section 286.011 (8) of the Florida Statutes provides that the legal counsel for the District can meet with the Board members in an executive session to discuss settlement negotiations and litigation strategies; however, all of the requirements of Section 286.011(8), must be satisfied. Generally speaking, the requirements for this exception to apply are as follows:

i.) Litigation must be pending, as opposed to threatened or possible.

ii.) The District's lawyer has to advise the Board during a public meeting that he wants to have an executive session to discuss pending litigation. During the public meeting, the lawyer needs to advise as to which lawyers will be present at the meeting. In addition to the Board members and the lawyer, the Chief Administrator of the District can attend the executive session.

iii.) The subject matter of the executive session shall be limited to settlement negotiations strategies and litigation strategies.

iv.) The executive session must be recorded by a court reporter in its entirety and upon the conclusion of the litigation, the transcript must be made a part of the public record for the District.

v.) Public notice of the executive session which satisfies the statutory requirements must be published and the session must be started during an open meeting and at the conclusion of the executive session, the Board must return to an open meeting which will then be adjourned.

b.) The second exception is that the Board can meet to discuss pending collective bargaining pursuant to Section 447.605 of the Florida Statutes. The requirements for an executive session during pending collective bargaining are different from the requirements of an executive session to discuss pending litigation. Generally speaking, the requirements are:

i.) The only matter that can be discussed during the executive session is limited to discussions of the collective bargaining negotiations only. No other District business can be discussed.

ii.) The only individuals who can attend the executive session are the Board members and the previously appointed negotiating team.

12. The Government in the Sunshine laws also apply to designees of the Board, such as committees created by District Boards which are authorized to take official action on behalf of the Board. The Board cannot avoid the application of the Sunshine Law by assigning their decision making authority to a committee, including a committee that is comprised of District employees. Committees that are created exclusively to collect facts are not subject to the Sunshine Law.

13. One way communication is technically not a Sunshine Law violation as long as it is truly one way communication and not merely an attempt to avoid the application of the Sunshine Law by calling the communication a one way communication when it is really intended to solicit a response from another commissioner in violation of the Sunshine Law. If a one way communication is going to be sent by a commissioner to another commissioner, a NOTE should be placed at the beginning and at the end of the written communication which says that a response to the written communication should not be made by another commissioner and that no written response will be accepted.

251 14. What are the penalties for violating the Government in the Sunshine laws?

252 a.) An individual who knowingly violates the Government in the Sunshine  
253 laws is guilty of a second degree misdemeanor which carries a maximum penalty of up to 60 days  
254 in jail and/or a fine of up to \$500.00.

255 b.) A person who violates the Government in the Sunshine laws can be  
256 removed from office.

257 c.) A person who violates the Government in the Sunshine laws can have  
258 noncriminal fines of up to \$500.00 imposed against him or her.

259 d.) A person who violates the Government in the Sunshine laws may cause  
260 attorney's fees to be assessed against the Board and individual Board members may have  
261 attorney's fees assessed against them.

262 15. The Government in the Sunshine laws are to be liberally construed to cover as  
263 many situations as possible where information about District business is being transferred between  
264 Board members.

265 16. A safe approach is to refrain from any discussion which might violate the  
266 Government in the Sunshine laws regardless of where the discussion is occurring. Also, if a person  
267 believes that another person is knowingly or inadvertently subjecting them to a Government in the  
268 Sunshine law violation, the person should remove himself or herself from the situation as quickly  
269 as possible.

270 17. A high standard is applied to public officials under the Government in the  
271 Sunshine laws and it is important to diligently apply the Government in the Sunshine standards to  
272 all situations. Board members and District employees have a responsibility to recognize  
273 discussions that constitute Sunshine Law violations and, generally speaking, Board members and

District employees should not rely on others to refrain from discussing topics with them that constitute a Sunshine Law violation.

### **C. PUBLIC RECORDS**

All employees of the District are subject to the public records laws of Florida, which are generally found in Chapter 119, Florida Statutes.

1. A public record is defined as: “All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” [emphasis added] (Section 119.011(12), Florida Statutes).

2. The Florida Supreme Court has broadly interpreted the definition of public records under Section 119.011(12), Florida Statutes, to include all materials made or received in connection with official business.

3. The definition of public records is not limited to traditional written documents only. As an example, electronic communications, including email, telephone messages, text messages, Facebook entries, and all other forms of communications, regardless of the physical form of the transmission, constitute public records. As a result, any recorded form of communication about official business of the District, regardless of the physical recorded form of the communication will probably fall within the definition of a public record.

4. Public records in the possession of a commissioner are subject to the public records disclosure laws. As a result, emails, texting, correspondences, notes, and other public records in the possession of commissioners are subject to the public records disclosure laws

296 regardless of whether the device used by the commissioner is owned by the District or owned by  
297 the commissioner.

298           5. As an example, an individual can make a public records request for emails  
299 received by and sent to a commissioner and the commissioner may have to produce the  
300 commissioner's personal or business computer upon which the emails are received and sent for  
301 purposes of the inspection of the public records located thereon. As another example, a public  
302 records request can be made to the District for a commissioner's electronic communications on  
303 any of the District's equipment and the District will have to have the District's IT vendor collect  
304 all public records from all of the District's equipment that is assigned to a commissioner, including  
305 computers and mobile phones. The District has adopted a policy that addresses electronic  
306 communications of commissioners as elected officials. The policy is attached as Exhibit C. The  
307 District has also addressed the use of the District's electronic communications system and devices  
308 by employees in a policy entitled "Information Systems Policy." A copy of the policy is attached  
309 as Exhibit D.

310           6. Based upon the statutory public records disclosure requirements, it is  
311 recommended to avoid the use of personal computers and personal telephones for District related  
312 activities which may subject a public official's personal items, such as computers and telephones,  
313 to disclosure of their contents under the public records law.

314           7. As the forms of communications continue to evolve, the public records law will  
315 continue to change as well.

316           8. There are statutory exceptions to the public disclosure of certain information  
317 and certain District records. Many of the exceptions to the disclosure requirements are found in  
318 Section 119.071, Florida Statutes.

319                   9. In many cases, certain private information, such as home addresses of  
320 firefighters, is exempt and should be “redacted” from a public record document before it is released  
321 by the District pursuant to a public records request.

322                   10. In addition to redacting specific private information as described in Florida  
323 law, especially Section 119.071, Florida Statutes, in some instances, entire public records are  
324 exempt from disclosure pursuant to a public records request under Section 119.071, Florida  
325 Statutes, such as Section 119.071(2)(k)1, Florida Statutes, which reads as follows:

326                   a.) A complaint of misconduct filed with an agency against an agency  
327 employee and all information obtained pursuant to an investigation by the agency of the complaint  
328 of misconduct is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
329 Constitution until the investigation ceases to be active, or until the agency provides written notice  
330 to the employee who is the subject of the complaint, either personally or by mail, that the agency  
331 has either:

332                   i.) Concluded the investigation with a finding not to proceed with  
333 disciplinary action or to file charges; or

334                   ii.) Concluded the investigation with a finding to proceed with  
335 disciplinary action or to file charges.

336                   In the exemption described in Section 119.071(2)(k)1, Florida Statutes, above, the  
337 complaint of misconduct is a public record; however, under Section 119.071(2)(k)1, Florida  
338 Statutes, it is temporarily exempt from a public records request until one of the three conclusions  
339 to the investigation of misconduct occurs. A temporarily exempt record should not be disclosed  
340 by the District or anyone associated with the District, including Commissioners, until the  
341 investigation ceases to be active.

11. There is a distinction between confidential (private) information, such as firefighter addresses, etc. and exempt public records. The confidential items cannot be contained in public records; therefore, if there is a request for public records that contains confidential information, the confidential information must be “redacted” before the public record is released. With exempt public records, the entire document itself is not subject to inspection as long as the exemption from inspection continues to apply.

12. The public records law at Section 119.071, Florida Statutes, requires public records to be maintained and preserved; therefore, public records cannot be destroyed by the District, except in compliance with Florida law, and the public records need to be maintained, to the greatest extent possible in a secure environment.

13. Section 119.071(2), Florida Statutes, says that the Division of Library and Information Services of the Department of State shall adopt rules to establish retention schedules and a disposal process for public records which must be followed by the District.

14. There are also exemptions for local government agencies that are contained in Section 119.0713, Florida Statutes. Under Subsection (1), there is an exemption that applies to complaints and other records in the custody of a local government which relate to a complaint of discrimination relating to race, color, religion, sex, national origin, age, handicap, marital status, sale or rental of housing, the provision of brokerage services, or the financing of housing, all of which are exempt from Section 119.07(1), Florida Statutes, until a finding is made that there is probable cause to proceed or the investigation of the complaint becomes inactive, or the complaint is made part of the official record of any hearing or proceeding. Based upon the above statement, the complaints fall within the category of being temporarily exempt from inspection even though they are a public record document.

365           **D. OTHER APPLICABLE LAWS**

366           In addition to the Government in the Sunshine laws and other laws referenced above, there  
367 are a number of additional laws and rules that apply to the District and the Board of  
368 Commissioners. Some examples are: the laws that apply to banking activities of the District  
369 (Chapter 218 and Chapter 280, Florida Statutes); the laws that govern the annual auditing of the  
370 District's activities (Chapter 218, Florida Statutes); the laws that govern letting of contracts for  
371 certain professional construction related activities, (Section 287.055, Florida Statutes); the laws  
372 that govern some construction related contracts (Chapter 255, especially Section 255.20, Florida  
373 Statutes); the laws that deal with the declaration of surplus District property of the District (Section  
374 274.05 and Section 274.06, Florida Statutes); the laws that govern the District's ability to impose  
375 taxes, assessments, and charges for certain services (Chapters 197, 200 and 191, Florida Statutes);  
376 the laws that govern employment related matters (including but not limited to Chapter 447, Florida  
377 Statutes); and the laws that authorize a number of other general and special powers of the District,  
378 including the District's codification legislation.

379           **III. REMOVAL OF BOARD MEMBERS FOR UNEXCUSED ABSENCES.**

380           The Board shall remove any member who has three consecutive, unexcused absences from  
381 regularly scheduled public Board meetings. The Board has adopted a resolution (Resolution  
382 #2016-01) defining excused and unexcused absences. The definition of excused absences and  
383 unexcused absences is as follows:

384           To satisfy the requirements of §191.005(5), Florida Statutes, the definition of an  
385 excused absence by a Commissioner from a regularly scheduled Board of  
386 Commissioners meeting is as follows:

- 387           1.     Work Commitment of a Commissioner.
- 388           2.     Vacation of a Commissioner.

3. Illness of a Commissioner or an immediate family member (parent, child, sibling, or spouse/cohabitating partner).

4. Personal reasons of a Commissioner.

In order for an absence to be counted as an excused absence, in addition to the absence being for one of the reasons stated above, the Commissioner who is going to be absent, or their designee, must notify the Chair of the Board of Commissioners or the Chief or the Chief's Administrative Assistant by telephone or by electronic mail prior to the meeting and as soon as the Commissioner knows they are going to be absent. If contact cannot be made with the Chair of the Board of Commissioners or with the Chief or with the Chief's Administrative Assistant, a message may be left on the voicemail of the District Administrative offices or an electronic mail message may be left with the Chair of the Board of Commissioners or with the Chief or with the Chief's Administrative Assistant.

To satisfy the requirements of §191.005(5), Florida Statutes, the definition of an unexcused absence of a Commissioner from a regularly scheduled Board of Commissioners meeting is any other absence not described above as an excused absence.

#### **IV. QUALIFICATIONS OF CANDIDATES FOR COMMISSIONER**

1. Each candidate for commissioner must be a qualified elector (registered voter) residing in the boundaries of Iona McGregor Fire Protection and Rescue Service District.

2. The selected candidate to fill a commissioner vacancy, whether by election or appointment, will be required to complete an Oath of Office that will be filed with the State of Florida. The selected candidate will also be required to complete an application for a Public Officer's Bond and be issued a Public Officer's Bond.

418 **V. COMMISSIONER VACANCY**

419 On May 17, 2017, the Board adopted a process to fill a vacancy on the Board. The process  
420 is as follows:

421 1. In the event a vacancy occurs on the Board of Commissioners, the District shall  
422 place a notice (“Notice of Commissioner Vacancy”) on the District’s website and in a local  
423 newspaper of general circulation in the District within seven (7) days of the District’s receipt of  
424 the initial written notice of the vacancy. The Notice of Commissioner Vacancy shall describe the  
425 response requirements of qualified electors who are interested in filling the vacancy on the Board  
426 of Commissioners. The Notice of Commissioner Vacancy shall give qualified electors a minimum  
427 of thirty (30) days to submit a written response to the District. The Notice of Commissioner  
428 Vacancy shall also state the date of the Board of Commissioners meeting where the Board of  
429 Commissioners will take further action on the filling of the vacancy on the Board of  
430 Commissioners. A form Notice of Commissioner Vacancy is attached as Exhibit A.

431 2. The response deadline stated in the Notice of Vacancy shall be at least thirty  
432 (30) calendar days before the District Board of Commissioners meeting where the filling of the  
433 vacancy is going to be placed on the Board of Commissioners meeting agenda as a decision making  
434 item. The response deadline will be set by the Board of Commissioners each time there is a  
435 vacancy.

436 3. The “Process to Fill a Commissioner Vacancy” document shall be placed on the  
437 District’s website with the Notice of a Commissioner Vacancy.

438 4. Each qualified candidate must submit a Letter of Interest and a Résumé to the  
439 Chief, or his designee, at the District Administrative Office located at 6061 South Pointe  
440 Boulevard, Fort Myers, Florida 33919, on or before the submittal deadline stated by the Board of

Commissioners. The Letter of Interest and Résumé should describe the qualifications of the candidate to act as a commissioner of the District and the reasons why the candidate is interested in being appointed as a commissioner of the District. No particular format of the written submittals is required. It is anticipated that written submittals which are not received by the Chief, or his designee, on or before the submittal deadline stated by the Board of Commissioners will be rejected without further consideration. Each candidate must verify in their written submittal that they are a qualified elector who currently resides within the boundaries of the Iona McGregor Fire Protection and Rescue Service District.

5. It is the responsibility of each candidate to ensure that their Letter of Interest and Résumé are received by the Chief, or his designee, on or before the submittal deadline stated by the Board of Commissioners.

6. After the response deadline in the Notice of Vacancy, the District will use the following process to evaluate and possibly select a qualified candidate to fill a vacancy on the Board of Commissioners.

a.) All information submitted by interested candidates will be reviewed by the District for purposes of verifying that each candidate is qualified to act as a commissioner of the District.

b.) Upon a determination of which candidates are qualified, the list of qualified candidates and their written submittals will be circulated to the Commissioners for their review prior to the meeting at which the Commissioners will possibly take action to fill the vacancy on the Board of Commissioners.

c.) The Board of Commissioners reserves the right to reject any and all candidates, in the Board of Commissioners' sole discretion, and the Board of Commissioners

reserves the right to waive any deficiencies in a Letter of Interest or Résumé submitted by a candidate who is qualified by law to act as a commissioner of the District.

d.) It is anticipated that the Board of Commissioners will consider filling the commissioner vacancy on the Board during the regular Board of Commissioners meeting that has been previously selected by the Board of Commissioners. In the Board of Commissioners' sole discretion, qualified candidates may be given a brief opportunity to make an oral presentation to the Board during the above referenced meeting in which the candidate can orally describe their qualifications and interest in seeking to fill the commissioner vacancy. In the Board of Commissioners' sole discretion, the Board of Commissioners members may ask questions of the individual candidates at the above referenced Board of Commissioners meeting.

7. Any qualified elector who is selected to fill a vacancy on the Board of Commissioners will be required to run for election during the next general election.

8. Pursuant to Florida law, the Board of Commissioners is not required to fill a vacancy that occurs on the Board of Commissioners. Further, the Board is not required to use any particular process to fill a vacancy that occurs on the Board of Commissioners. The District, through the Board of Commissioners, reserves the right to take any legal action authorized concerning the selection, or refusal to select, a qualified elector to fill a vacancy on the Board of Commissioners, in the Board's sole discretion.

## **VI. ELECTION OF OFFICERS**

The Board shall elect officers for a one-year term within sixty (60) days after the second Tuesday of November of each calendar year to the positions of Chair, Vice Chair, Treasurer, and Secretary. The same person may be both Secretary and Treasurer. Any officer may be re-elected. When an officer vacancy occurs, the Board shall determine how and when to elect a new officer

to fill the vacancy with the preference to fill the officer vacancy at the next regular Board meeting.

A reorganization of the Board may be called and a new election may be held at any regular Board meeting with an extraordinary majority vote of the Board members present, which is a majority vote plus one (3-0, 4-0, 4-1, or 5-0), being required to approve the calling of a reorganization of the Board officers.

## **VII. BOARD MEETINGS**

### **1. Regular Board Meetings and Other Board Meetings.**

A regularly scheduled Board meeting is defined as a Board meeting which is normally held once each calendar month to conduct the normal business decision making of the Board. The Board will schedule regular monthly Board meetings at a time, date and location that has been published as required by Florida law. All other meetings may be called by the Board or by the Chair as required. Notice of all regularly scheduled Board meetings and all other Board meetings shall be published and placed on the District's website as required by Florida law, especially Chapter 189, Florida Statutes, as amended. All Board meetings shall be held and conducted as provided by Florida law and this Board Manual, as amended. Written minutes of all public Board meetings shall be generated to meet, at a minimum, the statutory law requirements and to also provide a brief synopsis of at least all decision-making items, including the official action taken by the Board, and a brief synopsis of public input that is properly presented in the public Board meeting.

### **2. Order of Business/Agenda for Board Meetings.**

a.) Agenda. There shall be an Agenda for every meeting of the Board, which shall determine the order of business conducted at the meeting. All proceedings and the order of business at all meetings of the Board shall be conducted in accordance with the Agenda.

b.) Order of Business (Agenda Format) for Regular Public Board Meetings. The Order of Business (Agenda Format) for all regular public Board meetings shall be as approved by the Board from time to time. Effective June 10, 2020, the regular Board meeting Order of Business (Agenda Format) shall, unless otherwise set by the Board, be as follows:

Meeting call to order

Roll Call of Commissioners

Opening Prayer and Pledge of Allegiance

Amendments to the Meeting Agenda

Public Input on Business Agenda Items

Public Recognition

Business Agenda Items (Agenda Items Requiring Action)

1. Meeting Minutes

2. Financial Report

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. Executive Report

(Including Division Reports)

7. Attorney Report

8. DVP Reports

Public Input on Non-Business Agenda Items

Commissioner Comments

Adjournment

532           3. Public Participation/Public Input in Board Meetings.

533           The Board recognizes the importance of public input and the public's participation in the  
534 decision making process by the Board on Board decision making items. In order to provide timely  
535 and meaningful public input and public participation opportunities on District items requiring  
536 decision making by the Board, the following standards shall apply to the presentation of public  
537 input at public Board meetings where official decision making action may be taken by the Board  
538 except in the Board meetings described below as exceptions to the public input requirements.

539           Members of the public shall be given a reasonable opportunity to be heard by the Board  
540 during a public Board meeting on District items requiring decision making by the Board during  
541 the "Public Input on Business Agenda Items" portion of each public Board meeting agenda so that  
542 the public input occurs prior to the decision making actions by the Board on District items. Except  
543 with the prior approval of the Board Chair, the presentation of public input shall be limited to three  
544 (3) minutes for each member of the public who makes a presentation to the Board during public  
545 input. Each member of the public who makes a presentation to the Board during a public Board  
546 meeting shall, at the beginning of their presentation, state their name and address for the meeting  
547 record and shall indicate the District item they are addressing and their position of supporting,  
548 opposing, or being neutral on the District item they are addressing. Each member of the public  
549 shall also state whether they are a representative of another person or a group on the item on which  
550 they are providing public input. All public input shall be given in a clear and concise manner from  
551 the location in the District Board meeting designated by the Chair of the Board so that a proper  
552 record of the public input can be created. All members of the public who participate in public input  
553 shall address their public input to the Board Chair who shall refer any appropriate questions to the  
554 proper District staff person. Prior to addressing the Board, it is preferred that each speaker fill out

a speaker's form, if one is provided by the District, which states the speaker's name and address and the Board meeting agenda item upon which public input is being provided. In the event an agenda item is added to a Board meeting agenda which requires decision making by the Board, the Chair of the Board shall call for and allow public input on the added Board meeting agenda item prior to the Board taking any decision making action on the added Board meeting agenda item. At all times, individuals who provide public input to the Board shall maintain proper decorum and shall remain courteous and polite. The use of insulting, vulgar, profane, or inappropriate language directed at the Board, or any individual Board member, or the District staff, or any members of the audience, shall not be tolerated. Any improper conduct by anyone in a Board meeting, including the violation of any provision of this policy, may result in the speaker being removed from the meeting, by a law enforcement officer, if necessary, at the discretion of the Board Chair.

The requirements described above regarding public input shall not apply to:

a.) Official action by the Board that must be taken to deal with an emergency situation affecting the "public health, welfare, or safety" if compliance with the public input requirements stated above will cause an unreasonable delay in the ability of the Board to take official decision making action as required;

b.) A meeting of the Board that is exempt from § 286.0114, Florida Statutes, or that is otherwise exempt from the public meeting requirements of Florida law that are applicable to the District;

c.) A meeting of the Board during which the Board is acting in a quasi-judicial capacity (in which case a person's right to be heard shall be as otherwise prescribed by law);

d.) A ministerial act of the Board such as approval of minutes, reports and ceremonial proclamations; or,

e.) A Board workshop where no Board decision making occurs.

In addition to public input on Board meeting agenda items requiring decision making by the Board, which shall be received by the Board prior to Board decision making action, members of the public shall also be afforded an opportunity to provide public input to the Board on Board meeting non-business agenda items at the end of a public Board meeting. The same rules and standards described above for public input on Board meeting agenda items shall apply to public input on Board meeting non-business agenda items except that during public input on Board meeting non-business agenda items, a member of the public can speak to the Board about any subject.

4. Placing an Agenda Item on a Board Meeting Agenda.

On May 17, 2017, the Board adopted a policy which controls the placing of an item on a Board meeting agenda. The policy on placing an item on a Board meeting agenda which was adopted on May 17, 2017, is as follows:

a. Placing an Item on a Board of Commissioners Meeting Agenda Before it is Published.

1.) Any commissioner or the Chief or the attorney for the District can place an item on a Board of Commissioners meeting agenda for discussion purposes only or for Board decision making purposes by using the following procedure to add an item to a Board meeting agenda.

2.) All submittals of a Board meeting agenda item shall be made to the Chief, or the Chief's designee, in writing.

3.) A form for submitting a Board meeting agenda item ("Board Meeting Agenda Item Summary Form") to the Chief, or the Chief's designee, is attached as Exhibit B.

4.) The attached Agenda Item Summary Form must be completed with as much information as possible so the Board members, the appropriate District staff, and the public will

have a clear understanding of the Board meeting agenda item prior to the discussion of the item at the Board meeting. It should be noted on the attached Agenda Item Summary Form as to whether the Board meeting agenda item is for discussion purposes only or is for decision making purposes. The deadline for submitting a Board meeting agenda item to the Chief, or the Chief's designee, for inclusion on a Board meeting agenda is 4:00 P.M., seven (7) calendar days before the Board meeting date upon which the Board meeting agenda item is to be placed. Failure to submit a completed written Agenda Item Summary Form to the Chief, or the Chief's designee, by the deadline will result in the agenda item not being placed on the Board meeting agenda; however, the late filed agenda item may be treated as a "walk on" agenda item as discussed below.

b. Placing an Item on a Board of Commissioners Meeting Agenda After it is Published ("walk on" agenda item).

1.) A commissioner or the Chief or the attorney for the District can add an item ("walk on" agenda item) to a Board meeting agenda after the Board meeting agenda has been published on the District's website using the following procedure.

2.) If a commissioner or the Chief or the attorney for the District wants to add an item to a Board meeting agenda after the Board meeting agenda is published on the District's website and before the "Amendments to the Agenda" item of a Board meeting is voted on by the Board, the agenda item can only be added to the Board meeting agenda by a majority (choose between simple majority, super majority, or unanimous) vote of approval of the Board of Commissioners during the Board meeting under the topic of "Amendments to the Agenda".

3.) If a commissioner or the Chief or the attorney for the District becomes aware of the need to add a walk on agenda item to the Board meeting agenda prior to the Board meeting, the individual who wants to add the walk on agenda item must complete an Agenda Item Summary and provide it to the Chief, or the Chief's designee, for circulation to the commissioners, the

appropriate District staff, the attorney for the District, and for placement on the District’s website as soon as possible after it is known that the walk on agenda item needs to be added to the Board meeting agenda.

4.) If a walk on agenda item is not known during a Board meeting until after the topic of “Amendments to the Agenda” is acted on during a Board meeting, the walk on agenda item can be added later during the Board meeting, but only upon a super majority (choose between simple majority, super majority, or unanimous) vote of approval of the Board of Commissioners.

5.) If a walk on agenda item is added during a Board meeting, there must be enough discussion of the item during the Board meeting to make the members of the public who are attending the Board meeting aware of the subject matter of the walk on agenda item.

6.) If a walk on agenda item is added during a Board meeting after Public Input On the “Unfinished Business” agenda items and “New Business” agenda items (now collectively referred to as “Business Agenda Items”) on the Board meeting agenda, public input must be called for during the walk on agenda item discussion prior to the Board of Commissioners taking any final decision making action on the walk on agenda item.

#### 5. Commissioner Comments, Chief’s Report, and Attorney Report.

In addition to the processes described above of placing an item on a Board of Commissioners meeting agenda, a commissioner can discuss items under the “Commissioner Comments” section of a Board meeting agenda; however, no decision making by the Board can occur during the Commissioner Comments section of a Board meeting. In addition, the Chief, during the “Chief’s Report”, can discuss items with the Board of Commissioners; however, no Board decision making can occur during the Chief’s Report. Finally, the Attorney, during the

“Attorney’s Report”, can discuss items with the Board of Commissioners; however, no Board decision making can occur during the Attorney’s Report.

*NOTE:* Since May 17, 2017, the Board meeting order of business has been amended so that there is no longer an “unfinished business” agenda items or “new business” agenda items on a Board meeting agenda. Instead, now the “unfinished business” agenda items and the “new business” agenda items referred to in the above stated policy for placing an item on the Board of Commissioners meeting agenda are now collectively referred to as “business agenda items”. As a result, all references in the above policy on placing an item on a Board of Commissioners meeting agenda to either “unfinished business” or “new business” agenda items should be collectively referred to now as “business agenda items.”

6. Board Meetings Will be Open to the Public.

All meetings of the Board shall be open to the public in accordance with Florida law, especially the Sunshine Law (Section 286.011, Florida Statutes), except as otherwise provided by law.

7. Exempt Meetings.

There are certain Board meetings that are statutorily exempt from being open to the public including, but not limited to, executive collective bargaining sessions (Section 447.605 (1), Florida Statutes); meetings regarding risk management claims (Section 768.28(15)(c), Florida Statutes); and litigation meetings (Section 286.011(8), Florida Statutes). The Board shall follow all statutory requirements for the exemption of meetings from the public meetings requirements of Florida law.

8. Seating Capacity.

Due to the need to comply with seating capacity requirements of the Fire Code, there may be occasions when entrance by the public to a Board meeting may be limited.

672           9. Accessibility. All meetings of the Board shall be conducted in a publicly accessible  
673 building.

674           10. Order of Business at all other Board Meetings.

675           The order of business at emergency public Board meetings or special public Board  
676 meetings or Board workshops or meetings that are not public Board meetings as a result of an  
677 exemption of a Board meeting from the public Board meeting requirements of Florida law shall  
678 be as set by the Board and shall follow the regular Board meeting order described above if not  
679 otherwise set by the Board.

680           11. Publication of Board Meeting Agenda.

681           At least seven (7) days before a Board meeting or a Board workshop, the Agenda, along  
682 with any Board meeting materials that are then available in an electronic format, shall be published  
683 on the District's website pursuant to Section 189.069(2)(a)16, Florida Statutes. The written Board  
684 meeting materials will include: (1) the previous Board meeting minutes to be approved by the  
685 Board, (2) the Financial Report to be approved by the Board, (3) the Agenda Item Summaries,  
686 (4) the Executive Report of the Chief, (5) the reports of the other administrative offices, including  
687 the Division reports, and (6) the DVP report(s).

688           12. Special Aid or Services.

689           An individual requiring special aid or services as addressed in the Americans with  
690 Disabilities Act (ADA), should contact the Fire Chief at (239) 303-5300.

691           13. Any person, including any member of the Board or District staff, who becomes  
692 disruptive during a Board meeting, or interferes with the orderly business of the Board, or  
693 otherwise participates in improper conduct, may be declared "out of order" by the Chair and the  
694 Chair may order said person to be removed from the Board meeting, at the discretion of the Chair,

and the Chair may further order that the said person be arrested by the Sheriff pursuant to Section 810.08(1), Florida Statutes, as amended.

14. All meetings of the Board shall be conducted in a meeting place that is authorized by Florida law.

## **VIII. PROCEDURAL RULES FOR BOARD MEETINGS**

It is the policy of the Board that these Rules of Procedure shall govern all public meetings of the Board. The members of the Board, administrators, and attorneys for the District, District staff and employees, and the public shall adhere to the rules, which are as follows:

### **1. Quorum.**

a.) Existence of Quorum. A majority of the entire Board present at a Board meeting as required by Florida law shall constitute a quorum.

b.) No Quorum. In the event a quorum of Board members is not present at a Board meeting within \_\_\_\_ minutes after the time appointed for the Board meeting to commence, or in the event a Board meeting has commenced with a quorum, and the quorum shall have been lost, the Chair, or the Vice-Chair, in the absence of the Chair, or another Board member in the absence of the Chair and the Vice-Chair, in order of seniority, shall adjourn the meeting. The names of the Board members present and their action at such meeting shall be recorded in the minutes of the meeting of the Board.

### **2. Remaining in Chambers.**

During a Board meeting, Board members should remain in the Board meeting room at all times unless an emergency or illness should occur. Board members present in the meeting shall not absent themselves for a particular Board meeting agenda item.

718           3. Voting Conflict/Conflict of Interest.

719           Any member of the Board who announces a voting conflict/conflict of interest on a  
720 particular matter pursuant to Section 112.3143, Florida Statutes, as amended, shall refrain from  
721 voting or otherwise participating in the proceedings related to that matter. The Board member  
722 who announces a voting conflict, shall complete a memorandum of voting conflict as required by  
723 Florida law. A Board member who declares a voting conflict shall be deemed present for the  
724 purpose of constituting a quorum.

725           4. Presiding Officer.

726           a.) Chair. The Presiding Officer at all meetings is the Chair of the Board. The  
727 Chair's responsibilities shall include, but not be solely limited to:

728                       1.) Open the Board meeting at the appointed time and call the meeting to  
729 order, having ascertained that a quorum of the Board members is present;

730                       2.) Announce each item on a Board meeting agenda and direct the person  
731 sponsoring the agenda item to present the agenda item to the Board;

732                       3.) Recognize all Board members, administrators and attorneys of the  
733 District who seek the floor under correct procedure;

734                       4.) All questions and comments are to be directed through the Chair and he  
735 or she shall declare all votes;

736                       5.) Repeat every motion and state every question coming before the Board  
737 and announce the decision of the Board on all matters coming before it;

738                       6.) Limit the duration of public comments, discussion of agenda items, and  
739 debate;

740 7.) Preserve decorum and order, and in case of disturbance or disorderly  
741 conduct in the Board meeting, determine whether to cause the same to be cleared or cause any  
742 disruptive individual, including any member of the Board or District staff, to be removed;

743 8.) Call to order any member of the Board who violates any of these  
744 procedures;

745 9.) Decide questions of order, subject to a majority vote on a motion to  
746 appeal;

747 10.) Expedite business in every way compatible with the rights of the Board  
748 members; and,

749 11.) Declare the meeting adjourned when the Board so votes, or at any time  
750 in the case of an emergency affecting the safety of those present.

751 b.) Vice Chair. In the absence of the Chair or in the event of the Chair's inability  
752 to serve by reason of illness or accident, the Vice Chair shall perform the duties and functions of  
753 the Chair until the Chair's return and resumption of duty.

754 5. Rules of Debate.

755 a.) Every Board member desiring to speak should address the Chair, and upon  
756 recognition by the Chair, should confine discussion to the question under debate, avoiding all  
757 improper references to others and improper language.

758 b.) A Board member, once recognized, should not be interrupted when speaking  
759 unless said Board member is being called to order. The Board member should then cease speaking  
760 until the question of order is determined, without debate, by the Chair. If in order, said Board  
761 member shall be at liberty to proceed.

763           6. Motions.

764           a.) A motion and a second to the motion is required to precede any action on an  
765 Agenda item after discussion has been heard on the Agenda item.

766           b.) When a motion is presented and seconded, it is under consideration and no other  
767 motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, to substitute,  
768 or to amend until the question is decided. These motions shall have preference in the order in  
769 which they are mentioned.

770           c.) Any Board member may move to close debate and call the question on the  
771 motion being considered. A successful vote on the motion to close debate will end discussion of  
772 the item.

773           d.) The following motions are not debatable: to adjourn, to lay on the table, to take  
774 from the table, or to call the question.

775           7. Amendment of a Motion.

776           An amendment to a motion must be germane, that is, it must relate to the substance of the  
777 main motion. An amendment may not introduce an independent subject, and an amendment may  
778 not serve as the equivalent of rejecting the original motion. A Board member may amend the main  
779 motion in either of the following two ways:

780           a.) By Consent of the Board members. The Chair, or another Board member  
781 through the Chair, may ask for certain changes to be made to the main motion. If there are no  
782 objections from the maker or the seconder of the motion, the motion shall stand as amended.

783           b.) Formal Amendment. An amendment may be presented formally by moving to  
784 amend the motion. If it is in the form of a formal motion to amend, a second shall be required and  
785 discussion shall follow on the amendment. If an amendment passes, the main motion shall be the

786 motion as amended. If it fails, the motion shall be the motion as it was before the amendment was  
787 presented.

788 8. Voting by the Board.

789 a.) Voice Vote. Unless otherwise directed by the Chair, all votes shall be taken by  
790 voice.

791 b.) Tabulation of the Vote. The Chair shall tabulate the votes and announce the  
792 results.

793 c.) Voting. Every Board member who is in the Board meeting room when the  
794 motion is put to a vote must give his or her vote, unless the Board member has publicly stated that  
795 he or she is abstaining from voting due to a voting conflict pursuant to Section 112.3143, Florida  
796 Statutes. If any Board member declines to vote “aye” or “nay” by voice, his or her silence shall  
797 be counted as an “aye” vote.

798 d.) Absent for Vote; Changing Vote. Any Board member momentarily absent for  
799 a vote on a particular item may record his or her vote, and any Board member may change his or  
800 her vote before the next item is called for consideration, or before a recess or adjournment is called,  
801 whichever occurs first, but not thereafter, except with the consent of all the Board members who  
802 voted thereon.

803 e.) Majority Vote; Extraordinary Majority Vote; Tie Vote. The passage of any  
804 motion, policy, ordinance, or resolution shall require the affirmative vote of at least the majority  
805 of the members of the Board who are present and eligible to vote. If an extraordinary majority  
806 vote is required by Florida law, or otherwise, such as by a District policy or contract, this shall  
807 require the affirmative vote of an extraordinary majority vote of the members of the Board who

are present and eligible to vote as required by Florida law, or otherwise. In the case of a tie in votes on any proposal, the proposal fails.

## **IX. PARLIAMENTARIAN**

The Attorney for the District may act as parliamentarian. As the parliamentarian, the Attorney for the District may advise and assist the Chair in matters of parliamentary law. In the absence of a Rule of Procedure as provided for by this Manual, the parliamentarian may refer to *Robert's Rules of Order* (the most recent edition) as a guide on all rulings.

## **X. APPEALS**

Anyone wishing to appeal any action of the Board of Commissioners at a Board meeting is responsible to have a verbatim record made, which record includes the testimony and evidence upon which the appeal is to be based.

## **XI. ATTORNEY/BOARD RELATIONS**

The Board has adopted a policy concerning interactions between the Board members and the District's attorney on December 11, 2019. The policy is as follows:

**Purpose:** The purpose of this policy is to guide the members of the Board of Commissioners and the District's attorneys with regard to Board member and attorney interactions.

**General Guidelines:** It is normal practice for any Board member to have the ability to interact with the District's attorneys on any District related matter, including a Board member's service of the District as a public official, at any time. In interacting with the District's attorneys, Board members should be considerate of the time they spend consulting with the attorneys in an effort to properly use the District's resources and revenue. It is also normal practice for

the Fire Chief, or the Fire Chief's designee, to interact with the District's attorneys about District matters when it is in the best interest of the District.

In the event a Board member discusses a District matter with an attorney of the District which is not a privileged or confidential communication and which the attorney believes will be beneficial for the other Board members to be made aware of, the attorney may inform the Board member that the attorney intends to share the topic of discussion with the other Board members and the Board member can request the attorney to not share the information with the other Board members in the manner proposed by the attorney if the Board member believes it is in the best interests of the District to not have the information shared in the manner prescribed by the attorney. In the alternative, the Board member can request the attorney to share the information with the other Board members at the next Board meeting or in another manner that the Board member believes is in the best interest of the District.

## **XII. RELATIONS WITH DISTRICT PERSONNEL**

1. There shall be free communication between the Board members and members of the District; however, no Board member shall give a **direct order to any District personnel**.

2. The Board shall be responsible for District policy, fiscal affairs, the employment and direction of the Fire Chief as the Chief Executive Officer of the District, and other matters as prescribed by law.

3. The relationship of the Board and the Fire Chief shall be governed by Florida law, the Fire Chief's employment agreement, the Fire Chief's job description, the District's policies and

procedures, and the Board's decisions. The Fire Chief, as Chief Executive Officer of the District, shall be responsible for and have authority to direct the implementation of the Board's decisions and all day to day operations of the District. The Chief shall have the authority to create and shall be responsible for the creation of any new or revised personnel policies or job descriptions (except for the Chief's job description) without any official action being required of the Board. Any new or revised personnel policies or job descriptions created by the Chief shall be presented to the commissioners, in writing, within fourteen (14) days of their approval by the Chief. As of January 16, 2019, the Chief has the authority to sign checks in amounts up to \$30,000.00. The Chief also has the authority to approve certain third party contracts and purchases within the Chief's purchasing authority as described in the District's Purchasing Policy, which is at a maximum contract value of \$25,000.00 as of May 17, 2013. A copy of the Purchasing Policy is attached as Exhibit E.

### **XIII. AMENDMENTS OF THE BOARD MANUAL**

This Manual may be amended or revised at any time by a simple majority vote of the Board.

Upon discovery of an inconsistency between a new law applicable to the District and a provision of the Manual, the Board shall take action to amend the Manual to correct the provision of the Manual that is inconsistent with the new law so that the inconsistency between the new law and the Manual is removed. Any reference to Florida statutory law shall automatically refer to the said statutory law as it may be amended.

### **XIV. CONSTRUCTION AND SEVERABILITY**

This Manual shall be liberally construed to promote the purpose for which it is intended. If any section, subsection, sentence, clause, or other provision of this Manual is held invalid, unconstitutional, inoperative, or void by a court of competent jurisdiction, such portion will be

deemed a separate provision, and such holding shall not affect the remainder of this Manual. The Board further declares its intent that this Manual would have been adopted even if such invalid or unconstitutional provision was not included herein.

#### **XV. REFERENCED EXHIBITS TO BOARD OF COMMISSIONERS MANUAL**

A – Notice of Commissioner Vacancy

B – Board Meeting Agenda Item Summary Form

C – Policy on Electronic Communications of Elected Officials

D – Policy on Employees' Use of District's Information Systems (Information Systems Policy).

E – Purchasing Policy

#### **XVI. OTHER BOARD POLICIES**

The Board has adopted other policies that have not been addressed elsewhere in the Board Manual. The relevant policies that relate to the Board are restated below and are incorporated herein as an exhibit as follows:

1. Fund Balance Policy

EXHIBIT A

**NOTICE OF A COMMISSIONER VACANCY AT IONA MCGREGOR FIRE  
PROTECTION AND RESCUE SERVICE DISTRICT**

Notice is hereby given that the Iona McGregor Fire Protection and Rescue Service District ("District") currently has a vacancy on the Board of Commissioners. The District is seeking written letters of interest and résumés from qualified electors who reside in the District to fill the vacancy on the Board of Commissioners. Individuals who are interested in submitting a letter of interest and résumé to the District for the vacant commissioner position can acquire additional information concerning the process to select a commissioner from the District's website at [www.ionafire.com](http://www.ionafire.com), or from the District Administrative Office located at 6061 South Pointe Boulevard, Fort Myers, Florida 33919, or by contacting Chief Howard, or his designee, at (239) 433-0660. The individual who is selected to fill the commissioner vacancy will be required to run for election during the next general election in \_\_\_\_\_ (fill in) \_\_\_\_\_. The deadline for submitting letters of interest and résumés to the District administrative office is \_\_\_\_\_ (fill in) \_\_\_\_\_ p.m. on \_\_\_\_\_ (fill in) \_\_\_\_\_. The decision on the selection of a qualified elector to fill the vacancy on the Board of Commissioners will be placed on the meeting agenda of the Board of Commissioners meeting scheduled for \_\_\_\_\_ (fill in) \_\_\_\_\_, at \_\_\_\_\_ (fill in) \_\_\_\_\_ P.M., which will be held at \_\_\_\_\_ (fill in) \_\_\_\_\_. The Board of Commissioners reserves the right to take any and all legally authorized action concerning the selection, or refusal to select, a qualified elector to fill a vacancy on the Board of Commissioners, in the Board of Commissioners' sole discretion.



## Exhibit B

**BOARD MEETING AGENDA ITEM SUMMARY****Board Meeting Date:** \_\_\_\_\_**(Select All that Apply)**☐**Decision Making Agenda Item**☐**Discussion Purposes Only Agenda Item**☐**Walk On Agenda Item****SUBJECT:****PERSON(S) MAKING SUBMITTAL OF AGENDA ITEM:****BACKGROUND/DETAIL OF AGENDA ITEM:****BUDGET IMPACT: Yes / No / Unknown – If Yes, how much? From where?****REQUESTED BOARD ACTION:**



**Electronic Communication – Elected Officials**  
Page 1 of 2

Florida Statute § 119.07 designates all electronic communication to and from commission members, including non-district e-mail accounts utilized by commission members, along with all e-mail attachments pertaining to District business, as public information. This includes transmissions from one's 'personal' computer, blackberry, or telephone text. Electronic records (such as e-mail and computer stored documents) may be public records as described in Chapter 119, Florida Statutes, which are subject to access by the general public as well as the press in the same manner as physical documents. An electronic communication in connection with the transaction of official business of the District cannot be deleted or destroyed except in compliance with the records retention schedule in Chapter 119, Florida Statutes. Unless it falls within one of the specific exemptions described in the public records statute, an e-mail message must be produced for any person upon request as a public record of the District.

Each sitting Iona McGregor Fire District Board of Fire Commissioner will be issued a District owned and maintained laptop computer, applicable software, e-mail account, and wireless 'air card'. The following procedures must be followed by elected officials concerning the possession and use of the District's laptop computer while it is in the possession of an elected official:

1. All District related electronic correspondence shall be conducted utilizing the provided laptop and District e-mail account.
2. No software shall be installed, edited, or deleted by an elected official on the District's laptop without the express written consent of the District's IT professional. It is preferred to have the District's IT professional perform software updates and installations.
3. There shall be no items deleted from the District's laptop by an elected official or anyone else except for the District's authorized representative. Should it become necessary to remove item(s) from the District's laptop, the undersigned commissioner shall bring said laptop to the District's authorized representative, which, unless otherwise designated, shall be the District's IT professional.
4. Personal codes and passwords used to retrieve information will be issued by the District, and may not be changed without prior authorization from the District.
5. The District laptop, software, e-mail and internet access cannot be used for illegal use, personal use, commercial activities, religious causes, solicitations of any kind, political activity, or to transmit or access copyrighted information in a way that violates a copyright or the law; however, the laptop can be used for any District purpose, including but not limited to, research and review of information. Elected officials encountering or receiving these types of materials shall immediately report the incident to the Fire Chief or designee.



**Electronic Communication – Elected Officials**  
Page 2 of 2

6. There shall be no transmitting, downloading, or viewing through District internet access of any offensive material such as material with abusive language, material of a sexual, cultural, or racially offensive or insulting nature, or obscene, vulgar, or profane material, or any other material that is expressly prohibited, in writing, by the District, or by law. Elected officials encountering or receiving these types of materials shall immediately report the incident to the Fire Chief or designee.

By signature below, I acknowledge receipt of a laptop computer, serial number \_\_\_\_\_ and a wireless air card serial number \_\_\_\_\_. I also acknowledge receipt of this policy, and hereby agree to comply with all of the provisions contained herein.

Witnesses:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Elected Official

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

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

\_\_\_\_\_  
Signature

Dated: \_\_\_\_\_

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



## Information Systems Policy

### FIRE DISTRICT

#### General Use Policy

Computers, computer files, internet, e-mail systems, and software furnished to employees are the Fire District's property and primarily intended for business use. Incidental personal or educational use is approved, so long as said use is in compliance with this policy, occurs only during lunch, break time, or after hours, and does not in any way interfere with the transaction of District business. The violation of the provisions of this policy will be considered a serious offense which may warrant dismissal.

#### E-Mail & Internet Access

The District maintains electronic mail access over its Wide Area Network (WAN) for employees to conduct the business of the District in a timely manner. The e-mail system and its contents are the property of the District.

In addition to the WAN e-mail system, the District provides employees with internet access for business and educational purposes, and for personal use during non-work duty hours (Breaks and 4pm to 7am). Personal use must only be through a privately owned laptop computer using the District's wireless internet access. Employees are prohibited from transmitting, downloading, or viewing through District internet access, any offensive material, such as material with abusive language, material of a sexual, cultural, or racially offensive or insulting nature, or obscene, vulgar, or profane material. The prohibited material describe herein is not permitted on District premises, even if contained within the memory of a privately owned laptop computer.

All information or e-mails created, sent, forwarded, received, or saved on a District system are the property of the District, and not considered to be the private communication of any employee. All such electronic correspondence is considered public record by state law, and as such, is available for public view upon request. The following sets forth the policies by which all employees are governed when using the computer systems of the District.

1. Personal codes and passwords used to retrieve information will be issued by the District, and may not be changed without prior authorization.
2. Employees are prohibited from transmitting or accessing offensive material, such as material with abusive language, material of a sexual, cultural, or racially offensive or insulting nature, or obscene, vulgar, or profane material.
3. The District e-mail and internet access may not be used for commercial activities, religious causes, solicitations of any kind, political activity, or to transmit or access copyrighted information in a way that violates the copyright.
4. The e-mail system creates a record that may be retained indefinitely. All e-mail is subject to retrieval and disclosure at any time through public records requests, litigation discovery, or any District or law enforcement inquiry or investigation.
5. Employees are prohibited from mischievously using a District computer workstation that is logged in under another person's name and password.



## **FIRE DISTRICT**

# **Information Systems Policy**

### **Work Stations and Software**

The District purchases and licenses the use of various software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the District does not have the right to reproduce such software for use on more than one computer. Employees may only use software in accordance with the related software license agreement.

The District prohibits the illegal duplication of software and its related documentation. Employees are prohibited from downloading software programs into a District computer without prior authorization.

All work stations have been configured and programmed to automatically run various utility software. Employees are prohibited from adding, editing or deleting any software programming without prior authorization. Further, employees are prohibited from tampering with any District computer hardware, connections, or peripheral equipment. Malfunctions should be reported to the Division Chief of Support Services as soon as practical to do so.

Lee County EMS provides computers to their personnel assigned to our facilities. Fire District personnel are prohibited from using EMS computers for any reason whatsoever.



## PURCHASING POLICY

### Purchasing of Goods and Services

#### **Purpose**

The purpose of this Policy is to guide the District's employees when making purchases for the District. At all times, purchases, and the procedure used to accomplish a purchase, will comply with Florida law, including but not limited to, Florida Statute § 255.20 and Florida Statute § 287.055, concerning construction and related professional services.

#### **Purchasing Procedures**

The purchasing of goods and services will be based on a variety of factors, including but not limited to, factors such as cost, quality, delivery, and customer support after the sale. At all times, decisions on District purchases must include a verification of whether the purchase supports a public purpose of the District, whether the purchase is in the best interest of the District, and whether the purchase constitutes an ordinary, reasonable and necessary purchase. The following purchasing categories are established for purchases of goods and services for the District. The Board of Fire Commissioners may amend this Purchasing Policy at any time and for any purpose. The Board of Fire Commissioners, in its sole discretion, can, at any time, elect to not use the purchasing procedures described in this Purchasing Policy for any purchase of any goods, any services, or otherwise. This Purchasing Policy does not apply to any preexisting agreements of the District, including agreements for continuing services or repetitive purchases of goods. Except as otherwise required by Florida law, the purchasing procedures described in this Purchasing Policy shall not apply to the District's purchase of professional services. This Purchasing Policy shall not apply to purchases made by the Board of Fire Commissioners. This Purchasing Policy shall not require the application of the purchasing procedures on repetitive purchases from the same vendor after the purchasing procedures described herein are used for the first of the repetitive purchases. The specific purchasing procedures for the stated purchasing categories are as follows:

#### **Category One (Purchases Up to \$ 5,000.00 )**

Purchases with a purchase price up to \$ 5,000.00 shall be carried out using good and reasonable judgment; however, there shall not be any specific competitive selection procedure required.

#### **Category Two (Purchases Greater than \$ 5,000.00 and up to \$10,000.00 )**

Purchases that are greater than \$ 5,000.00 and up to \$ 10,000.00 shall be made by using a competitive selection process. The preference is to receive two or more written purchase price quotations whenever practical. In the event it is impractical to receive two or more written purchase price quotations, two or more

verbal purchase price quotations should be received and recorded in a written memorandum by the assigned District employee. At a minimum, a written purchase price quotation or the written memorandum of a verbal purchase price quotation should contain the name and address of the vendor, the purchase price that is quoted and a general description of the item being purchased. In the event two or more purchase price quotations are not available, i.e. where there is a sole source vendor, the assigned District employee shall provide a written statement as to why multiple purchase price quotations were not received. Once the purchase selection information is assembled by the assigned District employee, a written report indicating the District employee's purchase recommendation will be issued and provided to the Chief, or his designee, for the Chief's approval/selection of a vendor and purchase terms.

**Category Three (Purchases Greater than \$ 10,000.00 and up to \$ 25,000.00 )**

Purchases that are greater than \$ 10,000.00 and up to \$ 25,000.00 shall be made by using a competitive selection process. Two or more written purchase price quotations must be received and recorded by the assigned District employee. Verbal purchase price quotations are not acceptable. At a minimum, a written purchase price quotation should contain the name and address of the vendor, the purchase price that is quoted and a general description of the item being purchased. In the event two or more purchase price quotations are not available, i.e. where there is a sole source vendor, the assigned District employee shall provide a written statement as to why multiple written purchase price quotations were not received. Once the purchase selection information is assembled by the assigned District employee, a written report indicating the District employee's purchase recommendation will be issued and provided to the Chief, or his designee, for the Chief's approval/selection of a vendor and purchase terms.

**Category Four (Purchases Greater than \$ 25,000.00 )**

Purchases that are greater than \$ 25,000.00 shall be made by using a competitive selection process. Two or more written purchase price quotations must be received and recorded by the assigned District employee. Verbal purchase price quotations are not acceptable. At a minimum, a written purchase price quotation should contain the name and address of the vendor, the purchase price that is quoted and a general description of the item being purchased. In the event two or more purchase price quotations are not available, i.e. where there is a sole source vendor, the assigned District employee shall provide a written statement as to why multiple written purchase price quotations were not received. Once the purchase selection information is assembled by the assigned District employee, a written report indicating the District employee's purchase recommendation will be issued and provided to the Board of Fire Commissioners for the Board's approval/selection of a vendor and purchase terms.

# IONA MCGREGOR FIRE PROTECTION & RESCUE SERVICE DISTRICT

## FUND BALANCE POLICY

### BACKGROUND

The Iona McGregor Fire Control and Rescue Service District (“the District”) believes that sound financial management principles require that sufficient funds be retained by the District to provide a stable financial base at all times. To retain this stable financial base, the District needs to maintain a fund balance sufficient to fund all cash flows of the District, to provide financial reserves for unanticipated expenditures and/or revenue shortfalls of an emergency nature, to provide funds for the disparity in timing between property tax collection and expenditures, and to secure and maintain District credit ratings established by financial institutions providing debt to the District for capital asset financing. The purpose of this policy is to specify the size and composition of the District’s financial reserves and to identify certain requirements for replenishing any fund balance reserves utilized.

The Governmental Accounting Standards Board (“GASB”) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* (“GASB-54”). One objective of this standard was to improve, including the understandability, the usefulness of fund balance information by providing clear fund balance classifications. GASB-54 abandons the reserved, unreserved, and designated classifications of fund balance and replaced them with five classifications: non-spendable, restricted, committed, assigned, and unassigned. The requirements of this statement are effective for the District’s financial statements for the fiscal year ending September 30, 2011.

GASB-54 requires local governments to focus on the constraints imposed upon resources when reporting fund balance in governmental funds. The fund balance classifications indicate the level of constraints placed upon how resources can be spent and identify the sources of those constraints. The following five classifications serve to inform readers of the financial statements of the extent to which the District is bound to honor constraints on the specific purposes for which resources in a fund can be spent.

### DEFINITIONS

**Non-spendable Fund Balance** – Fund balance reported as “non-spendable” represents fund balance that is (a) not in a spendable form such as prepaid items or (b) legally or contractually required to be maintained intact such as an endowment. The “not in spendable form” criterion includes items that are not expected to be converted into cash, for example, prepaid items, deferred expenditures or outstanding encumbrances..

**Restricted Fund Balance** – Fund balance reported as “restricted” consists of amounts that can be spent only on the specific purposes stipulated by constitutional provisions or enabling legislation or externally imposed by creditors, grantors, contributors, or laws or regulations of other governments.

**Committed Fund Balance** – Fund balance reported as “committed” can only be used for specific purposes pursuant to resolution of the District Board. The committed amount cannot be used for any other purpose unless the District removes or changes the specified use by resolution. Committed fund balance should also incorporate contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

Constraints imposed on the use of committed amounts are imposed by the District Board, separate from authorization to raise the underlying revenue. Therefore, compliance with constraints imposed by the government that commit amounts to specific purposes is not considered to be legally enforceable.

# **IONA MCGREGOR FIRE PROTECTION & RESCUE SERVICE DISTRICT**

## **FUND BALANCE POLICY**

The formal action of the District Board to commit fund balance to a specific purpose should occur prior to the end of the fiscal year end, but the amount, if any, which will be subject to the constraint, may be determined in the subsequent period.

**Assigned Fund Balance** – Fund balance reported as “assigned” consists of amounts that are subject to a purpose constraint that represents an intended use established by the District Board. All assigned fund balance amounts identified by the Fire Chief or his designee must be approved by a vote of the District Board. Formal action (resolution) by the District Board is not required to impose, remove, or modify a constraint in assigned fund balance. Assigned fund balance cannot cause a deficit in unassigned fund balance.

**Unassigned Fund Balance** – Fund balance reported as “unassigned” represents the residual classification for the general fund. This classification represents fund balance that has not been restricted, committed or assigned to specific purposes within the general fund.

### **FUND BALANCE POLICY**

Generally, the District maintains only a general fund. It is of primary significance because all of the functions of the District are financed by the general fund. Fund Balance shall mean the gross difference between governmental fund assets and liabilities reflected on the balance sheet.

The District hereby establishes and will maintain Fund Balance, as defined, in accordance with Governmental Accounting and Financial Standards Board Statement no. 54, *Fund Balance Reporting and Governmental Funds Type Definitions*. Fund Balance shall be composed of non-spendable, restricted, committed, assigned and unassigned amounts.

1. **Non-spendable Fund Balance** – In the normal course of operations the District expects to expend funds in the current year for expenditures properly reported in another. These amounts, reported as prepaid expenditures, should be minimal and be reported as non-spendable fund balance. Prepaid expenditures are reported only at the close of the Districts fiscal year. The District Finance Director will present a schedule of prepaid expenditures to the Fire Chief for approval and reporting of non-spendable fund balance. No formal action is required by the District Board.
2. **Restricted Fund Balance** – The District maintains an unspent balance of impact fee funds received as part of an interlocal agreement with the Lee County Board of County Commissioners (“the County”) and will report that balance as restricted fund balance. As part of the agreement, impact fees received by the District may only be spent on growth related capital assets or the debt incurred for growth related capital assets. The District Finance Director will report the balances, receipts and expenditures of impact fee funds received from the County on a monthly basis in the District Treasurers Report. The use (appropriation) of restricted fund balance may be authorized in conjunction with the annual budget adoption process or by budget amendment approved by a majority vote of the District Board.
3. **Committed Fund Balance** – Commitments of fund balance may be made, as necessary, for specific purposes and cannot be used for any other purpose other than by resolution of the District Board. Committed fund balance may be redirected by the District Board to other purposes as long as the original constraint is removed by a similar resolution. The resolution giving rise to the committed fund balance should occur no later than the end of the reporting period (September 30). The actual amounts of the commitment may be determined subsequent to that date but prior to the issuance of the District financial statements.

## **IONA MCGREGOR FIRE PROTECTION & RESCUE SERVICE DISTRICT FUND BALANCE POLICY**

The District Board generally reports evaluations of fiscal solvency, economic uncertainty, revenue stabilization, working capital needs, contingencies or emergencies and any other similarly titled purpose as unassigned fund balance. However, formal stabilization arrangements that meet the criteria established by GASB-54, that are not routinely expected to occur, are of a significant magnitude and are sufficiently detailed may be established by the District Board by resolution as required.

The District has certain and will continue to have certain contractual obligations with financial institutions pertaining to the continuing acquisition and use of buildings and apparatus. The District board will commit, by resolution, an amount at least equal to the principal and interest payments obligated to be paid a year beyond the current budget.

4. Assigned Fund Balance – The District Board intends to estimate the amount of expenditures that will be required to provide for the replacement of capital assets that will not be acquired with debt, to extinguish the known amount due for administrative separation agreements provided by the non-bargaining handbook and to fund a reasonable estimate of vacation accrual balances due at termination of employment. The Fire Chief will have the responsibility of developing the specific amounts for expenditure and will present the calculations to the District Board for approval by majority vote.

The District will budget annual appropriations for expenditure of capital assets, payment of separation agreements and accrued vacation amounts. Adjustments to the balances of assigned fund balance will be proposed by the Fire Chief during the budget process. Final adjustments to assigned fund balances will be presented by the Fire Chief for majority vote approval by the District Board prior to the issuance of its annual audited financial statements.

5. Unassigned Fund Balance – The District expects to maintain a minimum unassigned fund balance of not less than 60 days (16.5%) of total general fund expenditures before other financing uses as a reserve for economic uncertainties. Expenditures in the general fund for restricted amounts (impact fees) will be reduced from the total general fund expenditures for the calculation to be completed. The calculation for the maintenance of the minimum unassigned fund balance should be performed no later than the end of the reporting period. Budget revisions will not result in a recalculation of the minimum unassigned fund balance. Reductions of the budgeted unassigned fund balance may only be made with approval by majority vote of the District Board.

The District believes a reserve of this level is prudent to maintain a high credit rating, to protect the District from the effects of fluctuations in property tax revenues and recognize that amounts in the non-spendable, restricted, committed and assigned categories are subject to varying constraints on their use.

The District uses restricted amounts to be spent first when both restricted and unrestricted fund balance is available unless there are legal obligations that prohibit this spending order; for example impact fees. Additionally, the District would first use committed fund balance, followed by assigned fund balance and finally unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classification could be used. Negative fund balance amounts shall not be reported for restricted, committed or assigned fund balance.

Compliance with the provisions of this policy should be reviewed as part of the annual budget adoption process, and the amounts of non-spendable, restricted, committed, assigned and unassigned fund balances

**IONA MCGREGOR FIRE PROTECTION & RESCUE SERVICE DISTRICT  
FUND BALANCE POLICY**

may be estimated. Final determination of non-spendable, restricted and assigned fund balances will be completed prior to the issuance of the annual audited financial statements.



# Iona-McGregor Fire District Executive Report

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## Executive Summary/November 2020:

### GENERAL:

- Work continues on the Risk Assessment and Standard of Cover. The third module is complete, and we are progressing with module 4. There are 6 modules in the Risk Assessment and Standards of Cover. After that we continue in compiling the self-assessment document.

### OPERATIONS:

- Our record hurricane season is winding down, but we have been reminded to avoid complacency until it truly ends
- We will soon increase our Urban Search and Rescue (USAR) region 6 team membership with a goal of 4 personnel per shift. While not specifically deployed this hurricane season, their readiness is an integral part of statewide emergency planning.
- Operations personnel participated extensively in altered forms of integration (i.e. COVID precautions) during fire prevention month, and it was a success
- Our annual fire hydrant maintenance season is underway, so crews may be seen throughout the community operating our 2400+ hydrants through the end of January.

### LOGISTICS:

- Replacement MDCs have been ordered and are expected to be here by end of month.
- Gear room at 73 is near completion (waiting on electrical for dryer)
- Men's and EMS bathroom at 72 are complete. 72 Women's and 73 LT's are in progress.
- Fire pump on Marine 70 in need of replacement. Waiting on quotes.
- Warranty expiring on M70 motors this month.

**PREVENTION:****Date: November 2020**

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INSPECTION VOLUME: 356

VIOLATIONS CLEARED: past year to date 347 / 386

% OF MANDATED INSPECTIONS AVERAGE: 98%

CPR / AED CLASSES: 4

CHILD PASSENGER SAFETY: 0

PUBLIC EDU. EVENT(S): 14

EAP PRESENTATIONS: 0

FIRE INVESTIGATIONS:

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**SUPERVISOR'S SUMMARY:**

- Inspection volume slowed again October to November – this is our typical slow season
- Fire Prevention month – Parades for the kids were a great hit

**TRAINING/EMS:**

- Hosted the Monthly Paramedic In-service
- Monthly Dive and Technical Rescue Training was conducted by the various shifts.
- Conducted 3 days of Rapid Intervention Team and Firefighter Survival training.
- Working on paramedic credentialing with 2 firefighters.



Last 30 Days ▾

Oct 13, 2020 - Nov 11, 2020 ▾

55%

FIRE

Percentage of Total Incidents

45%

EMS

Percentage of Total Incidents

838

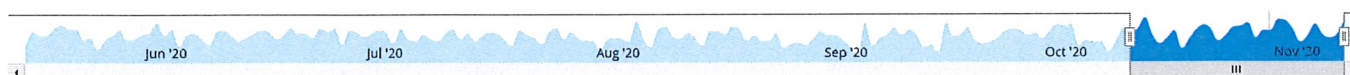
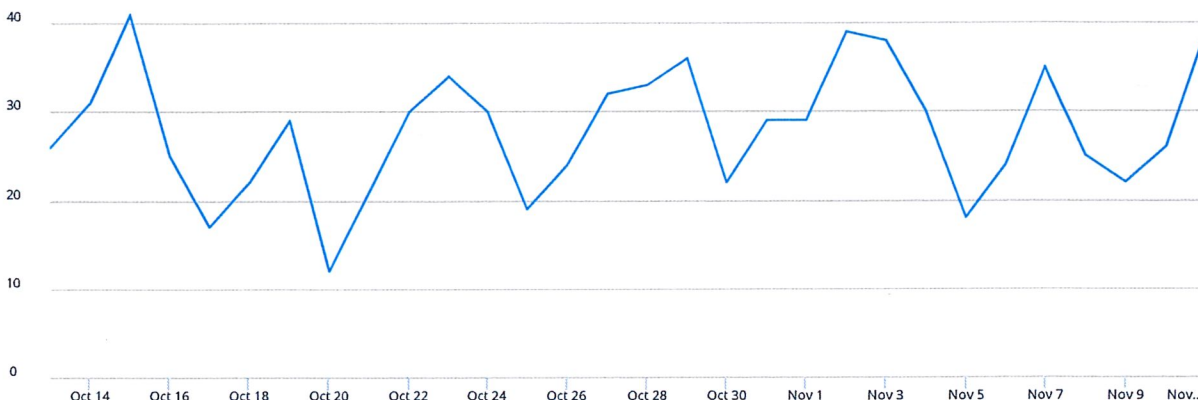
INCIDENTS

In Selected Time Slice

30

DAYS

In Selected Time Slice



Counts

% Rows

% Columns

% All

Week Ending	10/18/20	10/25/20	11/1/20	11/8/20	11/15/20	11/22/20	11/29/20	12/6/20	12/13/20	12/20/20	12/27/20	1/3/21	1/10/21	Total
(13) Mobile property (vehicle) fire		1	1											2
(14) Natural vegetation fire		1		1										2
(15) Outside rubbish fire	1			1										2
(25) Excessive heat, scorch burns with no ignition	1													1
(30) Rescue, emergency medical call (EMS), other	9	5		7	1									22
(31) Medical assist	13	10	19	19	5									66
(32) Emergency medical service (EMS) incident	60	63	65	74	29									291
(34) Search for lost person		1		1										2
(35) Extrication, rescue	1	1	2	2	1									7
(36) Water or ice-related rescue			2											2
(44) Electrical wiring/equipm. problem	1	1			2									4
(51) Person in distress	1													1
(53) Smoke, odor problem			1											1
(54) Animal problem or rescue	1													1
(55) Public service assistance	18	25	27	26	7									103

Week Ending	10/18/20	10/25/20	11/1/20	11/8/20	11/15/20	11/22/20	11/29/20	12/6/20	12/13/20	12/20/20	12/27/20	1/3/21	1/10/21	Total
(56) Unauthorized burning	1		1											2
(60) Good intent call, other			1											1
(61) Dispatched and canceled en route	46	60	78	65	34									283
(62) Wrong location, no emergency found	2		3	1										6
(65) Steam, other gas mistaken for smoke	1		1											2
(70) False alarm and false call, other	1	3	1	1	2									8
(71) Malicious, mischievous false alarm		1	1	1										3
(73) System or detector malfunction	2	3		1	6									12
(74) Unintentional system/detect... operation (no fire)	3		2	8										13
NULL				1										1
Total	162	175	205	209	87									838



## IAFF Local 1826

### Southwest Florida Professional Fire Fighters & Paramedics District 7 Monthly Report

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Meeting Date: 11/18/2020

General Information Update:

DVP Tansey has nothing to report.





## IAFF Local 1826

### Southwest Florida Professional Fire Fighters & Paramedics District 25 Monthly Report

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Meeting Date: 11/18/2020

#### General Information Update:

DVP Mascarelli has nothing to report.