

IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT

BOARD OF FIRE COMMISSIONERS MEETING AGENDA

6:00 P.M., JANUARY 18, 2023

6061 SOUTH POINTE BOULEVARD

FORT MYERS, FL 33919

NOTE: THE BOARD MEETING IS BEING RECORDED AND ALL STATEMENTS MADE DURING THE BOARD MEETING ARE SUBJECT TO BEING MADE AVAILABLE TO OTHERS AS A PART OF THE BOARD MEETING PUBLIC RECORD.

NOTE: ALL PHONES AND ELECTRONIC DEVICES MUST BE PUT ON THE SILENT MODE PRIOR TO THE BEGINNING OF THE BOARD MEETING AND REMAIN ON SILENT MODE THROUGHOUT THE ENTIRE BOARD MEETING UNTIL ADJOURNMENT.

Meeting Called to Order: 6:00 pm

Roll Call of Commissioners: Commissioners Andersen, Louwers, Langford, Walker and Barbosa were all present.

Opening Prayer and Pledge of Allegiance

Recognitions: None, no public present

Adoption of Meeting Agenda, Including Amendments: Commissioner Barbosa made a motion to adopt the meeting agenda with no amendments, with a second by Commissioner LangfordMotion carried.

[Approval of Previous Board Meeting Minutes](#): November 2022 Meeting: Commissioner Langford made a motion to approve the minutes as presented, with a second by Commissioner LouwersMotion carried

Approval of Financial Reports

[November 2022 Financials](#)

[December 2022 Financials](#)

Commissioner Walker was pleased to see interest rates were improving but questioned why Bank of United was not keeping up, Mark explained that was due to stipulations of that account. With no additional questions Commissioner Walker made a motion to approve the financial report with a second by Commissioner BarbosaMotion carried

Chief's Report

Chief Comer added that we are now candidate status for accreditation and talked through the next steps regarding peer team and site visit. Commissioner Walker asked what benefit this offered to the tax payer, Chief Comer responded that this was based on industry best practices and high standards and why would we not aim to achieve those high standards. Brainstorm ideas of how to relay this information to the community e.g., website., Chief Comer said that he plans to work with Megan Contreras to determine how best to message this to the District.

Attorney's Report: Mr. Pringle will have comments related to the election of officers for the board of commissioners that he will bring up under the business agenda item. He mentioned that they are continuing to work with the Chief on the performance audit as well as the agreements and scope of work for the repairs to the stations 71 and 72. Commissioner Walker asked about the status of the pending lawsuit to which Attorney Pringle replied that the item was still pending.

DVP Reports: Nothing to report.

Public Input on Business Agenda Items [Note: Prior to Board action being taken on each of the Business Agenda Items below, members of the public will have up to three (3) minutes per person to make public comment on each of the Business Agenda Items after the Commissioners have had their discussion.]

Business Agenda Items

1. To elect Officers of the Board of Commissioners

a. Discussion of agenda item

Attorney Pringle stated that the first, and only item, on the agenda this evening was the election of officers of the Board of Commissioners, the statute says section 191.005. subsection 3 says that the board shall organize annually by electing from its members of chair, a vice chair, Secretary, and treasurer. The positions of secretary and treasurer may be held by one member. There is no description of the process that is used, or that has to be used, by the board to elect its officers, this is a decision made by the board. In the past, because there's not an election process described in the statute, it's up to the board to decide how they want to proceed, what process they want to use to elect officers. The board can go anything from the least formal to the most formal, the least formal being a motion to elect all the officers in one motion, the most formal being to call for nominations and then have formal nominations on each position separately.

Commissioner Louwers then made a motion to keep the board as-is with a second from Commissioner Langford.

Following the meeting adjournment Commissioner Walker requested that the minutes reflect the discussion the discussion that ensued regarding this agenda item.

Commissioner Walker: do you want to keep doing this? Not that the current board are doing a bad job but the roles should be rotated, that was always a problem with the previous administration it got to a point where it was a clique. It's not a paying job it's a bit of an honor prestige and I really

think, I'm not telling you what to do, you should say if I was in your shoes, let somebody else have a chance.

Commissioner Andersen: I have no problem with whatever the majority decides.

Commissioner Walker: a motion was made

Commissioner Louwers: I'm really confident with our board, how we conduct business that's why I made the motion.

Commissioner Barbosa: Commissioner Louwers do you want to be Chairman

Commissioner Louwers: Not necessarily, I feel that I have equal input at any time during any meeting, so the chair kind of keeps us in the lane, but my input of discussion wouldn't change.

Commissioner Langford: I get what you're saying and I agree with it.

Commissioner Barbosa: Commissioner Langford do you want to be Chair

Commissioner Langford: Not really but I'll do it if the other Commissioners wanted me to.

Commissioner Louwers: we can also bring this up three months or six months from now, we can bring it up again if we want to switch it up.

Commissioner Andersen: Commissioner Barbosa do you want to be Chair

Commissioner Barbosa: If you wanted me to I mean, you're doing a great job, I would do it just like these guys if you wanted me to.

Commissioner Andersen: as the board chair, I just run the meeting. We all make that decision together.

Commissioner Walker: the way I see this commission, in all due respect to you fellas, is it's carte blanche, there's no challenge to anything, nothing goes on. Whatever chief says, you do whatever he says, you do whatever Attorney says. Very few discussion is generated from this board as to what's going on, but maybe it doesn't need it. I'm curious as a board member what goes on financially. I'm curious as to what goes on legally. I'm curious as to what the hell our insurance coverage is and it goes all over everybody's head.

Commissioner Louwers: I disagree with that, on the financial end of it we go through audits, there's checks and balances, there's lots of things in place in our district.

Commissioner Walker: what are the checks and balances that are in place.

Commissioner Louwers: when we have audits and we have an audit report that addresses the board and says here's how we're doing and all that to me is a pretty good. Checks and balance being audited.

Commissioner Walker: in all due respect all that audit does was say that he is honest. I don't know how many of you guys read the audit I do but I'm not an accountant but we rely on him, and the person comes in and says you're doing a hell of a job.

Commissioner Louwers: the secondary part of the audit that is addressed to us is the budget, within the budget we review, that budget. We give authority to our team members to invest money in the district, we established that budget so that's another layer of checks and balance.

Commissioner Walker: it's a carte blanche approval.

Commissioner Louwers: I completely disagree, and I don't think it's that way, if it was, you'd have a bigger discussion when we established the budget. Once the budget is established, they have guidelines, we have guidelines of bids.

Commissioner Walker: there's a policy in place, or procedure, or whatever, that the increases the union gets this table gets automatically and there's no evaluation as to the efficiency of these people. I think that's wrong.

Commissioner Louwers: Well, I think when you look at the efficiency of the staff in its entirety here, it is part of the accreditation that we're going through. That's another indicator of how we're doing as a district and that fits into the mission of the district, to have the strategic plan. When you have that strategic plan and you're going through that accreditation, you go through a process I don't think it's really fair for you to say that we don't care about it. I do my homework. I have meetings, I come in, I see the chief, if I have a question with training or there's transparency, I get involved. Maybe I don't get involved at this meeting, but I get engaged. So, I think the point is, is

the authority of each board member here, we're all equals. The chair runs the meeting and I think our chair does a really nice job.

Commissioner Walker: let me finish, I understand what you're saying I don't have an issue with it. The five of us have a fiduciary responsibility to taxpayers. Our sole responsibility is to make sure he's doing a job.

Commissioner Louwers: our responsibility, as we work for the taxpayer.

Commissioner Walker: I Just said that, I agree with you and our sole responsibility and correct me if I'm wrong counselor, is to make sure he's doing his job. Not these people.

Commissioner Louwers: I'm not sure about that about him doing his job, the role of our board is to hire the chief, when we hire the chief, we're hiring him to do his job. But I think the way you're saying it. our job is to do his job.

Commissioner Walker: No, I'm not saying that

Commissioner Louwers: that's how it sounded

Attorney Pringle: you actually have several other roles, one is to set the budget. You're the only group that can approve the budget and you've established the policies that are then used by the administration and the other employees of the district to function. So that's that is also part of your guideline setting role that you do, that nobody else does.

Commissioner Walker: That's part of fiduciary responsibility. That's a broad term. That's something you just mentioned. That's a given when these people come in here and put their name on the ballot and elected so it's not a special thing.

Attorney Pringle: and yet in my representation of a number of districts I've explained that to new board members, they don't understand the fiduciary duty that you're describing like you understand it .

Commissioner Walker: That's my point. With the commission as a whole, because quite frankly gentlemen, and you're all good guys, it's a rubber stamp commission.

Commissioner Louwers: I disagree with that but I will say this, what I do appreciate about you, you do look out for the best interest for the public. I do know that that that's where your hearts at. For you to say that we just rubber stamp I don't think that's fair.

Commissioner Walker: Let me finish Paul I don't want to drag on this meeting. I take my position very serious and maybe because I'm more exposed to corporate law commissions etcetera. This is not the first rodeo for me, I've been involved in organizations like this all my life. If you look at the minutes, tell me how much discussion is generated from these board members as to what's going on in the department How many motions are made by you folks other than rubber stamps?

Commissioner Langford: That's not fair. You weren't even here for three meetings. You don't know what happened in those meetings. Could you say what happened in those meetings?

Commissioner Walker: I can read the minutes

Commissioner Langford: And we've never talked to any of these guys about anything you're saying, that we have not talked to anybody about anything.

Commissioner Walker: I didn't say that Paul

Commissioner Langford: It's a rubber stamp. You said, we just come in here and we say yes and we go, that I've never spoken to any of these people about any of this stuff, I don't do it every time. I also appreciate that you bring stuff up. There are things that we know you are going to bring up and we get into those discussions, and we appreciate it. You are part of the board for that reason. That's a wonderful part of the board. Some of us don't even start the discussions because we know you're going to get into it. But just to say that we don't do anything, we're just stamping. I mean, if that's the way you feel, that's fine, but I disagree with it as well.

Chief Comer: If I could offer one comment just so all the board members know, I get contacted by most all of you throughout the month prior to board meetings when the agenda comes out. If there's questions so there's a lot of dialogue and conversations and explanation with myself and the staff outside of the meeting and if it's not explained or something that members want to bring up at the meeting or discuss they do.

Commissioner Walker: Chief, if the board member, the way I feel about it, has asked you something that relates to the board function that should be shared with the board. James may ask a very salient question as to the operation, of your operation, and you can answer it and he's now he's well informed. The rest of it has no benefit and that's why I object to people saying, well, I'm going to come and talk to you this and that. I really feel, and again, that the role of this commission, you can go out there and be buddy buddy, you can have beer with him you can go out and have hot dogs with him do whatever you want, the role of this commission behind this table to govern the department and make sure he's doing the job, and part of that job is we adopt the budget, we approve union contracts, we go through all the fiduciary responsibilities of a board member. That's part of your job gentlemen.

Commissioner Langford: And there's meetings we do that that and meetings that go by very quickly because there isn't a lot. There's meetings where you sat here and said, look, I got to get out of here so let's get this meeting going and those meetings go quickly and there's other meetings where we get into big long discussions about things. Some meetings there just aren't things to make a big deal of.

Commissioner Walker: I agree

Commissioner Louwers: So if there's an agenda right and there's an item, and I have a question on it, and I need some clarity, I may contact the chief, or whoever is involved in that. It's usually the chief. I understand what's on that agenda item. So sometimes if I held that back, then that might be a discussion here at the meeting. But he answers my questions. So, if you have further questions, you can do the same in the meeting, or contact him before the meeting, but I think the board runs pretty good.

Commissioner Andersen: Okay, So I'm going to end this, we have to go back to the motion. We have a second.

Commissioner Walker: Well, I wanted a motion too.

Commissioner Andersen: Well, we have to vote on the first motion before you can make a second motion, am I correct?

Attorney Pringle: Yes

Commissioner Andersen: Okay, we can only have one motion at a time so, the motion on the table set by Commissioner Lowers is to keep the board the same as it currently is, which was seconded by Commissioner Langford, you had a vast discussion on things that did not pertain to the actual motion so now we need to vote. Do we need to roll call or just a regular vote?

Attorney Pringle: A regular vote is all that is required on the motion.

Commissioner Andersen: So the vote on the motion to keep the board the same as it currently stands, all those in favor signify..

Commissioner Walker: I want a roll call.

Attorney Pringle: Commissioner Walker can ask for one and you can say yes or do that.

Commissioner Andersen: Ok, we'll do a roll call.

Commissioner Walker: What does that tell us that, where does that come into the statute.

Attorney Pringle: being able to require a roll call isn't in the statute either

Commissioner Walker: I know that but if a board members asks for a roll call it should be up to nobody to refute it.

Attorney Pringle: No sir, that's not in the statute.

Commissioner Walker: would you show me that statute afterwards.

Attorney Pringle: It's not in the statute, you use Robert's rules of order, but the statute doesn't say that you are bound by Robert's rules of order and the board manual says you're going to use Robert's rules of order as a guideline. It's really up to the board to make that final decision as to what you do or don't do and in this particular case, there's not a motion to make the roll call and so it's ultimately, the chair's decision, discretion, as to whether to have a roll call or not. You've asked for it, he said yes, but that I believe that's within his discretion there's not a requirement.

Commissioner Walker: but also the chair said...(Sound quality was not good so unable to transcribe)

Attorney Pringle: That is also in the Robert's rules of order and by the way, the board can suspend that normally however, the way that it works in a small setting like this is if there is a desire to change the motion, then that that would be presented to the maker of the motion and the maker of the motion would amend the motion to add that change.

Commissioner Walker: I understand that, I want a roll call for the record

Commissioner Andersen: He didn't make a motion he just requested it so therefore it's not a secondary motion so therefore I can grant his request to have a roll call vote on the current motion.

Commissioner Louwers: but when we recorded we're going to have our names on it anyway.

Commissioner Andersen: to honor Commissioner Walker's request we will do a roll call vote as part of the motion per his request.

- b. Public input: none, no public present
- c. Board action

A motion to approve that the election of Officers remains the same was made by Commissioner Louwers with a second by Commissioner Langford. Commissioner Walker requested to do a roll call vote on the motion and the Commissioners voted on the motion and the motion was passed on a vote of four in favor and one against as follows:

Commissioner Barbosa Aye

Commissioner Walker No

Commissioner Louwers Aye

Commissioner Langford Aye

Commissioner Andersen Aye

Public Comments on Non-Business Agenda Items [Note: Any member of the public will have up to three (3) minutes to make public comments on any non-business agenda item topics.]

None, no public present

Commissioner Comments on Non-Business Agenda Items:

Commissioner Barbosa, we've been doing this for 4 years now and the wheels haven't come off but we've done our job to which Commissioner Andersen agreed, he said to each members point each member brings a different perspective to the position and we each compliment each other in different ways and I think we do a very good job. Commissioner Louwers added that the board does not meet after the meeting as that is a violation of our ethics

Adjournment: a motion to adjourn was made by Commissioner Walker with a second from Commissioner BarbosaMotion carried

Meeting adjourned at: 6:50 pm


Signature: _____

Commissioner Langford: Secretary

IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT
SUMMARY STATEMENT OF ACTIVITIES - GENERAL FUND
For the Two Months Ended November 30, 2022 (Unaudited)

<u>Revenues</u>	Original	Actual	Variance	
	Budget		\$	%
Cash Carry Forward	\$ 11,972,795			
Ad valorem taxes	24,781,228	\$ 699,725	\$ (24,081,503)	2.82%
Permits, Fees & Special Assessments	50,000	-	(50,000)	0.00%
Intergovernmental	52,680	-	(52,680)	0.00%
Charges for services	51,500	4,310	(47,190)	8.37%
Interest Check/Demand Accounts	152,000	53,096	(98,904)	34.93%
Miscellaneous	41,211	629,571	588,360	1527.68%
Proceeds from debt	-	-	-	N/A
Total Revenues	25,128,619	1,386,702	(23,741,917)	5.52%
Total revenues and cash carry forward	<u>37,101,414</u>			
<u>Expenditures</u>				
Personnel services				
Salaries	12,417,648	1,804,198	10,613,450	14.53%
Benefits	7,232,583	877,877	6,354,706	12.14%
Operating Expenditures				
Professional and contractual	1,332,586	95,123	1,237,463	7.14%
Travel	155,455	2,120	153,335	1.36%
Communications & freight	122,075	11,800	110,275	9.67%
Utilities, equipment rental, and insurance	318,150	101,965	216,185	32.05%
Repairs and maintenance	872,315	78,591	793,724	9.01%
Operational, small tools and equipment	642,581	59,755	582,826	9.30%
Fuel, supplies, and administrative	501,940	102,192	399,748	20.36%
Education and training	165,660	5,209	160,451	3.14%
Capital expenditures	606,250	-	606,250	0.00%
Debt service	-	-	-	N/A
Total Expenditures	24,367,243	3,138,831	21,228,412	12.88%
Revenues over/(under) expenditures	<u>761,376</u>	<u>\$ (1,752,129)</u>	<u>\$ (2,513,505)</u>	
Fund Balance/Cash Carry Forward	<u>12,734,171</u>			
Total expenditures and reserves	<u>\$ 37,101,414</u>			
		<u>NOVEMBER</u>	<u>OCTOBER</u>	
Cash Balances				
BankUnited - Operating		<u>1,703,351</u>	<u>1,123,217</u>	
		<u>1,703,351</u>	<u>1,123,217</u>	
Investments				
General - SBA - Fund A		7,578,214	8,553,030	
BankUnited Money Market		<u>1,003,381</u>	<u>1,001,347</u>	
		<u>8,581,595</u>	<u>9,554,377</u>	
Total Cash and Investments		<u>\$ 10,284,946</u>	<u>\$ 10,677,594</u>	

Submitted for approval on January 18, 2023

Approved By: 

(Signature)

IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT
SUMMARY STATEMENT OF ACTIVITIES - GENERAL FUND
For the Three Months Ended December 31, 2022 (Unaudited)

Revenues	Original	Actual	Variance	
	Budget		\$	%
Cash Carry Forward	\$ 11,972,795			
Ad valorem taxes	24,781,228	\$ 12,081,696	\$ (12,699,532)	48.75%
Permits, Fees & Special Assessments	50,000	-	(50,000)	0.00%
Intergovernmental	52,680	12,660	(40,020)	24.03%
Charges for services	51,500	5,120	(46,380)	9.94%
Interest Check/Demand Accounts	152,000	92,663	(59,337)	60.96%
Miscellaneous	41,211	750,471	709,260	1821.05%
Proceeds from debt	-	-	-	N/A
Total Revenues	25,128,619	12,942,611	(12,186,008)	51.51%
Total revenues and cash carry forward	<u>37,101,414</u>			
Expenditures				
Personnel services				
Salaries	12,417,648	2,795,770	9,621,878	22.51%
Benefits	7,232,583	1,452,667	5,779,916	20.09%
Operating Expenditures				
Professional and contractual	1,332,586	368,161	964,425	27.63%
Travel	155,455	2,120	153,335	1.36%
Communications & freight	122,075	21,732	100,343	17.80%
Utilities, equipment rental, and insurance	318,150	124,590	193,560	39.16%
Repairs and maintenance	872,315	129,724	742,591	14.87%
Operational, small tools and equipment	642,581	103,526	539,055	16.11%
Fuel, supplies, and administrative	501,940	159,947	341,993	31.87%
Education and training	165,660	12,131	153,529	7.32%
Capital expenditures	606,250	139,260	466,990	22.97%
Debt service	-	-	-	N/A
Total Expenditures	24,367,243	5,309,628	19,057,615	21.79%
Revenues over/(under) expenditures	<u>761,376</u>	\$ 7,632,983	\$ 6,871,607	
Fund Balance/Cash Carry Forward	<u>12,734,171</u>			
Total expenditures and reserves	<u>\$ 37,101,414</u>			
		<u>DECEMBER</u>	<u>NOVEMBER</u>	
Cash Balances				
BankUnited - Operating		<u>6,435,431</u>	<u>1,703,351</u>	
		<u>6,435,431</u>	<u>1,703,351</u>	
Investments				
General - SBA - Fund A		12,365,664	7,578,214	
BankUnited Money Market		<u>1,018,242</u>	<u>1,003,381</u>	
		<u>13,383,906</u>	<u>8,581,595</u>	
Total Cash and Investments		<u>\$ 19,819,336</u>	<u>\$ 10,284,946</u>	

Submitted for approval on January 18, 2023

Approved By: _____

(Signature)