

IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT
BOARD OF FIRE COMMISSIONERS MEETING AGENDA

DATE: December 20, 2023

6:00 P.M.

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

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

Opening Prayer and Pledge of Allegiance

Recognitions: Commissioner Andersen advised there are no recognitions at this time.

Adoption of Meeting Agenda, Including Amendments: to approve the agenda with no amendments was made by Commissioner Barbosa, second by Commissioner Andersen.Motions carried.

Approval of Previous Board Meeting Minutes: A motion to approve the minutes of the meeting was made by Commissioner Barbosa with a second by Commissioner Louwers....Motion not carried. Commissioner Walker requests to table the meeting minutes with revisions to add references and activity of Commissioner Louwers explanation, reasons, detail, and content of his motion to remove an agenda item, Commissioner Walkers agenda item.

Statement for the Record: Commissioner Walkers, "Let the record show that I am going to vote no on roll call because the minutes do not reflect total activity of the commission at the beginning of that meeting. And I said what the corrections should be, Mr. Louwers motion, reason for the motion motion, the detail of my, my uh, agenda item."

Maker of motion, Commissioner Barbosa, accepts friendly amendment from Commissioner Walker to table the approval of the meeting minutes for the next meeting. First Barbosa, second Louwers. Vote for tabling approval of minutes until minutes reflect changes and revisit in January`s meeting, five votes aye.

Approval of Financial Report: CFO Winzenread said that the report was previously provided and opened the floor to questions. Chief Financial Officer Winzenread comments on an increase in the money market rate, it is reflected now.

Commissioner Langford made a motion to approve the financial report as presented, with a second by Commissioner Walker....Motion carried.

Chief's Report: Report was as presented, Chief Comer discussed updates to conversations between Iona McGregor Fire District Fort Myers Beach and intent for next months meeting to acquire a joint resolution. Methodology to move forward by conducting a feasibility study for a voluntary merger and possible costs shared between the two districts, 50/50. Commissioner Walker asks a question for which organization has been chosen. Attorney Pringle advises that prequalified expert groups that might be selected, firms that have been recognized as an expert in this field. Part of the first resolution for January will depict the boards of Iona McGregor and Fort Myers Beach will jointly process the selection of a firm. Commissioner Walker asks if Fort Myers Beach has their own Attorney. Attorney Pringle advises yes. Commissioner Walker asks if there will be hassle regarding costs between the two districts. Attorney Pringle advised the current plan is a 50/50 sharing of feasibility study. Commissioner Walker asks a question regarding if legislative approval is required. Attorney Pringle advised there are several steps prior to that point. Commissioner Walker asks for a timeframe. Chief Comer explains at least a year. Attorney Pringle advises that would be a part of a merger plan. Commissioner Walker asks if it would be a special election. Attorney Pringle advises he does not know, it would be a part of a merger plan; and could possibly be set up at different points during referendum. Commissioner Barbosa asks what is Fort Myers Beach milage rate. Chief Comer advises 3.0 for Fort Myers Beach. Public asks question if there will be any public input on a feasibility plan. Attorney Pringle advises there would be a number of public hearings related to the adoption of the merger plan after the feasibility study is done and there won't be any public input on the feasibility study itself. The feasibility study will be presented to the boards and at that time at a public meeting there will be an opportunity at that time for the public to address elements of the feasibility study with the board. Public advises concern over public input. Chief Comer explains that when the district gets to a point where a firm is chosen that they're communicating with stakeholders in the community for feedback. Public advises public would like to be involved. Attorney Pringle advises he understands. Commissioner Barbosa has a question on the Chief's report, regarding Peer Support Team. Chief Comer advises that the district is planning to expand the Peer Support Team. Deputy Chief Aquil elaborates on a retirement proponent and diversity of the Peer Support Team. Commissioner Walker has questions for an annual emergency drill for Shell Pointe. Deputy Chief Aquil explains that Shell Pointe is possibly required to complete an annual emergency drill. Shell Pointe requests participation in their annual emergency drill. Commissioner Walker questioned who makes the topic of the drill. Deputy Chief Aquil advises that they have a meeting with their administrators. Commissioner Walker questioned missing person searches. Deputy Chief Aquil explained a prior urban search and rescue. Commissioner Walker questioned clearing a body of water, pumping a pond. Deputy Chief Aquil advises a pond clearing is not only pumping, it must be searched. Commissioner Langford questioned the car fit. FM Mozes elaborated making sure the seniors are safe by technicians certified through the carpet organization. Public question on EMS/Fire travel times increasing. Chief Comer explained the methodology of response times, and the timeframe for trending back to pre-storm times. Public question to District, what are our national standards and goal to decrease response times? Chief Comer advised the district is accredited and compares to our 90th percentile performance. Public questions how the district compared to 90th percentile. Chief discusses travel components and turnouts in the area with last month's statistics.

Attorney's Report: Attorney Pringle advised he gave comments during the Chief's report.

DVP's 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. Election of Officers

- a. Discussion of agenda item

Attorney Pringle describes a sub section of chapter 191 that says the board of commissioners of the district is annually, does not describe process for you to use when electing officers. It is up to the board's discretion how to elect officers. A Secretary, Treasurer (can be held by the same person), Commission Chair, Vice Chair and Treasurer. Attorney Pringle clarifies that the title changes take effect at the next meeting.

- b. Public input: no public input
- c. Board action

Commissioner Walker makes a motion nominating Mr. Langford to hold the Commission Chair, second by Commissioner Barbosa...motion carried. Commissioner Andersen asked for public input, public advised no. Commissioner Barbosa makes a motion Commissioner Andersen be Vice Chair, second by Commissioner Louwers...motion carried. Commissioner Andersen makes a motion that Commissioner Barbosa be Secretary, second by Commissioner Langford...motion carried. Commissioner Barbosa makes a motion that Commissioner Walker being Treasurer, vote 5-5 aye...motion carried.

2. Fire Prevention Fee Schedule

- a. Discussion of agenda item

Deputy Chief explains the fee schedule being formatted and adding nuisance fee. Commissioner Langford asked if this is after a first or second nuisance call. Deputy Chief Guzman elaborates on methodology for nuisance fee and a policy being created. Commissioner Langford questions food trucks. Fire Marshal Mozes explains that awaiting further direction and will be attending a Lee County Food truck meeting on February 7, 2023. Fire Marshal Mozes advised the District will require an annual gas inspection from a local gas company. Commissioner Langford asks for a time frame on Food Truck inspections. Fire Marshal Mozes advises it is not determined at this time. Deputy Chief Guzman asks if the fee schedule must be adopted through resolution. Attorney Pringle advises yes, there is a resolution provided to the board specific to chapter 191 subsections for the District to adopt certain fees. Attorney Pringle asks Deputy Chief Guzman if he requests to

have the fee schedule take effect now, otherwise it takes effect the day the resolution is adopted. Commissioner Walker proposes an effective date of today and the enforcement is the responsibility of the district. Commissioner Langford discusses the benefits of the further effective date. Deputy Chief Guzman requests a March 1, 2024 effective date, permitting time for new software and other related changes in preparation to applying the fee schedule. Attorney Pringle requests to state the title of the resolution, the resolution of the board of commissioners of Iona McGregor Fire Protection and Rescue Service District, Lee County Florida to establish fees/charges as authorized by Florida law; rescind all resolutions and fees and conflict; to provide for severability; to provide for liberal construction; to provide for scrivener's; to provide for an effective date.

b. Public input: no public input

Commissioner Andersen calls for public input. Public input advises yes and follows with discussion concerning how often the increase has occurred. Commissioner Andersen advises since 2012. Fire Marshal Mozes advises the District has been charging fees for commercial permit inspections. Public asks how the District compares to surrounding districts. Fire Marshal Mozes advises comparability and fairness, based on hourly, in order to recoup costs of the Prevention Division. Public advises agreement with March 1, 2024 effect date for fee schedule. Commissioner Barbosa asks for a resolution number. The resolution number is provided, 2023-04.

c. Board action

Commissioner Walker made a motion in support of the resolution for fee schedule, with a second from Commissioner Barbosa. Commissioner Andersen roll calls, 5-5 vote aye....Motion

Commissioner Comments on Non-Agenda Items: Commissioner Walker questions Chief's Report on Station 72 regarding status. Chief Comer advises for Station 72 January 15th is the anticipated start date. Commissioner Walker inquires explaining problems with permitting. Chief Comer discusses permits relating to gas lines and a commercial application requiring a re-application. Commissioner Walker asks questions regarding changes that have occurred since meeting with building department, continues into discussion regarding Attorney and timelines for construction.

Statement for the record: Commissioner Walker, "Now, I, I just wanna comment uh for the record I as well as the, the fellow commissioners, want those station operating as quickly as possible. But with the due diligence with the tax dollars spent as our responsibility as commissioners. Unfortunately, the prudent person rule was not followed. The attorney advised the commission that they not have to bid the projects for the contract to two separate individuals. One for each contract to two separate individuals. Once for each con, one for each station to prepare plans and estimates without any outside independent professional architectural view of the plans, that's like leaving, uh, chicken coop open for the fox. In other words, the contracts were given a free hand in which I don't understand to design a remodeling project without any oversight as to the construction or structural necessity. In other words, they can put gold plated doorknobs on there and nobody would have caught it, which may have increased the cost and of course, the profit margin, which they said it's ten percent of the total project, which is well over four million dollars, four million dollars, without a bid. In fact, one of the contractors told me that he was told not to bid on the other station. So, there was no competitive bidding. I can go on and on and on. But I, I don't want to put anybody point the finger at anybody, but I think this

whole thing was done hastily and in violation of the commission policy to bid and in violation of state law section statute 287.055 which requires public bidding unless, unless it's an emergency to have something, put, put back in place immediately, not a year and a half later. And then my comments. End of my comments."

Commissioner Anderson asks if there are any other comments on non-business agenda items. No replies.

Adjournment: A motion to adjourn was made by Commissioner Barbosa, with a second by Commissioner WalkerMotion carried

Meeting adjourned at: 7:00 pm

Submitted for approval on January 17, 2023

Approved By: _____



(Signature)

IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT
SUMMARY STATEMENT OF ACTIVITIES - GENERAL FUND
For the Two Months Ended November 30, 2023 (Unaudited)

Revenues	Adopted	Actual	Variance	
	Budget		\$	%
Cash Carry Forward	\$ 13,834,393			
Ad valorem taxes	23,730,327	\$ 5,090,823	\$ (18,639,504)	21.45%
Permits, Fees & Special Assessments	50,000	-	(50,000)	0.00%
Intergovernmental	50,160	97,700	47,540	194.78%
Charges for services	41,500	9,200	(32,300)	22.17%
Interest Check/Demand Accounts	753,000	111,258	(641,742)	14.78%
Miscellaneous	34,916	22,657	(12,259)	64.89%
Proceeds from debt	1,843,520	-	(1,843,520)	0.00%
Total Revenues	26,503,423	5,331,638	(21,171,785)	20.12%
 Total revenues and cash carry forward	 <u>40,337,816</u>			
Expenditures				
Personnel services				
Salaries	12,842,596	1,602,823	11,239,773	12.48%
Benefits	8,029,954	825,578	7,204,376	10.28%
Operating Expenditures				
Professional and contractual	1,017,940	266,304	751,636	26.16%
Travel	147,354	7,813	139,541	5.30%
Communications & freight	124,450	51,138	73,312	41.09%
Utilities, equipment rental, and insurance	417,776	131,632	286,144	31.51%
Repairs and maintenance	1,525,539	86,026	1,439,513	5.64%
Operational, small tools and equipment	557,656	25,564	532,092	4.58%
Fuel, supplies, and administrative	551,417	106,576	444,841	19.33%
Education and training	204,875	18,091	186,784	8.83%
Capital expenditures	5,487,533	109,321	5,378,212	1.99%
Debt service	-	-	-	N/A
Total Expenditures	30,907,090	3,230,867	27,676,223	10.45%
Revenues over/(under) expenditures	<u>(4,403,667)</u>	<u>\$ 2,100,771</u>	<u>\$ 6,504,438</u>	
Fund Balance/Cash Carry Forward	<u>9,430,726</u>			
Total expenditures and reserves	<u>\$ 40,337,816</u>			
		NOVEMBER	OCTOBER	
Cash Balances				
BankUnited - Operating		<u>6,037,817</u>	<u>855,181</u>	
		<u>6,037,817</u>	<u>855,181</u>	
Investments				
General - SBA - Fund A		<u>5,721,667</u>	<u>7,372,713</u>	
BankUnited Money Market		<u>5,065,072</u>	<u>5,042,606</u>	
		<u>10,786,739</u>	<u>12,415,318</u>	
Total Cash and Investments		<u>\$ 16,824,555</u>	<u>\$ 13,270,499</u>	

Submitted for approval on December 20, 2023

Approved By: _____

(Signature)