

**FORT MYERS SHORES FIRE & RESCUE PROTECTION DISTRICT
BOARD OF FIRE COMMISSIONERS
December 20, 2018
MINUTES**

Call Meeting to Order

Commissioner Apperson called the meeting to order at 7:30 p.m. In attendance were Commissioners Ragen, Detzel, Schneider, Kimball and Apperson. Also in attendance were Chief Dowaliby, Attorney Pringle, Deputy Chief Rewis, Chaplain Cords, Administrative Assistant Howard, Chief Brandon Kuhn from Alva Fire Control and several members of the department and public.

Pledge of Allegiance and Moment of Silence followed by a prayer offered by Chaplain Cords

Amendments to the Agenda

1. New Business: Approval for pavers for the front parking area for \$6,164.16. This will give us public parking in front of the gate so we can lock the gate.
2. New Business: Approval to purchase radios for Deputy Chief Fire Marshal Rewis for \$9,726.72.
3. New Business: Approval of Deputy Chief Fire Marshal Rewis' contract.
4. New Business: Approve moving \$500,000.00 back into the CDARS program from the Operating Account.
5. New Business: Approval for Firefighter Janey's bunker gear for \$2,740.00. He was hired after the purchase of gear last year.

Presentations/Awards

Stark Sullen of Stark Sullen Grading will receive a plaque thanking him for removing the tree in front of the station to allow us the space to put in the new parking, but he wasn't able to come to the meeting. If he isn't able to come to a future meeting we will make sure he receives it.

Chief Dowaliby presented a plaque to Chaplain Cords in appreciation of everything Crossroads Baptist Church does for the fire department and the community. They allow us to use their facilities for training, testing and interviews. In January we will do three days of active shooter training there.

Approval of Minutes

The minutes for November 2018 were presented for approval. Commissioner Ragen made a motion to accept the minutes as presented. Commissioner Detzel seconded and the motion passed.

Treasurer's Report

First Bank - General Fund			
Opening Balance	February 1, 2018		\$758,202.27
Credits		\$444,292.73	
Debits		\$288,396.20	
Ending Balance	February 28, 2018		\$914,098.80
First Bank - Impact Fee Fund			
Opening Balance	February 1, 2018		\$655,965.06
Credits		\$404.36	
Debits		\$0	
Ending Balance	February 28, 2018		\$656,369.42
First Bank - CDARS			
4 Week Public Funds CD			\$1,500,000.00
13 Week Public Funds CD			\$2,000,000.00
26 Week Public Funds CD			\$2,000,000.00
Total CDARS			\$5,500,000.00
Total			\$7,070,468.22

Commissioner Detzel made a motion to accept the Treasurer's Report. Commissioner Schneider seconded and the motion passed.

Chief's Report

Happy holidays, Merry Christmas, and Happy New Year to everyone. I hope everyone had a nice Thanksgiving Day holiday. We have been busy around the station. The upstairs remodel work group has had two meetings and the plan is coming together. Call volume hasn't slowed down. We've had some interesting calls and some heart wrenching ones as well. At the meeting I will give a brief synopsis of my report for the sake of time management. If you have any questions, I will be happy to answer them.

Items of Interest

- We have two plaque presentations this month. One is to Crossroads Baptist Church for being a great community partner. The other is to Stark Sullen Grading for removing the tree out in from of the station where we will have new parking spaces.
- A-Shift sent off South Trail Fire Department's (STFD) retiring Captain Griffin with a bang. There will be a picture of what A-Shift did at the meeting. Captain Griffin lives in our district. We received a wonderful phone call from him and a nice email from the Assistant Chief of STFD. There will be copies available at the meeting. It was a nice thing to be a part of!

- DC Rewis' trip to Tallahassee included a picture with the Governor. The picture will be available at the meeting.
- I'd like to thank B-Shift and FF Whatley for helping Commissioner Kimball with his internet issue.
- Volunteer candidate interviews were conducted yesterday.
- We have started the strategic plan.
- We have received a couple of thank you cards this month that will be on the table for you at the meeting.
- The Ameritas plan document has been finalized. I met with Bob Lovell this week.
- I have asked Chief Duncan to help with our effort to contact Paul Martin concerning acquisition for the Station 1 property expansion. He has been unsuccessful so far.
- The new pump for the brush truck has a mid-January delivery schedule.
- I attended the Buckingham Exceptional Student Center annual art show and appreciation lunch. They always speak so highly of our personnel.
- I participated in the Rotary Club turkey dinner delivery. I also participated in the Rotary Club ringing of the bell for the Salvation Army. Both were great events to be part of.
 - I am developing a Rotary Project that will hopefully purchase some much-needed equipment for the students at the Exceptional Center, I will have a short presentation next month.
- A-Shift cleaned out the roots remaining from the tree removal.
- We have some birthdays to celebrate this month: Commissioner Detzel, Commissioner Ragen, Engineer/DVP Washburn, Engineer Mann and Engineer Pledger.

Meetings Attended

- I attended the Lee County Fire Chiefs Association (LCFCA) monthly meeting.
- I attended the LCFCA COPCN Committee meeting.
- I attended the Alva FD monthly commissioners meeting.
- I met with the School Resource Officers at Riverdale High School. We are developing a multi-stage plan for an active shooter. We are planning training for summertime.
- I attended the Arson Task Force meeting today.
- We have met two times for the remodel of the living quarters. Things are moving quickly.
- The Target Solutions rollout is moving slowly but FF Whatley is in contact with them.

Training

- All personnel attended the local Co-Op training at the Fire Academy.
- We are preparing active shooter training at Crossroads Baptist Church for January 29-31.
- I attended two EMT credentialing days at the EOC.
- The next FPL confined space class is set up for Tice FD. We will offer openings to our volunteers and the Alva Fire Department.
- FF Mimbs continues to attend Paramedic school.
- The men continue to train. We have several men working on their Bachelor and Associate degrees.

New Business and Old Business Items at a Glance

- I have not moved forward on getting quotes for the sale of the lots. Mr. Pringle, the staff and I have had some conversation about alternatives we will talk about under old business.
- Lee County Mutual Aid agreement has been signed by all parties and you will vote to approve it at the meeting.
- I would like to see us vote on the MOU with Lee County on the Advanced EMT program. You should have a copy of it from last month's meeting and there will be copies available at the meeting. Our community will benefit from our ability to offer advanced services. The County will have it on the agenda for the second meeting in January.
- However, the COPCN process that affects many fire district and fire departments in our county may hold up the process.
- I would like you to approve Deputy Chief Fire Marshal Rewis' contract. It is enclosed for you to review.
- The rear tires on Engine 82 need to be replaced due to normal wear and tear. The bid is in your packet.
- The front mount nozzle on the brush truck has been repaired a number of times over the years, but last fire season finished it off. With the brush truck being out of service it wasn't an essential replacement. With the new pump arriving in January it is time to replace the unrepairable front mount, remotely operated nozzle. The quote is in your packet.
- We have a bid for updating our phone system. Debbie will talk about it. It is a budgeted item and came in under budget. There is only one bid because we couldn't find another vendor willing to bid our small project. It's not small to us but apparently it is...
- We have secured three bids for the security gate. None of them have come in under budget. I have contacted all three vendors and they are re-bidding for a swing gate vs. a cantilevered gate. I should have the new bids at the meeting.

- We will have the bid for installation of the electric needed for the bunker gear shed, the new vehicle storage shed, and the security gate at the meeting under amendments to the agenda.
- There is a bid for pavers for the new parking area under amendments to the agenda. We were unable to get anyone else to bid the project and the bid is under budget.
- Mr. Pringle will update you on the proposed revision of Chapter 191. There is a group effort of Independent Fire Districts to fund the effort. You will see the cost associated for our part. This could be a tremendous advantage for us if we are given the opportunity to levy a special assessment for things like stations and equipment without having to go to referendum vote.
- There are bids for physicals I would like to get approved so we can keep our February timeframe. There are also physicals for the Commissioners in the bid if you would like to take advantage while we have the company in quarters. We discussed this last year and budgeted for it this year. The bids are exactly the same price but there are some significant distinctions I will address at the meeting.
- There are going to be some changes to financial reporting under GASB in the coming years, as there have been over the past several years. They are currently proposing some changes that will, we believe, negatively impact the use of the financial statements as a planning and budgeting tool. The proposed changes will make the statements much more difficult, if not impossible, for most people to understand. Jeff Tuscan has written a letter for the public comment period explaining why he believes the changes aren't a good idea. We are planning to send a letter of our own.

Commissioner Schneider made a motion to accept the Chief's Report. Commissioner Kimball seconded and the motion passed

Attorney's Report: Attorney Pringle reserved his comments until the agenda items come up for action.

Fire Prevention Division Report

1. Current Construction: Storage King (Route 80 Storage) second building; Sonshine Christian Academy School buildings
2. New Construction: Auto Zone by Dollar General
3. Projects Completed: Verandah River House Phase III, the new bar area; 7-11 Palm Beach Blvd and Davis Blvd
4. Revenues: The Division billed \$340.00 for the month of November.

5. Meetings Attended: Lee County Fire Marshals and Inspectors Association; Lee County Fire Arson Task Force meeting today, which was our Christmas and Awards ceremony. We awarded the Captain Bill Roman from the Bureau of Fire, Arson, Explosion Investigations (State Fire Marshal's Office) with the Fire Investigator of the Year.
6. Prevention Education: Legislative Process for Fire Officials (Tallahassee) December 4th. I attended with the Deputy Fire Marshal Shar Beddow from the Greater Naples Fire Dept. I had the opportunity to meet the Governor. It was really informative and we learned how the legislative process works if, for instance, we need to request a change or addition to the fire code or need a code defined.
7. Inspections: The division completed 19 various fire inspections for the month of November.
8. General Information: The current Volunteers completed their 6-month evaluation and test with great results. We have found a couple of areas that we need to work on improving with the group. We conducted interviews yesterday to fill a couple of vacant spots and they should be starting sometime next month.

Commissioner Ragen made a motion to accept the Prevention Report. Commissioner Detzel seconded and the motion passed.

Public Input on Agenda Items

None

Old Business

1. Discuss options for Lehigh lots.
Chief Dowaliby asked to table this item until next month. Commissioner Detzel made a motion to table and Commissioner Ragen seconded. Motion passed.

New Business

1. Approve quote for replacement of remote control nozzle for brush truck. \$3,103.53.
Commissioner Detzel made a motion to approve the purchase. Commissioner Schneider seconded and the motion passed.
2. Approve continued participation in the Lee County Mutual Aid Agreement.
Commissioner Schneider made the motion. Commissioner Detzel seconded and the motion passed.

3. Renew Target Solutions annual membership and maintenance agreement for \$3,447.00.

Commissioner Ragen made the motion. Commissioner Detzel seconded and the motion passed.

4. Approve annual employee physicals. Physicals for employees will be \$985 each and the basic physical for commissioners, if they wish to participate, will be \$450. We received quotes from Site Med and from the Doctor who worked with Advanced Medical on the physicals last year. The prices are the same but there are advantages to using Doctor Potter over Site Med. Doctor Potter is local and the men prefer him vs. a company that isn't local for follow up. Some of the men have even switched to Dr. Potter as their personal physician because they really liked him. Dr. Potter has also assured us that we will pay him and then his office will deal with any billing issues from anyone he uses for the specialized testing.

Commissioner Schneider made the motion. Commissioner Detzel seconded and the motion passed.

5. Approve replacement rear tires for Engine 82 for \$2,466.51.

Commissioner Ragen made the motion. Commissioner Schneider seconded and the motion passed.

6. Approval for FMSFD contribution for attorney fees for the work on updates to Florida Chapter 191 for \$3,500.00.

Chief Dowaliby asked the board to table this item until we can get become better informed on the subject. He asked Attorney Pringle to talk about the process.

Attorney Pringle: The Florida statute related to Independent Fire Districts, Chapter 191 was adopted in 1997 and has not been significantly amended since then. The most significant change was made a few years ago that enabled an Independent Fire District to collect a non-ad valorem assessment for non-fire related services/rescue services.

The fire districts are independent and as such, they exercise their own authority and are not dependent on the county's authority. However, the county has the authority to levy non-ad valorem assessments without a referendum vote and Independent Special Districts / Fire Districts do not have that authority - in order to levy a non-ad valorem assessment, the Fire Districts would have to call for a referendum vote.

That is a very clear distinction between you and a county or municipality and the funding mechanisms available to you.

The goal is to create a tool for the Independent Fire Districts to levy a non-ad valorem assessment at the Commission level instead of at the voter level, in the same manner that municipalities and counties are able to do that. It wouldn't be mandatory, it would just provide

another tool for the districts. There would most likely need to be some modification of the ad valorem taxing authority if the board chooses to levy a non-ad valorem assessment, meaning that it wouldn't be in addition to the full ad valorem levy, but in place of some portion of it for the period of time that the assessment is in effect. The best argument for assessments is their stability. They don't fluctuate according to property values like ad valorem revenues do – they don't increase like ad valorem but they also don't decrease when property values fall.

There are some other language changes we are looking at but the other significant change we are looking at is some language that will give the districts more control over their ability to provide Basic or Advanced Life Support services. This is a very recent discussion and there isn't any final determination of any proposed changes on this item.

In any effort to amend statutory law, the best way to succeed is for multiple stakeholders to group together. In this case, the more Special Fire Districts that will support the effort, the more likely it will be to pass. The districts can choose to make a statement of support and /or they can contribute to the legal costs involved in the effort at a requested amount of \$3,500.00.

Chief Dowaliby told the board that we will do some calculations to try and have some estimates ready for the board to review next month.

Attorney Pringle gave a brief overview of the way Chapter 191 originally came about, which was primarily by the combined effort of the Lee County Fire Districts. He reviewed the difficulty districts have to increase their millage caps when a referendum is needed and how difficult it can be to provide services when property value and therefore ad valorem revenue is declining. He also noted that the disparity in authority is the real problem. If the counties and municipalities didn't have the authority to levy non-ad valorem assessments without a referendum, therefore putting them on equal footing with the authority of the special districts, there wouldn't be an issue.

After some further discussion, Commissioner Schneider made a motion to table until next month. Commissioner Detzel seconded and the motion passed.

7. Approve upgrades to station phone system for \$2,246.87. This is the capital portion of the upgrade. We will also be purchasing new phones which are budgeted (but not Capital) for \$2,390.56 for 11 phones. Only the Capital portion of the expense needs board approval. The current phone system is outdated and we don't have any option to add features such as voicemail that would be very helpful. We also spend a lot of time and concentration answering scam calls and robocalls which make up a huge portion of the calls we receive every day.

Commissioner Ragen made a motion to approve the upgrade to the phone system for \$2,246.87.

Commissioner Schneider seconded and the motion passed.

8. Approve MOU with Lee County EMS. The County is supposed to vote on this in one of their January meetings and there is a possibility that it will be slowed down on their end by some of the COPCN discussions they are having at this time. However, if we go ahead and vote on it now, we will be ready when it is completed by the County. Mr. Pringle has reviewed the MOU and while there are some items he isn't completely satisfied with, there is a termination clause that will allow us to get out of it if necessary.

This will allow us to move forward with our Credentialed EMT Program and when that is completed we will function as a BLS (Basic Life Support) department with the ability to provide certain medications prior to the arrival of EMS on scene.

Commissioner Kimball asked what the difference is between BLS and ALS (Advanced Life Support) as far as the department is concerned. Chief Dowaliby said that there are 27 ALS medications, BLS has 6 (plus oxygen) and the district would buy and administer those.

This idea started in 2017 when there was a 22 minute response time by EMS to a cardiac arrest. We would like to be able to offer our residents a higher level of care in the time between our arrival and the arrival of an EMS unit and becoming a BLS department would allow us to do that. Commissioner Kimball noted that it isn't as simple as it seems, because of the added cost and responsibility. Commissioner Schneider made a motion to approve the MOU with Lee County EMS and Commissioner Detzel seconded. The motion passed 4-1 with Commissioner Kimball voting no.

9. Approval for pavers for front parking area for \$6,164.16. This is a budgeted item. We have chosen pavers over concrete because they aren't considered permanent so we are able to use the setback getting an additional 3 feet of depth.

Commissioner Ragen made the motion. Commissioner Schneider seconded and the motion passed.

10. Approval of radios for Deputy Chief Fire Marshal Rewis for \$9,726.72. This is a budgeted item and the first of many radio purchases over the next three years as we have to keep our radios compatible with Lee County's system.

Commissioner Schneider made the motion. Commissioner Kimball seconded and the motion passed.

11. Approve moving \$500,000.00 from the operating fund back into the CDARS program. We do this every year after we start receiving our ad valorem revenue.

It was moved out of the CDARS program at the end of fiscal year 2018 in case we needed it in the first three months of the fiscal year but we didn't have to use any of it this year.

Commissioner Ragen made the motion. Commissioner Detzel seconded and the motion passed.

12. Approval to purchase bunker gear for new FF Janey for \$2,740.00.

Commissioner Ragen made the motion. Commissioner Apperson seconded and the motion passed.

13. Approval of Deputy Chief Fire Marshal Rewis' contract.

Attorney Pringle noted that there are a few items that need to be adjusted to stay in compliance with current Florida Statutes. They affect the termination clauses and severance pay limit. The Board had the option to either approve the contract with the changes or have the changes made and the contract returned to them for review to approve next month. Commissioner Ragen requested that the changes be made and brought back to the board next month for approval.

Commissioner Detzel made a motion to table approval of the contract until next month after the required changes are made. Commissioner Kimball seconded and the motion passed.

Public Input on Non-Agenda Items:

None

Union Report:

Firefighter Janey thanked the Board for their support in the remodel process. They have been making progress. There are several guys working on getting their degrees and everyone is training. All three gifts are going to be handing out gifts to kids throughout the District.

Comments from Commissioners:

Everyone is doing a great job – be safe – have a Merry Christmas and Happy New Year – thanks for all you do!

Adjourn

Commissioner Detzel made a motion to adjourn. Commissioner Schneider seconded and the motion passed. Meeting was adjourned at 8:45 p.m.