

**FORT MYERS SHORES FIRE & RESCUE PROTECTION DISTRICT
BOARD OF FIRE COMMISSIONERS
October 17, 2019
MINUTES**

Call Meeting to Order

Commissioner Apperson called the meeting to order at 7:34 p.m. In attendance were Commissioners Ragen, Detzel, Schneider, Kimball, and Apperson. Also in attendance were Chief Dowaliby, Deputy Chief Rewis, Attorney Pringle, Administrative Assistant Howard and Commissioner Crittendon from Alva Fire Dept.

Pledge of Allegiance and Moment of Silence

Amendments to the Agenda

New Business: Remove the old ice machine from the capital assets list and authorize it's disposal.
Item #2014-187-3, \$1,895

Presentations/Awards

None

Approval of Minutes

September 2019: Commissioner Detzel made a motion to accept the minutes as presented.

Commissioner Kimball seconded and the motion passed.

Final Budget Hearing on September 19, 2019: Commissioner Detzel made a motion to accept the minutes as presented. Commissioner Kimball seconded and the motion passed.

Treasurer's Report

First Bank - General Fund			
Opening Balance	September 1, 2019		\$1,484,522.22
Credits		\$5,829.79	
Debits		\$268,973.22	
Ending Balance	September 30, 2019		\$1,221,378.79
First Bank - Impact Fee Fund			
Opening Balance	September 1, 2019		\$890,687.79
Credits		\$549.05	

Debits		\$0	
Ending Balance	September 30, 2019		\$891,236.84
First Bank - CDARS			
4 Week Public Funds CD			\$2,000,000.00
13 Week Public Funds CD			\$2,000,000.00
26 Week Public Funds CD			\$2,000,000.00
Total CDARS			\$6,000,000.00
Total			
			\$8,112,615.63

Commissioner Kimball made a motion to accept the Treasurer’s Report. Commissioner Ragen seconded and the motion passed.

Chief’s Report

The Department sends condolences to Commissioner Kimball and his family on the passing of his wife, may he always have fond memories. I am almost fully recovered from surgery and I look forward to getting back full-time. With the beginning of the fiscal year we are gearing up for a busy year of planning, logistics, and finance. On the horizon we have decisions to make concerning a millage rate increase, property acquisition at FPL for a training facility, property acquisition for Station 1 expansion, Station 2, fleet management considerations, manning, and projections for increased requests for emergency services.

Items of Interest

- Congratulations to Deputy Chief Rewis for completing his probation. We look forward to what the future brings for him.
- Firefighter Bronson Janey also completed his probation period and is officially a member in good standing with the organization.
- We will recognize them with a small ceremony at the November meeting.
- We are moving forward with merging our two properties with the new property we are acquiring from the Verandah. Mr. Pringle is moving forward quickly and will have an update during his report. Our goal is to have all three properties platted as one with new zoning applied.
- Mr. Pringle is working on contract revisions for administrative personnel. He will present them for your review in the coming weeks. He will touch on this during his report.
- We participated in the 2019 Offshore Powerboat race.

- The supplies for the new parking spaces will be delivered Monday and we are waiting for a start date.
- The supplies for the boat lift are being ordered and construction will begin before the new year. We hope it will be started in the second week of December.
- You may have noticed some of our personnel are wearing their ballistic vests while running calls.
- We received the new ice machine.
- We have some birthdays to celebrate this month: FF Peterson; Captain Burrell's son Kyle; Engineer Simmons' daughter Hayden; FF Hunt's son Oakley; FF Whatley's wife Brooke; and Volunteer Gilewski. We hope you had a great day!
- We have some department anniversary dates: Engineer Poulton (12 years); Engineer Simmons (10 years); Engineer Pledger (6 years); FF Mimbs (6 years); FF Whatley (6 years); FF Janey (1 year). Congratulations everyone!
- We also have a couple of wedding anniversary dates: Engineer Mann and his wife Lindsey celebrate 7 years; and Volunteer Vilchez and his wife Laura celebrate 4 years. Congratulations!
- I received a call today from a lady who is interested in purchasing the property we own in Alva. This is one of the lots owned by the old Volunteer organization along with the three lots in Lehigh. Mr. Pringle will have more information on the Volunteers in his report.
- We had a near catastrophic failure of the brush truck. As FF Hunt was parking it after coming back from a call, the front wheel came loose from the axle. When the towing company lifted it to put it on the flatbed, the wheel fell off entirely. We have an estimate for approximately \$2,900 for the repair to the front axle, and we are going to have them look at the two rear axles as well. We don't have a total to get approved yet, but it may be up to \$8,000 or \$9,000 depending on what they find. After just putting over \$17,000 into replacing the pump, that seems like a lot more to put into the truck, but we have to compared that to the cost of a new brush truck and repairing it is still the better option right now.

Meetings Attended

- Lee County Fire Chiefs Association
- Alva Fire Commission Meeting

Training Attended

- Captain Jones and FF Peterson are attending VMR Technician class. In addition to Rope Technician, Confined Space Technician, Trench Rescue Technician, Building Collapse Technician, with this certification they will be designated as USAR Rescue Technicians. They have put in many hours during the past year to obtain this designation.
- We have a fourth member of the Department, FF Janey, who has applied for acceptance to USAR FL Task Force 6.
- FF Mimbs will complete his paramedic program at the end of the month. What a great accomplishment. He deserves recognition for his commitment to success. As we work towards improving emergency medical services to our community, he will be a driving force in training and outcomes.
- The men continue to train. We have several men working on their Bachelor and Associates degrees.

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

Attorney's Report

- Verandah Lot purchase: We have been working with Verandah and the architect (hired by Mr. Pringle) to come up with an outline for the building, which is a little over 11,000 square feet. He believes that we could put up to about a 14,000 square foot building on the site, which gives us some flexibility. The site square footage we originally discussed is sufficient for our needs. The plan is to have all three of the lots merged at the time of the purchase. We will know if the merger of the properties is going to be approved by the time we sign the final documents or we won't complete the purchase. We may have to finalize the sale before the merger is complete, but we will make the purchase conditional on the county's approval. Verandah's attorney has received the notes from our meetings with the engineers and is working on a draft of an agreement. The deed restrictions have been lifted through an agreement with Mr. Baucom and that has been recorded with the county.
- Volunteer non-profit: There are two options to consider for a non-profit organization for the volunteers. The first is to re-activate the old volunteer non-profit with the original name and

officers. There would be a flat fee of \$175 plus \$61.21 per year for each year an annual report was not filed, for a total of about \$1,400.

The other option is to set up a new Florida Non-Profit for the current volunteers. That should cost less than \$500 and take a few months to complete. You would have to use a different corporate name – the current one is Fort Myers Shores Volunteer Fire Company No. 1, of the Fort Myers Shores Fire Department, Inc. Setting up a new Florida Non-Profit is the first step toward setting up a 501(c)(3) so the volunteers can accept tax-deductible contributions. It takes 18 -36 months to complete that process, there is a filing fee, and it is complicated, but we can go ahead with obtaining Florida Non-Profit status first.

Regardless of which process we do for the Florida Non-Profit; we will have to go through the same IRS process to set up a 501(c) (3) because the current volunteer company never had that status. Once you set up a new Non-Profit Corporation through the state of Florida, it will be able to receive the assets (the lots) owned by the former corporation.

The board can take action on this item in Old Business by making a motion to add the item to the agenda.

Commissioner Detzel made a motion to add setting up the Volunteer Non-Profit to the agenda in Old Business. Commissioner Ragen seconded and the motion passed.

- Working on Administration Employment Agreements to bring to the board for approval next month.

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

Fire Prevention Division Report

- Current Construction: Portico Clubhouse
- New Construction: Dental Office at Shops at Verandah
- Projects Completed: Verandah Pet Hospital; Functional Rehab of East Ft. Myers; Larry's Pawn storage overflow unit
- Revenues: The Division billed \$195 for the month: 2 Occupancy Inspections at \$60 each; and 1 Fire Flow Test at \$75 each

- Meetings Attended: Lee County Fire Chiefs Association; Lee County Fire Marshals and Inspectors Association
- Prevention Education: The Art of Reading Body Language
- Inspections: The division completed 12 various fire inspections for the month.
- General Information: Installed two hearing impaired smoke detection devices in the district. Engineer Poulton is now the third Volunteer Coordinator. We have a coordinator on each shift for the volunteers to go to for any questions or concerns.
Volunteer Milana assisted with the Offshore Boat races at Ft. Myers Beach along with Captain Clouse, FF Peterson, and FF Janey on Saturday, October 12th.

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

Public Input on Agenda Items

None

Old Business

1. Discuss Union Contract pay issue: There was some confusion about how to interpret the pay increase in the new contract. We had written it so that the steps would remain but each rank within the steps would receive an additional increase, so they all received 3.5% overall. We also included a provision for the three employees who have topped out in the step plan so they would receive 3.5% in one lump sum after the first of the year.
However, as we began to make the changes to the pay, we realized that the contract was somewhat unfair to those topped out employees in future years. After discussion with the Union, we came to an agreement that we would sign a Memorandum of Understanding effective for this contract year that will replace the steps, the lump sum payments, and all the other pay increases with a simple 3.5% increase. This M.O.U. can be approved by motion without further negotiations because it doesn't change the total pay for anyone. It is an agreement between the Union and the District of the interpretation of the contract. The Union will also have to approve the agreement but the District can approve it now if the Board chooses.

Following some discussion, Commissioner Detzel made a motion to approve the M.O.U. and authorize the Chair to sign it. Commissioner Kimball seconded and the motion passed.

2. Approval to either reinstate the old Volunteer Non-Profit Corporation or start a new Florida Non-Profit for the Volunteers as discussed in Attorney Pringle's report.

Commissioner Ragen made a motion to authorize Mr. Pringle to create a new non-profit for the volunteers. Commissioner Detzel seconded and the motion passed. Motion was amended to authorize the Chief to name the non-profit organization and to choose officers for it.

New Business

1. Declare surplus and authorize disposal of inventory item #2008-148-3, Remote Control Nozzle
The nozzle is out of service and has been replaced. Original cost \$4,600.

Commissioner Schneider made a motion to declare the nozzle surplus. Commissioner Kimball seconded and the motion passed.

2. Declare surplus and authorize disposal of inventory item #2014-187-3, Ice Machine, which is out of service and has been replaced. Original cost \$1,895.00.

Commissioner Ragen made a motion to declare the ice machine surplus. Commissioner Kimball seconded and the motion passed.

Commissioner Ragen made a motion to authorize disposal of both items by the Chief or his designee, as required under Florida Statute 274.06. Commissioner Schneider seconded and the motion passed.

3. Renew Maintenance and Air Analysis Program with Breathing Air Systems. This system tests the air being put in the SCBA's. Total annual cost is \$1,129.75 for the preventive maintenance, which is an increase of \$29.05 over last year.

Commissioner Schneider made a motion to renew the maintenance agreement with Breathing Air Systems. Commissioner Detzel seconded and the motion passed.

4. Discuss the "Call to Action" clean water initiative letter of support requested by Fort Myers Beach Fire Department's Board of Fire Commissioners.

Commissioner Detzel made a motion to support the clean water initiative as requested.

Commissioner Schneider seconded and the motion passed. Motion was amended to authorize the Chair to sign the letter when we receive it.

Public Input on Non-Agenda Items:

None

Union Report:

DVP Washburn thanked the Commissioners for their support through negotiations and for the M.O.U. to clarify the pay article.

Comments from Commissioners:

Commissioner Ragen said the crew responded to a vehicle fire at his neighbor's house and they did a great job.

Commissioner Detzel requested that we get new photos done. Chief Dowaliby told him that we talked about that today and we are moving forward with it.

Chief Dowaliby let everyone know that we are going to have the banquet on January 4, 2020. We will get complete information to everyone soon.

The other commissioners thanked everyone for their hard work.

Adjourn

Commissioner Detzel made a motion to adjourn. Commissioner Kimball seconded and the motion passed. Meeting was adjourned at 8:34 p.m.