

**FORT MYERS SHORES FIRE & RESCUE PROTECTION DISTRICT  
BOARD OF FIRE COMMISSIONERS  
November 21, 2019  
MINUTES**

**Call Meeting to Order**

Commissioner Apperson called the meeting to order at 7:30 p.m. In attendance were Commissioners Apperson, Kimball, Schneider, and Ragen. Commissioner Detzel arrived at 7:32 p.m. Also in attendance were Chief Dowaliby, Deputy Chief/Fire Marshal Rewis, Attorney Pringle, Administrative Assistant Howard, Chaplain Cords, Alva Commissioner Crittendon and members of the department.

**Pledge of Allegiance and Moment of Silence**

**Prayer – Chaplain Cords**

**Amendments to the Agenda**

Old Business: We would like approval to move forward with preliminary site plans for the FPL property.

**Presentations/Awards**

Deputy Chief Rewis was awarded the Fire Investigator of the Year by the Lee County Fire Arson Task Force. Congratulations!

**Approval of Minutes**

The minutes for October 2019 were presented for approval. Commissioner Kimball made a motion to accept the minutes as presented. Commissioner Schneider seconded and the motion passed.

**Treasurer’s Report**

<b>Opening Balance</b>	<b>October 1, 2019</b>		<b>\$1,221,378.79</b>
<b>Credits</b>		<b>\$38,182.78</b>	
<b>Debits</b>		<b>\$299,446.46</b>	
<b>Ending Balance</b>	<b>October 31, 2019</b>		<b>\$960,115.11</b>

<b>Opening Balance</b>	<b>October 1, 2019</b>		<b>\$891,236.84</b>
<b>Credits</b>		<b>\$66,787.05</b>	
<b>Debits</b>		<b>\$0</b>	
<b>Ending Balance</b>	<b>October 31,2019</b>		<b>\$958,023.89</b>
<b>4 Week Public Funds CD</b>			
			<b>\$2,000,000.00</b>
<b>13 Week Public Funds CD</b>			
			<b>\$2,000,000.00</b>
<b>26 Week Public Funds CD</b>			
			<b>\$2,000,000.00</b>
<b>Total CDARS</b>			
			<b>\$6,000,000.00</b>
<b>Total</b>			<b>\$7,918,139.00</b>

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

### **Chief’s Report**

I hope everyone is getting geared up for the holiday season. My knee is improving but I still have a ways to go. I talked about a proposed millage increase to the East Fort Myers Rotary Club and to the River Hall HOA. The feedback was mixed but mostly positive.

### **Items of Interest**

- We have an agenda item to add concerning the FPL property. For them to approve the site for a training facility, we need to provide them a plan of what we’re going to put on the site. This will require an architect and a site development partner. I will ask Mr. Pringle to discuss this in hopes of getting approval to move forward.
- Congratulations to DC Rewis for being awarded the 2019 Arson Task Force Investigator of the Year!!
- I would like to thank Captain Jones and his crew for attending the Buckingham Exceptional Student Center (BESC) event with DC Rewis and me.
- I would like to thank Debbie and Bobby for attending the BESC Volunteer luncheon.
- We continue to move forward with merging our two properties with the new property we are acquiring from the Verandah. Mr. Pringle will have an update during his report. Our goal is to have all three properties platted as one with new zoning applied.
- Our boat lift permit has been sent to the Army Corps of Engineers for approval. This may take more time than expected.

- R. Pringle has completed the contract revisions for administrative personnel. He will present them for your review.
- The pavers for the new parking lot have been installed and the parking area is functional.
- The new ice machine worked out great during our weeklong training at FPL two weeks ago.
- There will be an additional repair fee for the Brush Truck. If we have the exact amount by the meeting, I will ask you for approval.
- We have some birthdays to celebrate this month; Engineer Mann's wife Lindsey, Engineer Mann's daughter Dakota, FF Gee's son Layne, Engineer Pledger's son Ty, and Volunteer Vilchez. We hope you had a great day!
- We have two wedding anniversaries; Engineer Poulton and his wife Andrea, and AA Howard and her husband Dave. Congratulations!
- We have some department anniversary dates; Engineer Mann (14 years), Debbie Howard (14 years), Commissioner Apperson (21 years), Commissioner Detzel (19 years), Commissioner Schneider (3 years). Congratulations everyone!
- Volunteer Muchler and his wife had a baby girl named Evangeline.
- Our annual awards banquet will be held January 4<sup>th</sup> at Captain Clouse's house. It will start between 1:00 and 2:00 pm.

### **Meetings Attended**

- Lee County Fire Chiefs Association
- Met with Dr. Rodi
- Johnson Engineering, Mr. Pringle, and his architect concerning the Verandah property acquisition
- River Hall HOA
- CERT class at NFM Library

### **Training Attended**

- National Rescue Consultants conducted a 40-hour Rope Technician class at FPL.
- FF Mimbs is studying for his upcoming paramedic state/national exam.
- The men continue to train. We have several men working on their Bachelor and Associate degrees.

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

### **Attorney's Report**

- Will discuss items as they come up.

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

### **Fire Prevention Division Report**

- Current Construction: Portico Clubhouse
- New Construction: None to report
- Projects Completed: Dental Office at the Shops of Verandah
- Revenues: The Division billed \$225.00 for the month; 1 Occupancy Inspection - \$75.00 and 2 Fire Flow Test - \$75.00 each
- Meetings Attended: Lee County Fire Chiefs Association; Lee County Fire Marshal's and Inspector's Association; Lee County Fire Arson Task Force
- Prevention Education: Rope Rescue Technician Class
- Inspections: The division completed 30 various fire inspections for the month.
- General Information:

Installed the second Hearing Impaired Smoke Detection Device in the District.

Attended the Friends of Okeechobee Waterway 1<sup>st</sup> Annual Trunk or Treat at the Franklin Locks with A-Shift.

The Volunteers had their bi-monthly meeting and training. We trained on forcible entry and radio communications. I would like to thank the Volunteer Coordinators for their assistance, especially Engineer Poulton. This was his first meeting and he has really gotten involved and has been a great asset to the Volunteer program.

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

## Public Input on Agenda Items

None

## Old Business

### 1. Administrative Employee Agreements:

- a. Chief – First Addendum increases Chief’s vacation payout to 500 hours, which is in line with the other administrative personnel. It also adds one Holiday, Patriots’ Day, adds one week of vacation for a total of 280 hours. The last addition is a VEBA clause, allowing participation in a VEBA if the District sets one up. A VEBA is a trust set up to fund Post Employment Benefits for the employees. There is also some language that cleans up the uniform provision but doesn’t add anything to it.

Commissioner Kimball made a motion to approve the First Addendum to the Chief’s Employment Agreement. Commissioner Ragen Seconded and the motion passed.

- b. Deputy Chief/Fire Marshal Rewis – First Addendum reflects his salary increase which was already approved in the budget. It also replaces Columbus Day with Martin Luther King Day and adds Patriots Day as a holiday, which brings is in line with the other employment agreements and the union contract.

Commissioner Kimball made a motion to approve the First Addendum to the Deputy Chief/Fire Marshal’s Employment Agreement. Commissioner Schneider seconded and the motion passed.

- c. Administrative Assistant Howard – Employment Agreement renewal through September 30, 2023: The changes are not excessive – the vacation leave hours max paid at termination are 500 as they are on the Chiefs. Any hours over that left at termination would expire. The salary is as stated in the approved budget. There is some cleanup language throughout. The bereavement provision has been changed to make it consistent with the other administrative agreements by increasing it to 10 days. There is one extra week of vacation added.

Commissioner Kimball made a motion to approve the Administrative Assistant’s Employment Agreement renewal. Commissioner Schneider seconded and the motion passed.

2. Authorize moving forward with preliminary site planning for the FPL training facility with a cap of \$20,000.00. FPL has requested a site plan showing the facility we want to build and how we want to put it on the property. We will eventually want to put in a training tower, a burn area, a training room.

After some discussion Commissioner Schneider made a motion to approve the preliminary site planning. with an architect Mr. Pringle will employ, at a cost not-to-exceed \$20,000.00.

Commissioner Kimball seconded and the motion passed.

### **New Business**

1. Renew the Cooperative Equipment Loan Agreement with Florida Forest Service for the Brush Truck.

Commissioner Schneider made a motion to approve renewing the agreement. Commissioner Detzel seconded and the motion passed.

2. Medical Director contract with Dr. Rodi. He is going to work with Pine Island, Bayshore, and Ft. Myers Shores for a total of \$500.00.

Commissioner Schneider made a motion to approve having Mr. Pringle draw up the contract. Commissioner Detzel seconded and the motion passed.

Commissioner Detzel made a motion to authorize the Chair to sign the agreement when it is completed. Commissioner Kimball seconded and the motion passed.

3. Insurance Policy for Cancer Presumption Law, which went into effect July 1, 2019. The law states that Firefighters who contract one of the 21 types of cancer listed, are presumed to have become ill as a result of their employment. The statute provides for several benefits to the employee as an alternative to pursuing workers' compensation benefits. The firefighter must have "been employed by his or her employer for at least 5 continuous years, not used tobacco for at least 5 years, and not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer". It also applies to retirees who are on the employers' health insurance for 10 years after retirement, as long as the other criteria are met and they don't work subsequently as a firefighter. We have set aside \$50,000.00 in reserves to cover the out-of-pocket costs, but we would like to have an insurance policy to cover the initial diagnosis so we don't have to keep that in reserves for all of our employees.

The benefits are: \$25,000.00 lump sum payment upon first diagnosis and the employer is required to reimburse the employee for all out of pocket deductibles, copays, or coinsurance costs incurred due to the treatment of cancer.

We have been looking for insurance plans since the statute went into effect. We have two options at this time and will continue to work to get other quotes for next fiscal year. The current quotes are from AFLAC and VFIS and we will continue working to get quotes from Florida League of Cities and Aetna.

The AFLAC plan covers the \$25,000.00 initial diagnosis benefit and it will cover separate diagnosis also, as long as they are at least 6 months apart. The cost of that plan is estimated to be \$166 per person, per year. However, they are still working to roll out the final version of the plan and I haven't received any information on the date that will be finished.

The VFIS plan is slightly more expensive and it only covers a single diagnosis, no matter how far apart they are. It does provide a death benefit of \$75,000.00. That plan is finalized and can be effective as soon as we approve it for a total of \$4,318.00. We budgeted \$4,800.00.

Commissioner Schneider made a motion to approve the VFIS Policy for this year. Commissioner Kimball seconded and the motion passed.

4. Authorization to write a letter requesting Lee County allow the District's employees to participate in the Flexible Spending Account offered through our health insurance beginning January 1, 2021. There is no cost to the District to participate.

Commissioner Schneider made a motion to approve participating in the Flexible Spending Account beginning January 1, 2021. Commissioner Detzel seconded and the motion passed.

**Public Input on Non-Agenda Items:**

None

Attorney Pringle asked to reopen his report so he could give an update on the Verandah property. He and the Chief have met with Johnson Engineering and the architect, Albert Dambrose who has been contracted by Mr. Pringle. At the end of the conversation, we generally agreed on how we want to proceed with separating the land that the District is interested in purchasing from the rest of the Verandah property. They asked for a few additional things which we have provided. We are going to proceed with a plat amendment which will add the current station lot to the rest of the sub-division and then plat the new piece with the separate lot the District already owns. We recommend keeping

the current lot as one piece and the secondary lot plus the new piece as another piece. If necessary in the future, the District could merge the two lots, but there may be some advantage to keeping them separate for now. It is easier to merge them than to separate them.

Chaplain Cords thanked the Commissioners for allowing him to miss the last two meetings while he was on a missionary trip to the Bahamas for hurricane relief.

**Union Report:**

None

**Comments from Commissioners:**

Thanks to everyone and stay safe! Thanks for the new chairs!

**Adjourn**

Commissioner Detzel made a motion to adjourn. Commissioner Schneider seconded and the motion passed. Meeting was adjourned at 8:29 p.m.