

**Immokalee Fire Control Board  
Regular Monthly Meeting  
August 19, 2010**

The meeting was called to order by Chairman Lee at 7:00 PM. Present were Chairman Lee, Commissioners Terrie Aviles, Pam Brown, Joe Matthews and Edward Olesky, Fire Chief Scott Birge, Deputy Chief Raul Dimas, Jr., Ann Carver, Chelsea Crain, Union President Tom Cunningham, firefighters and members of the public. The pledge of allegiance was led by Chairman Lee followed by the silent prayer.

**These Minutes are a summary of the meeting. Any further information can be obtained by the tape.**

**Approval of the Agenda:** Commissioner Matthews made a motion to accept the Agenda if number four of the Consent Agenda is moved under New Business for discussion. Commissioner Aviles seconded the motion. Commissioners Aviles, Brown, Lee and Matthews voted yes. Commissioner Olesky voted no. Motion carried.

**Approval of the May 20, 2010 Minutes:** Commissioner Aviles made a motion to accept the minutes. Commissioner Matthews seconded the motion with a change of wording from saying "Commissioner Matthews asked how *they* went from wanted to ask the Seminoles for several hundred thousand dollars to thirty four thousand dollars." to "Commissioner Matthews asked how *we* went from wanted to ask the Seminoles for several hundred thousand dollars to thirty four thousand dollars." The motion was called into question. The vote was unanimous. Motion carried.

**Treasurer's Report:**  
**Money Market:** \$976,836.54  
**Impact Fee Account:** \$1,487,416.86  
**Cash/Operating Account:** \$257,950.23

**Consent Agenda:** Commissioner Aviles made a motion to accept the Consent Agenda with previous amendments. Commissioner Matthews seconded the motion. It was a unanimous vote. Motion carried.

**Old Business**

- 1. Seminole Tribe Fire proposal for 2010/2011 Contract:** Commissioner Brown stated her intention is to send the Seminoles a bill, but inform them that we do not accept just the cost of living increase and would like to study further for this next year. Commissioner Lee said he would like to contact an attorney to find out if they are breaching anything by accepting the money the Seminoles are offering. Commissioner Aviles responded by saying she would be against contacting an attorney due to the current negotiations being friendly in nature and getting an attorney involved may upset the process and lead us down a path we would not like to go. Commissioner Brown stated that she agrees the Department needs to bill the Seminoles for the amount that has been billed in the past and also negotiate a new contract. Commissioner Olesky stated that the Board should have accepted the contract that was proposed from the previous meeting. Commissioner Brown stated that if we had accepted the contract we would be locked in for 2011 at that price. Commissioner Aviles stated that if the Board gives the Chief direction to go after the money it would make the Board look bad. Commissioner Brown asked Chief Birge if there had been any more contact with the Seminoles. Chief Birge informed the Board that there has not been any further contact. He suggested with the Board to set a time

frame for the contract. Commissioner Aviles stated that at the last meeting there were several ideas to come up with an amount to suggest to the Seminoles and after having a month to think about it they should set a number to give for the contract. Commissioner Brown asked if they had any research available to aid in process of producing an amount. Chief Birge stated that he has collected some figures. Commissioner Brown made a motion to move forward with the Seminole Tribe of Florida and to come up with a contract for the services we provide them from the Immokalee Fire Department. Commissioner Olesky said he would join that motion if they received the \$35,000 that is currently owed to us. Commissioner Aviles seconded the motion for discussion. Commissioner Matthews said he will not support a motion without clear direction and a dollar value. Commissioner Brown amended her motion to work on some numbers from the research from the property value of the serviced Seminole reservation taken from the property appraisers and report back to the next meeting for further negotiations. Commissioner Aviles amended her second. Commissioner Matthews stated the motion still did not give a dollar amount. Commissioner Aviles calculated the cost of two (2) men manning a truck, the cost of a truck, and the equipment to fit the truck and came up with an estimated \$668,000. Union President Tom Cunningham informed the Board that the other fire departments servicing the Seminoles receive between \$150,000 and \$300,000. Commissioner Olesky recommended taking the \$35,000 and from there suggest another number for the contract. Commissioner Lee asked if the Department was obligated to run calls on the reservation without a contract. Chief Birge stated that when medical personnel received their EMT license they are obligated to help with any incident. He said that morally they would and speaking on behalf of the Immokalee Fire Department he would not want to go on the public relations side defending why they did not respond to the call on the reservation. Commissioner Brown stated that the Board needs to look into all of the contracts that the Department has and also look into negotiation contracts with non-profits in Immokalee. Commissioner Aviles said that she would resign from the Board if they did not respond to a call regardless of being paid. The motion was called into question. Commissioner Aviles, Olesky and Matthews voted no. Commissioner Brown and Lee voted yes. Motion failed. Commissioner Matthews made a motion to start negotiation with \$250,000 and being within the next sixty (60) days. Commissioner Lee seconded the motion. Commissioner Aviles said she would agree to that motion if they accepted the money that is owed to them. The motion was called into question. Commissioner Matthews voted yes. Commissioners Aviles, Brown, Lee and Olesky voted no. Motion failed. Commissioner Olesky made a motion to collect the \$35,000 and let Chief Birge negotiate a higher price. He also stated that he wants to get the money that is owed to us. Commissioner Aviles seconded the motion for discussion. Union President Tom Cunningham stated that the letter rejecting the offer the Seminoles made has already been sent and it makes the Department look weak and puts the Chief in an awkward position and the Board in an even worse light. Commissioner Brown informed the Board that at the last Board meeting a motion was made to look at the numbers from the property appraiser's office using the three (3) mil for the next meeting. The motion was called into question. Commissioner Olesky voted yes. Commissioners Aviles, Brown, Lee and Matthews voted no. Motion failed. Commissioner Aviles made a motion to have the Chief work on the numbers and have it to the Commissioners as soon as possible so for the next meeting they will have some idea of what to ask for. Commissioner Brown seconded the motion. Commissioner Aviles stated that a proposal will not be sent to the Seminole Tribe without review and approval of the Board. The motion was called into question. The vote was unanimous. Motion carried.

2. **Update on the Union Contract Negotiations:** Commissioner Aviles made the motion to approve the Union Contract as it was presented. Commissioner Olesky seconded the motion. Commissioner Lee stated that he has not had the opportunity to review it and the Chief is responsible for the faults, if any, with the contract. The motion was called into question. Commissioners Aviles, Brown and Olesky voted yes. Commissioners Lee and Matthews voted no. Motion carried.
  
3. **September 15<sup>th</sup> Board Meeting and Budget Hearing:** The September Board meeting was set to take place in Ave Maria however; Chief Birge stated that there has been a scheduling issue with Ave Maria and technical issues with the property appraiser's office so the meeting will take place at Station 30. Chief Birge requested that the Board make the October meeting take place in Ave Maria. Commissioner Aviles made a motion to have the October Board Meeting held in Ave Maria and schedule a meeting there every six (6) months. Commissioner Matthews seconded the motion. The motion was called into question. The vote was unanimous. Motion carried.

#### **New Business**

1. **Grant Report:** Chief Birge gave the Board a report explaining certain grants that the Department has received and are currently working on. He explained the grant issued from the Department of Forestry for the brush truck and brush gear and informed the Board that the SAFER grant is now opened and the department will be pursuing it.
2. **Direction for Fire Code Official's Office:** Chief Birge informed the Board that during the Steering Committee Meeting in July there was discussion about the Fire Code Officials office and where they are now with the construction of their building. Chief Metzger of the Golden Gate Fire Department has suggested that they dissolve the Fire Code Officials Office and turn the function back over to the Fire Departments. Chief Birge asked the Board's opinion about the Fire Code Officials Office pursuing their new building. Commissioner Matthews stated that it would depend on the Immokalee Fire Departments ability to fund the Fire Code Officials office by itself. Commissioner Matthews made a motion to continue supporting the Fire Code Officials Office and their function in the District. Commissioner Brown seconded the motion. The motion was called into question. The vote was unanimous. Motion carried.
3. **Permission to remove from inventory and possibly donate computers:** Commissioner Matthews made a motion to remove from inventory and possibly donate the computers. Commissioner Aviles seconded the motion. Commissioner Brown stated that if the computers are donated she would like to see it in the newspapers. The motion was called into question. The vote was unanimous. Motion carried.
4. **Commissioner Travel Discussion:** Commissioner Olesky stated that he noticed that several Commissioners have gone to different meetings. He expressed his gratitude that they attended and brought back valuable information however; in the future he would like for the Board members to do it on their own expense. Commissioner Brown disagreed pointing out that there is a Florida Statute supporting their attendance and stated that it's very important that if a Board member wants to attend a meeting to further their knowledge on District related issues they should be able to. Commissioner Matthews made a motion that consistent with state law that they continue to reimburse monies spent on Board or District related conferences, etc. Commissioner Brown seconded the motion. Union President Tom Cunningham stated that in the

Union Contract there was a limit set to how much money can be spent on travel and suggested the Board set something similar for themselves. Chief Birge stated to the Board that although there is a state law concerning travel reimbursement it is up to the Board to be able to apply a policy. He also informed the Board that the Auditors have recommended the Board create a Board Policy Manual. Commissioner Aviles stated that she had recently attended a conference which she found extremely informative and educational and if she had not been reimbursed she would not have been able to attend. The motion was called into question. Commissioners Aviles, Brown, Lee and Matthews voted yes. Commissioner Olesky voted no. Motion carried.

**5. Vehicle Equipment Request:** Commissioner Matthews made a motion to purchase the vehicle equipment requested. Commissioner Aviles seconded the motion. The motion was brought into question. The vote was unanimous. Motion carried.

**6. Topics initiated by Commissioners:** Commissioner Brown asked that on the next meeting Agenda that a policy is made to have any maintenance work completed for the District is done by someone locally.

**7. Public Comment:** No public comment was made.

**Adjourn:** Commissioner Olesky made a motion to adjourn the meeting. Commissioner Aviles seconded that motion. The vote was unanimous. Motion carried.