

**Immokalee Fire Control Board
Regular Monthly Meeting
July 20, 2011
(Moved from regular date of July 21, 2011)**

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

Regular Meeting called to order by Commissioner Pam Brown at 7:00 PM. All Board of Fire Commissioners were present; Commissioners Brown, Matthews, Keen, Morgan and Olesky. Also present were Deputy Chief Raul Dimas, Fire Marshal Leo Rodgers, Administrative Assistant Ann Carver, Union President Tom Cunningham, Chris Dowaliby, Board Attorney Kenneth Thompson, Auditor Jeff Tuscan, Jason Burr, Firefighters and members of the Public. The Pledge of Allegiance was led by Commissioner Brown, followed by a Moment of Silence.

Approval of Agenda: Commissioner Brown asked if there were any changes to the agenda. No changes requested.

Motion to Approve the Agenda was made by Commissioner Matthews and Seconded by Commissioner Brown. Motion carried unanimously.

Approval of the June 16 Minutes: It was noted the prior month minutes notes left the second of a motion for the approval of the agenda blank due to the difficulty in understand the recording. Commissioner Brown did not see as a problem since it is noted all were in favor of the motion.

Motion to Approve the Minutes was made by Commissioner Matthews and seconded by Commissioner Brown . Motion carried unanimously.

Treasurer's Report; all Commissioners received the Treasurer's Report, a discussion covering the report will be addressed with the Budget.

Consent Agenda:

- i. Deputy Chief Operation Report**
- ii. Fire Marshal Report**

Motion to Approve the Consent Agenda was made by Commissioner Matthews and seconded by Commissioner Brown . Motion carried unanimously.

Union Report: Tom Cunningham of local Union presented a gift to Terry Heath for years of service. Terry Heath retired from the department in June. A meeting was held with negotiator Dowaliby for

contract negotiations, concerning article 28; the staffing of volunteers. All other issues currently status quo.

Old Business:

1. Seminole Tribe of Florida – Discussion with Chief DiPetrillo and Chief Financial Officer Jim Riecker and Jerry Wheeler. The Immokalee Fire Control District Board had hoped to receive \$250,000.00 a year from the Seminole Tribe and Negotiator Chris Dowaliby made a request for the Seminole Tribe to provide Firefighters and their benefits to IFD in lieu of any payments this would cost around \$360,000.00. After a brief discussion, Jerry Wheeler, PSC of the Seminole Tribe explained the liability risk of providing firefighters is too great a risk for them to take. As far as annual payments; Collier County EMS currently provides medical services, and the average number of fire calls provided by IFD to residential and commercial locations for the Tribe are currently eight calls per year. He does not believe he could present to his Council that the eight fire calls IFD ran in the last year warrants a price tag of \$250,000.00. He also stated there is no foreseen construction of casino expansion or a hotel within the next five years or more. Commissioner Matthews asked at what price they would be willing to start negotiations. He suggested half the figure of \$250,000 and negotiated to \$125,000. Both parties agreed that IFD would continue to provide fire/rescue service for the Seminole Tribe at a rate of \$125,000 per year, with a five year contract, at an increase of 3% per year. This Contract is to become effective for the 2011-2012 Fiscal Year, with the first payment being due November 1, 2011. This verbal agreement needs to be drafted and reviewed by the attorneys on both sides, approved by the Tribal Council at the August meeting and sent to IFD for final approval at August 18 meeting.

Motion to accept the offer to provide service to the Seminole Tribe of Florida in the Immokalee Fire District area with the above mentioned agreements was made by Commissioner Olesky, seconded by Commissioner Matthews.. Motion carried unanimously.

2. Set Proposed Millage Rate – new presentation format of the budget was presented to the Board. The millage rate the past two years has been 3.00 mils. The preliminary budget presented was created from impact fees and budget concepts based on the established maximum of 3.0 mils.

Motions to Accept the Impact Fee Budget and to set the Millage rate at 3.0 mils were made by Commissioner Matthews and seconded by Commissioner Morgan. (Noise on recording) Motion carried unanimously.

3. Set Tentative Budget Hearing Date – After a review of Collier County School meetings and Board members calendars the date of September 7th at 6:00PM was set for the Final Budget Hearing.

4. Opening Station 31 – Union Negotiation – Chris Dowaliby met with the Union this evening for an executive session. The Union is in agreement with the Board on opening Station 31 and utilizing a volunteer program. The one concern in getting the program started would be the level of staffing. The Staff has requested of the Board a temporary agreement that one man could staff a vehicle in case of emergency, i.e.: someone calls in and it takes several hours to get a replacement. Tom Cunningham and Commissioner Olesky did not like the idea of ever having just one person per vehicle- too much liability.

The Union asked for a recess to discuss their options. They meet outside the meeting while the agenda continued, the Board will re-address later in the meeting.

5. Fire Marshal Position Update with Proposed Rate Structure – Mr. Dowaliby noted the current budget covers the Fire Marshal Position, and shows the proposed rate structure for fire inspections. Through MOU's either with Big Corkscrew or the Seminole Tribe FM Rodgers should have assistance with fire inspections; new construction. The proposed rate structure would impose a minimum \$75.00 fee per inspection of existing commercial accounts. The data base currently has 735 businesses, providing a minimum of \$55,125 per year in fee collections.

Motion to Adopt Resolution 2001-70.3 to impose a fire inspection fee of \$75 (minimum, according to the square footage) was made by Commissioner Matthews, seconded by Commissioner Morgan. Motion carried unanimously.

Motion to Activate Resolution 2001-70.3 after posting in the paper to all businesses in Immokalee Fire District beginning on September 1, 2011 made by Commissioner Matthews. Motion seconded by Commissioner Olesky. Motion carried unanimously

Motion to have Fire Marshal Leo Rodger remain of staff for a probationary period of 120 days at IFD after implementing the fee structure was made by Commissioner Olesky, seconded by Commissioner Morgan. Motion passed with 4 ayes and 1 nay (Commissioner Matthews).

6. MOU's with BCIFR or Alternatives- Mr. Dowaliby addressed the Board in the options they have for providing IFD with a Chief, either part time, full time or assisted through an MOU. Chief Greenberg of Big Corkscrew presented the Board with the MOU's drafts for the mechanic, inspector, and administrative leadership for review. Attorney Ken Thompson made a few suggestions in language changes, which will be discussed with the Big Corkscrew attorney. Both Commissioners Matthews and Brown voiced their preference to have a Fire Chief, at least part time, for Immokalee. Three people from the audience addressed the Board as candidates for the Chiefs position: Jim Bradford formally of Fort Myers Beach, Paul Anderson formally of Clermont, and Vaughn Paulmateer of Naples. Chris Dowaliby is not interested in the position for \$60,000 per year. Deputy Chief Dimas is returning to the line as a Lieutenant (after completing physical).

Commissioner Keen made a motion to hire Jim Bradford for 60 days as Chief of IDF, seconded by Commissioner Matthews. Motion denied with 2 ayes and 3 nays in vote.

7. Union Negotiations Continued... Tom Cunningham, Union President, addressed the Board with a reply to the question of retaining Deputy Chief Dimas longer than the July 15 deadline by requesting the approval to hire one base salary Firefighter. Staffing levels are not being filled with DC Dimas unavailable and one work compensation employee out. After a discussion outside the building Mr. Cunningham said they do not object to opening Station 31, or using volunteers. However, according to the contract there are minimum staffing levels, and one person per vehicle is unsafe and against the

contract language. They are agreeable to continuing to establish the volunteer program in hopes of staffing station 31, but would like to table the issue for the next 30 days, until the next Board meeting.

Commissioner Matthews made a motion to continue with the previous agreement and return Deputy Chief Dimas to Operations (line) on July 15. After a brief discussion, the motion was retracted.

Commissioner Olesky made a motion to a temporary MOU in regards to station 31 opening until attorneys on both staff and union sides can review, make changes and agree to a long term MOU. This process should be done and ready for presentation at the next regular board meeting. Motion seconded by Commissioner Brown. Motion carried unanimously.

8. Millage Proposal 3.75 – Attorney Ken Thompson shared with the Board the regulations to draft a referendum for a millage increase to 3.75 mils on the 2012 ballot. The language needs to be into the office of elections by October 15, 2011 and needs to be in both English and Spanish, and define the last referendum date (2002). The Board asked Mr. Thompson to revise the language and meet the other regulations and return with a copy ready to go at the next regular board meeting. Commissioner Brown suggested if the Board agrees with the referendum language next month they go ahead and file instead of waiting until the last minute in October. Attorney Thompson agreed to provide the documents for the next meeting.

9. Fire Chief Job Description was tabled until a later date. Mr. Dowaliby suggested item 6 be revisited since Chief Dimas will possibly be returning to the line on July 29th. Commissioner Brown asked Chief Greenberg if she would be agreeable to assist with Administration duties for the next month. Chief Greenberg agreed.

Commissioner Olesky made a motion to retain the assistance of Chief Greenberg to the Administrative Staff for the month of August. Motion seconded by Commissioner Brown. Motion carried unanimously. Attorney Thompson clarified the motion to enter into the temporary agreement with BCIFR to assist with Admin duties for a period of 30 days at a cost of \$5,000.

A blank spot in the recording – started back with a motion on the floor by unknown Commissioner to implement the reduction in pay for Fire Marshal Rodgers, to start on next pay period of 7/24/11. Motion seconded, and agreed by all. Motion carried.

New Business:

1. Approval to Purchase Foam from Elite – Chief Dimas brought to the Boards attention that they need to purchase foam for the trucks, he offered three options, by the bucket, a half pallet, and a full pallet. The price is decreased with larger purchases.

Commissioner Keen made the motion to order 16 buckets, a half pallet, of foam. Commissioner Brown seconded the motion. All in favor, motion carried.

2. Any Other Business Which Comes Before the Commissioners – Commissioner Brown wanted to revisit the job description of the Fire Chief, specifically the salary thereof. Auditor Jeff Tuscan made the Board aware of several issues which need to be addressed by the Board in relationship to the Budget to determine what is available to adjust the Chief salary. These things can be discussed at the Budget Workshops. Budget workshop set for August 9, 2011 at 1:00 PM.

The expired service for the generator behind station 30 was discussed. Two bids were received for service. After a brief discussion Commissioner Brown suggested the BCIFR mechanic look at the generator. No further discussion at this time.

Someone asked what the education level specifications were going to be for the Chief position. In the past all the Chiefs have had Bachelor's Degrees, the state statute however, only addresses the Fire Chief must have Fire Officer Two certificates. This will be discussed at a later date.

3. Topics Initiated by Commissioners - none

4. Public Comment- none

Adjourned at 11:20PM

Next Meeting: August 18, 2011 at 7:00 P.M.

Minutes Typed by Chelli Huddleston, Admin. Secretary at BCIFD