

**Immokalee Fire Control Board
Emergency Meeting
May 24th, 2011**

The meeting was opened by Commissioner Pam Brown stating the severity of the problem we are having with the grave budget restraints brought to their attention at the May 3rd workshop. This is a continuation of budget discussion with Union comment. Present were Commissioners Brown, Matthews, Olesky, Morgan, Keen, Deputy Chief Raul Dimas, Fire Marshal Leo Rodgers, Administrative Assistant Ann Carver, Union President Tom Cunningham, Board Attorney Kenneth Thompson, Jeff Tuscan from Tuscan & Assoc., Firefighters and members of the Public.

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

Commissioner Brown continued stating they also have a letter from the Union President and the Union. The Board would also like to add public comment but to restrict it to 30 minutes with 3 minutes for 10 people. Also have Jeff Tuscan with Tuscan and Associates here to explain the financial analysis of the budget that caused them to come to the grave decision they had to make for the Immokalee Fire Dept. We will have a shortfall of \$300,000.00 with the inability to pay our bills for the upcoming fiscal year due to the ad valorem taxes that haven't come to us yet. Commissioner Brown asked Union President Cunningham if he had a chance to address the letter regarding the Fire Prevention position.

Union President Tom Cunningham stated, as the Commissioners are aware you were served a letter for Impact bargaining and at this time it was not appropriate to discuss the topics contained in the impact bargaining nor was it proper procedure to bargain directly with the Commissioners. The Union is also not convinced that layoffs were needed or justified at this time. Items will be discussed when we sit down and bargain with the Chief.

Commissioner Brown stated, it has been recommended by our labor attorney Lara Donlon that one of the Board be the person to negotiate with the Union, would like at this time if someone would like to make a motion as to who that person should be.

Commissioner Mathews stated, constraints due to 2 new Board members not having been sworn in and there only being 3 of them, I will volunteer myself for this position.

Commissioner Brown made a motion for Commissioner Mathews to be the negotiator with the Union, Commissioner Olesky seconded the motion, motion passed 3-0.

Attorney Ken Thompson, suggest Union President and Commissioner Mathews begin looking at dates and times to begin scheduling to start working on the process of negotiations.

Commissioner Brown asks Commissioner Mathews to get with Union President Cunningham to schedule a meeting so they may have an executive session and review options.

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Attorney Ken Thomson stated that Union President Cunningham believed the actions may or may not have been in breach, having spoken to our labor attorney we believe we are in compliant, but to show good faith we want to negotiate as much as we can and do so expeditiously.

Commissioner Brown stated, clarification of health insurance with the Board, this was a layoff of six firemen, health insurance program stated we had terminated them, premium has been paid to June 1, with clarification from the Board their insurance will remain in force until June 1st.

Commissioner Mathews made a motion to clarify the six employees that were laid off, the health insurance will remain in effect until June 1st, Commissioner Brown stated that they could extend that up to 90 days, but that would be something that would need to be negotiated, Commissioner Olesky asked if this included the Chief, Commissioner Brown said no that was not a layoff, **Commissioner Olesky seconded the motion, motion passed 3-0.**

Commissioner Brown stated, request Jeff Tuscan to go through presentation again for all those who were not here, continued that... what brought this to a head was at the workshop on May 3rd to look at a policy purchasing procedure, Administrative Assistant brought to our attention that we were spending \$232,000.00 a month for personnel and operating expenses, ad valorem taxes that were estimated to come in last year were at 1.9 million, up to date they have not all come in due to the difficulty in property taxes. When we looked at the previous budget we found \$50,000.00 extra for health insurance, and other deficits within the budget that caused us to take immediate action.

Jeff Tuscan, Auditor, hired by the district as a financial consultant stated, looked at budget in fiscal year 2011, in doing so, noticed that if the district continued to expend the budget as approved, they would of used a significant portion of their reserves and not been able to carry enough in reserves out of fiscal year 11 to fund fiscal year 12. This information was brought to the attention of the district attorney then to each Board individually, we were requested to present our synopsis at last week's Board meeting, as well as prepare scenarios so that the Board and the employees could see the effect of what these scenarios would have on the budget. 3 scenarios were presented along with the budget, during the meeting we were asked to complete a fourth scenario of which we did. Board also needed to look at fiscal year 13 due to the requirement to bring a certain amount of reserves to fund the first quarter activity since this is essentially an ad valorem district. Board voted on a scenario last week..... The layoff of 6 employees made a \$91,000.00 change to fiscal year 2011, and for fiscal year 2012 it comes to \$365,000.00 in cost cutting savings, including the increased projection for unemployment. This increased the carryover for fiscal year 2011 to 2012 to roughly \$70,000.00 net. With \$114,000.00 carryover out of 2012 into 2013, reminder that the district needs in the neighborhood of \$600,000.00 in this district in order to start the next year, even with these cuts the district will still be approximately \$275,000.00 short for fiscal year 2013. Board will basically need to look at revenue enhancement or budget cuts.....

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Commissioner Olesky asked Tuscan when this information was first given to the Chief, Tuscan said last week possibly Tuesday, but did not have his calendar with him, Commissioner Olesky said last Wednesday the day before the meeting. Tuscan confirmed

Commissioner Brown stated, reminder to Board that this first came to their attention at the May 3rd workshop, plus we have a revenue expenditure paperwork that comes to us from the Administrative Assistance every month that we all should be looking at.

Commissioner Mathews stated, the decisions that we made over the past has certainly gotten us here obviously some of us did not agree, I think that is what we are dealing with now, the Board needs to do some hard work and work together to get ourselves out of the mess we are in right now.

Commissioner Brown stated, were trying to move forward at this time, for the future of the fire control district.

Commissioner Mathews stated, given the fact of the presentation Mr. Tuscan gave, there was only 1 decision to make that night, prudent for the community, I stand by that.

Commissioner Olesky, I disagree with that, I think there could have been other scenarios; I proposed one that could have carried us through the next month so we could have more time to study it.

Commissioner Brown stated, Commissioner Olesky with the Union discussions that Commissioner Mathews will have with the Union we could come back here June 1st or June 2nd, have an executive session and maybe we can do something to bring us back to a whole again, I have no objection to that if we have the money there was never a problem with what we were paying the firemen, they have all done a great job. But we have to think about this is the taxpayer's money, I don't think a lot of people realize here, but we have 30 not for profit groups here in Immokalee, all the nonprofit housing does not pay property tax, so there is nothing that subsidizes this fire dept. for money, also we have a lot of homesteads here or homestead exemptions property and a lot of the homes fall into the tax base of average of \$100,000.00-\$150,000.00, so their tax base is low so this district manly runs on ad valorem taxes unless we come up with some sort of referendum or individual fees on homes.

Public Comment:

Fred Thomas, President of Eastern Chamber of Commerce stated, because of the dedication of our former Chief, we have a lot of solid fireman working here. We are in poor financial shape, if you the Board will vote to support the referendum I will do my best to get a referendum to raise our millage 2 mill, to keep this dept. going. Yielding remaining time to Terry Heath.

Terry Heath, 21 year member of dept. stated, 2 fold, could we not of seen this coming? Board gets monthly report; secondly, I'm at the end of my career, option for buyout to bring in a younger firefighter who has a family to support.....

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Eloy Ricardo stated, shocked on a few things, question to Tuscan.....are numbers reflective of new current legislative process? This is the reason you don't make drastic changes, if you would of taken the time to sit down with your firemen.....if you went one more month and you still had to make that decision, you're the Board you can do that.....to make a hard decision that quick while these fireman are working hard to protect the residents of Immokalee.....was your job to watch the numbers each month.....Fire men have had it.....were done....take the time be diligent in your decisions.....proud to be here.....ashamed of what has happened here today.....

Shari Hingson, neighboring fire district in the fire prevention bureau stated, questions for Board, just want to make sure Board was aware of the state requirements for inspections and which buildings are required to be inspected, if you don't have someone on staff who is trained you will have to outsource that to a 3rd party individual which will cost additional funds along with the unemployment rate, understand partially that being a Commissioner is a very difficult job, really no training....but have to agree with peers about discussing it before you make such drastic measures.....firefighters' work really hard, prevention work hard, administration work hard.....need to work together before we make drastic measures that put our community at risk.

Larry Wilcox stated, feel Board should have seen this coming 2, 3, 4 years ago.....you being a Commissioner, I feel like you have failed my community.....firing the Chief 2-1 without a full Board 2-1.....here is a County Commissioner, you know they can't do that.....I love my town.....I will stand by these brave men.....stop bickering and fighting and get the job done.....

Chris Tobin, Union President local 2396 firefighters and paramedics stated, Immokalee firemen are most hard working and busiest firemen in Collier County.....hard choices.....take time out to look at whether you needed to raise the ad valorem rate or maybe go to a whole new system of non ad valorem where you could collect from these agricultural or these other properties from which you are not receiving taxes from, you acted too quickly, you need to slow down be smart think of where you are and where you want to be.....put these people back to work.....there are consequences to your actions.....not only health and safety but property insurance rate.....

Kevin Shock stated, yield my time to Eloy Ricardo stated, open government, people have the right to speak, don't know who's lined up outside.....

Robert Lee, ex commissioner stated, appreciate you listening, participating.....it's kind of late....I see new faces, our County Commissioner, Mr. Thomas.....those things should have been said a long time ago.....they are pleading for mercy and they should be because everybody needs a job.....President of the Union and the Chief attempted to deceive the Commissioners and they did it.....

John Phelom stated, lived here all my life.....we're all family.....Daddy came her in 1954.....

Tom Cunningham Union President stated, the rash decisions that were made by the Board are not a surprise to me, they have always treated the firefighters in this district with lack of respect, the 6 after the meeting on Thursday night not a single one of them received a phone call advising them that

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they were laid off, one of the firefighters learned he was laid off on facebook, it is a disgrace what has happened to this dept. I love working in Immokalee, I hate working for this dept. I dislike the management of this dept. Board hasn't done enough.....County Commissioner sitting here.....the gaming pact from the Seminoles 3%, 100% of that going to Collier County.....what essential service does Collier County provide to the Seminoles?.....only essential services is the Immokalee Fire Dept.....serious problems with appointing 2 commissioners without all being there.....

Commissioners comments:

Commissioner Olesky stated, I yield my time to any public member who wants to speak.

Commissioner Mathews stated, work in a democratic way.....members of our board resigned.....I voted against budget the last 2 years.....disagree with the Union President that we don't care about firefighters and we treat them like crap, is not true.....I make myself available to members of the public anytime can meet at restaurant or the ball field.....

Commissioner Brown stated, as one of the Board members who had problems with our budget last year and did not have a lot of the solid numbers, but we were told if we did not approve the budget we would be out of trim compliance.....agree with Mr. Thomas on referendum, just won't help us this year.....Mr. Heath, admirable, something we can talk about.....Mrs. Hingson, we are aware about the fire prevention and inspections, inspection fee was \$21,545.00 collected this year....personnel expenses was \$160,000.00.....Wilcox, last meeting there was scenario with only 5 layoffs and 18% pay cut, but still not enough.....Tobin, your general obligation bond and non ad valorem tax information was helpful,.....Mr. Ricardo, public meeting for last week was advertized and this was a special meeting and we posted all places we could think of for that in Immokalee.....Mr. Lee....speaks for himself.....Mr. Phelom, I am also lifelong member of Immokalee....my father was one of the first volunteer fireman in this district.....I take this very seriously.....I also want the best fire protection for Immokalee.....but if we run out of money...if we keep having these expenses....we will be broke by the beginning of next year.....Mr. Cunningham, you know I have been worried about inspection fees.....Seminole contract.....awaiting report.....I was not the one doing the contract.....not taking any more action tonight, but due to one of the inspectors being in the union.....awaiting for response from the union by May 31st.

Tom Cunningham Union President stated, that was for all the positions.

Commissioner Brown request 5 min. break.....resumed stating, Commissioner Mathews has left the meeting, we can't weren't going to make any decisions tonight anyway.....at last meeting we spoke to Union President Cunningham regarding the fire inspector position, gave him until May 31st.....going to have Mr. Tuscan go through some scenarios again of how we came to our conclusion.....any members who would like to speak about something that has not already been said.....would like to limit to 5 people.....

Mr. Tuscan gave scenarios that were presented the other night.....

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Public Comment:

Cody Rodger former district employee stated, tonight getting up and leaving the guy has a track record for doing this stuff.....unprofessional, your obligated to be here because of the voters.....stay and do your job is all I'm asking.

Terry Heath, firefighter stated, question.... talking about the capital repairs to the station 31, when Chief Alvarez was here there was \$21,000.00 allocated for that, where did that money go and why was it not used to repair the station back then?

Commission Brown stated, repeatedly asked former Chief to bring that to the table, and it was never brought to the table. Can look back at minutes where it was repeatedly asked. We don't have a quorum.....and we weren't going to make any decisions tonight anyway, this meeting is adjourned.

Adjourn: Commissioner Brown adjourned the meeting

Minutes typed by Elisa Yanes