

LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT

COMMISSION MEETING

MINUTES

September 17, 2009

The September 17, 2009 regular Commission Meeting of the Lehigh Acres Fire Control and Rescue District Board of Commissioners was held at the Veteran's Park Recreation Center, 55 S. Homestead Rd., Lehigh Acres, FL. The meeting was opened at 4:00 PM by President Berndt. Present were Commissioners Berndt, Adams, Guzman, Hemingway and Barrett, Chief Don Adams, Fire Marshal Ken Bennett, EMS Division Chief Mike Pcolar, Finance Specialist Anita Kressel and Secretary Janis Williams. Attorney Richard Pringle and Attorney John Hament were also in attendance. Special guest presenting was Nick Ayotte with SunTrust Bank Inc.

After the Pledge of Allegiance, Commissioner Berndt asked Chief Adams to give the invocation.

ADOPTION OF AGENDA:

Commissioner Berndt asked if there were any additions, corrections or deletions to the Agenda. Commissioner Hemingway requested to add the proposal of purchasing foreclosed property/homes with the intent of profit, under New Business. Chief Adams requested to add under New Business inventory write offs and Dr. Joseph Lemmon's new contract. Commissioner Berndt requested to add increase ambulance fees and transport as a whole. Commissioner Guzman motioned to accept the Agenda as amended with a second from Commissioner Hemingway. Motion carries.

CONSENT AGENDA:

- Minutes of Previous Meetings
- Treasurers Report

Commissioner Guzman motioned to accept the Consent Agenda as presented with a second from Commissioner Barrett. Motion carries.

DEPARTMENT REPORTS

CHIEF ADAMS:

Chief Adams spoke on the following items:

- We received a 2008/09 State Homeland Security grant for a new Marc Unit. The amount is \$103,829.
- The 2009 Lehigh Leadership sent the department a letter thanking the department for participating in their Lehigh Leadership classes by teaching life safety classes and preparing lunch.
- Participated in a Domestic Security Intelligence Workshop
- Rec'd a Certificate of Appreciation for having 100% participation in the NFIRS and FFIRS Program
- State of Florida Department of Health inspection on August 27, 2009. We had no deficiencies.
- Management and the Union negotiations for IAFF 1826 District 6 started negotiations 9/14/09.
- Handed Commissioners a Procedures Manual to review. This will be brought up next meeting.
- USFA report in partnership with the International Fire Service Training Association

DVP 6 and 19:

Not Present

DEPARTMENT ATTORNEY:

Attorney Pringle stated there are 3 items he wanted to go over, being they were all under New Business he would chime in when presented at that time.

Attorney Hament stated he would be talking about Veteran's Preference.

Commissioner Hemingway asked Attorney Pringle about the cell tower he saw being installed. He wanted to know where we were with this project. Attorney Pringle stated he had some more paperwork to be signed and the one he saw going up would not affect ours when and if it goes up.

PUBLIC COMMENT ON AGENDA ITEMS:

NONE

UNFINISHED BUSINESS:

- **Meeting with Lee County Commissioner:** Commissioner Berndt reports that the meeting with Commissioner Ray Judah, Chief Adams, Attorney Pringle and himself regarding the Ambulance Service has been set for: September 28, 2009 at 3:30 pm.
- **Credit Line:** Attorney Pringle stated that there were two types/options of loan agreements that the Board had to choose from regarding the SunTrust credit line loans. The first option is a credit line agreement that funds could immediately be accessible. The second option is a "Guidance Facility" agreement that has a 30 day wait period to access funds; each having separate clauses and fee requirements. (see attachment #1 Letter of Proposal). There was much discussion between the board of Commissioners and the attorneys. Commissioner Hemingway stressed several times his concern of the language in the "Guidance Facility" agreement Condition C Re: Tax Rates. Attorney Pringle stated he can revise that language for us and acknowledged SunTrust's representative at this time asking him if that would be ok. Nick with SunTrust replied it would. Commissioner Guzman made a motion to accept Option 2 of SunTrust's "Guidance Facility" Credit Line with the removal of the Condition (C) language to be replaced with new revised language Attorney Pringle would be providing. Second by Commissioner Barrett. Motion passed 4-1 with the opposing vote from Commissioner Hemingway.
- **Marc Unit Grant:** Chief Adams explained what the Marc Unit Grant is and the revenue coming into the District would go into 334-0100 Grants and the money spent on the purchases would go into 522-6641 Grants. Commissioner Guzman made a motion to accept this Grant and Chief's explanation. Commissioner Hemingway second; all in favor motion carried.
- **4 – 10 hour work days:** Chief Adams stated that the four months trial period was up regarding administrations 4-10 hour work days. He stated he would like to keep that schedule. He stated there has not been any negative feedback from the public on these hours and the office staff was able to perform their duties. Commissioner Barrett asked Secretary Janis Williams and Finance Specialist Anita Kressel if they were able to keep up with the office duties working under those hours; they both concurred. There was much discussion regarding Chief's working contract. Commissioner Berndt asked Attorney Pringle what Chief's contract said in regards to his working hours. Attorney Pringle suggested amending the contract and authorizing the chairmen to sign. Also, formulate a letter on Chief's 10% pay reduction. Commissioner Hemingway made a motion to formulate a letter Re: Chief Adams Pay Reduction of 10% and amend the contract accordingly for Chief's 4-10's. Commissioner Adams second; Motion passed 4-1 with the opposing vote from Commissioner Guzman.

NEW BUSINESS

- **Dr. Lemmons' Contract:** Chief Adams stated Dr. Lemmon's contract was next on the table. Chief advised that EMS Chief Pcolar could advise best if there were any questions from the Board. Commissioner Berndt asked Chief what the pay figures around the county were.

Chief gave four examples of surrounding fire districts Medical Director's pay. EMS Chief Pcolar answered all questions the Board asked. Commissioner Berndt asked Attorney Pringle if we would be locked in to a one year contract of \$48,000 with Dr. Lemmon's. Attorney Pringle stated "no", there is a 60 day notice in the contract to cancel. There was much discussion regarding this topic. Commissioner Berndt passed the gavel to Commissioner Guzman who made a motion to accept the attorney's recommendation that in Dr. Lemmon's contract it reads; \$48,000 a year with a 60 day termination notice. Commissioner Hemingway second; all in favor motion passed..

- **Veterans Preference:** Attorney Hament spoke regarding Veterans Preference. He gave a brief overview regarding Veterans Preference and the laid off employees that were entitled to this benefit. He advised a policy should be intact in the future for both bargaining and non bargaining units. He stated there were only 2 government facilities in the state of Florida that have had this come up with the recession and the laying off of employees. He says we are one of those two. He will be addressing this with the Board in the near future.
- **Proposal for purchasing foreclosed property/homes:** Commissioner Hemingway stated he would like to see a letter drafted to the county regarding foreclosed homes and property in Lehigh. He does not like those properties taken off the tax roll. After much discussion between the board, attorneys and the audience it was agreed among all that it was not in the board's best interest to write a letter at this time.
- **Ambulance Fees:** Chief Adams explained his proposal to increase ambulance fees as proposed on the increased figures sheet. After much discussion regarding this Commissioner Guzman made a motion to increase the ambulance fees per Chief's recommendation and accept and change the new ambulance fees, Resolution No. 09-09-03 (see signed resolution; attachment#2).

BLS	\$400
ALS	\$500
ALS 2	\$650
TNT	\$90
Mileage	\$9 a mile

Commissioner Hemingway second; Attorney Pringle stated there is a Resolution that needs to be included in the motion; Commissioner Guzman amended his motion to include Resolution # 09-09-03 Commissioner Hemingway seconded the amendment. Commissioner Berndt asked if there was any public input on the matter. NONE heard; Commissioner Berndt called for a roll call vote:

Commissioner Hemingway aye
 Commissioner Barrett aye
 Commissioner Adams aye
 Commissioner Guzman aye
 Commissioner Berndt aye
 Motion carries

- **Ambulance Service in Lehigh Acres:** Commissioner Berndt stated regarding the ALS Transport we will be meeting with Commissioner Judah soon. With our current staffing and budget what it is we need to come to a decision soon if we are going to continue to provide a transport service or ALS rescues or engines and have all five stations open. Lehigh deserves that level of service. There was much discussion for a lengthy period of time on this subject between Board members, attorney's, Chief Adams and the general public.
- **Inventory Write Off's:** Chief Adams presented the Inventory Write-Offs list; there are 16 items (see attachment #3). With only a couple of questions regarding lost portable items and our deductible for such items, a motion was made by Commissioner Guzman to remove the following items from the inventory list and declare them as surplus property. (Commissioner Guzman read each tag number to be removed as per recommendation from Attorney Pringle).

Tag No.	39.1	1117
	267	1141
	273	1148
	857	1234
	953	1253
	994	1384
	1047	1612
	1057	1615

Commissioner Hemingway second; all in favor motion passed. Attorney Pringle recommended a second motion be made regarding the "disposal" of the property; Commissioner Guzman made a motion to dispose of these items of surplus property as deemed appropriate by the Chief of his discretion. Commissioner Barrett seconded; all in favor motion passed

PUBLIC COMMENT:

Kathy Kruse gave Secretary Janis Williams a letter to present to Commissioner Berndt as she had to leave before Public Comments. This letter was requesting that she be allowed to be present for the September 28th meeting with Commissioner Judah. Commissioner Berndt read her letter out loud.

Allen Shelm suggested a discount be a good idea for self pay of non insurance residents needing a break; this goes along with the raised ambulance fees. Also, regarding Veterans Preference; he asked if it would be a change in the fire fighters contract and include the two (2) brought back from being laid off under the Veterans Preference benefit. Attorney Hament stated, "yes, this too would be something brought to the board at a later time but not to late of a date".

COMMISSIONERS COMMENTS:

Commissioner Adams thanked the public for coming out.

Motion to adjourn 6:53pm