

MINUTES

LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT

MONTHLY COMMISSION MEETING

September 22, 2011

The September 22, 2011 regular Commission Meeting of the Lehigh Acres Fire Control and Rescue District Board of Commissioners was held at the Microtel Inn and Suites, 1320 Business Way, Lehigh Acres, FL. The meeting was opened at 4:00pm by Chairman Berndt. Present were Commissioners Adams, Carter, Becker, Berndt, and Shea; Chief Donald Adams, Assistant Chief Ken Bennett, Captain's Ketrone and McDowell, Finance Manager Ben VanKlinger and Administrative Assistant Susan Platas. Attorney Richard Pringle was also in attendance.

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. Chief Adams requested to add Insurance for CERT as a walk-on. Commissioner Carter requested to add on Christmas Program and Town Hall Meeting. Commissioner Shea stated we can combine Chief's Firefighter Reservist Program and his Firefighter Auxiliary. He would also like to add Letter from the Auditors. Commissioner Carter made a motion to approve with modifications with a second from Commissioner Adams. Motion carries.

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CONSENT AGENDA:

- Fire Board Regular Meeting Minutes of August 18, 2011
- Budget Workshop August 18, 2011
- Treasurers Report

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Commissioner Shea stated on page 8 of the Commission Book, under Commissioner comments, under his comments, the sentence that begins with "He finds no substantial segment..." should read "He finds no substantial sentiment...". Commissioner Shea motioned to approve with a second from Commissioner Carter. Motion carries.

PUBLIC COMMENT ON AGENDA ITEMS:

None.

DEPARTMENT REPORTS

Chief spoke on the following:

- Letter went to PERC for clarification. The Captain positions will be in District 19 , not District 6.
- Thanked FF Gonzalez for creating T-shirts for the department commemorating 9/11/01.
- SAFER grant application process has not been announced yet.
- Final seniority list was sent out to all employees.
- We currently have 6 vacancies to fill for the SAFER guidelines.
- Chief is asking Commissioners to follow their handbook and forward their requests through him.

DVP 6 and 19:

Terry Dettmar, DVP District 6 touched on the following:

- Volunteers – he doesn't think it will work.
- He also stated he doesn't believe an attorney is the right move for negotiations.
- We have a solution to cover the costs caused by the SAFER grant, since it was mentioned.
- We sent negotiation dates back in June to the attorney. Attorney sent something back acknowledging, but we never rec'd anything else. We ask again, save money for this department and allow them to sit down with the Chief and discuss negotiations.

DEPARTMENT ATTORNEY:

None.

COMMISSIONER REPORT:

Commissioner Berndt questioned the unemployment insurance with regards to self insured versus insured.

After a brief discussion, Commissioner Shea moves to amend the Agenda to include the topic of Unemployment Insurance for the 2011/2012 fiscal year. Commissioner Becker states he will second if we table Christmas Program and Town Hall Meeting until next meeting due to time constraints. Commissioner Berndt will keep an eye on the time and if there isn't enough time, it will be tabled until next meeting. Motion carries.

Finance Manager gave an explanation of insured versus self-insured. It is in the best interest of the department financially to stay self-insured.

UNFINISHED BUSINESS:

Fire Assessment Fee – Commissioner Becker stated he personally met with Representative Caldwell and others and discussed this subject in great detail. Commissioner Becker stated he is for an assessment, but we have to put this together the right way. At this time, they will not support us on any of this. Within the next three years we need to get together and put a program together. He will help this happen. He would like to have a Committee to get together and figure out how to get this on the Agenda in three years. Commissioner Carter agrees with this.

Commissioner Adams stated he sent an email to Representative Caldwell. He asked about getting away from the Ad Valorem taxes altogether. He wanted to come before the Board to speak on this subject. Commissioner Adams asked if he can come out. Chief is to send an invitation to Representative Caldwell to attend our meeting for discussion.

Ambulance Transport Fee - Attorney Pringle read Resolution #11-09-03, which raises the Ambulance Fees. The Resolution adopts the new fees and becomes effective immediately upon its adoption.

Commissioner Carter motioned to approve with a second from Commissioner Berndt.

Commissioner Adams - aye
Commissioner Becker - aye
Commissioner Berndt - aye
Commissioner Carter - aye
Commissioner Shea - nay

Motion carries 4-1 with the opposing vote from Commissioner Shea. The Resolution is attached.

Tuscan Conference – Our auditors are holding a governmental conference and are inviting Commissioners to attend. Attorney Pringle stated he doesn't believe there will be any topics there that will interfere with the Sunshine Law or any violation of the Florida Statutes. Commissioners will let Chief know if they will attend.

Insurance for CERT – Chief stated CERT is covered under the Good Samaritan Law. We discussed putting CERT under the Fire District's liability insurance or a 501C3. Attorney Pringle stated there circumstances that can occur outside the Good Samaritan Law.

Commissioner Berndt stated there are a lot of questions that need to be answered and we will extend an invitation to our agent from Bouchard Insurance to be at our next Commission meeting to answer questions.

Christmas Program – Due to time constraints, Commissioner Carter moved to table this subject until next meeting with a second from Commissioner Berndt. Motion carries.

Town Hall Meeting – Due to time constraints, Commissioner Becker motioned to table this subject until next meeting with a second from Commissioner Berndt. Motion carries.

FF Auxiliary and FF Reservist - Due to time constraints, Commissioner Shea motioned to combine these two subjects and discuss at the next meeting with a second from Commissioner Berndt. Motion carries.

PUBLIC COMMENT:

Three members of the public spoke.

COMMISSIONERS COMMENTS:

Commissioner Carter just got back from Washington. She's in the process of moving forward with CERT. She has 33 members.

Commissioner Becker thanked those that made comments. We are still obligated to our SAFER grant and union contracts.

Commissioner Adams thanked those speaking out voicing their concerns regarding the future of the District.

ADMINISTRATIVE COMMENTS:

Meeting adjourned 5:16pm.

RESOLUTION NO. 11-09-03

A RESOLUTION OF THE LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT, ("DISTRICT"), APPROVING A CHANGE IN THE AMBULANCE FEES CHARGED BY THE DISTRICT FOR EMERGENCY MEDICAL TRANSPORT SERVICES; PROVIDING FOR RESCISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL CONSTRUCTION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the District is authorized to provide emergency medical transport (ambulance) services; and,

WHEREAS, the District provides emergency medical transport services within its boundaries through the use of the District's own equipment and personnel; and,

WHEREAS, the District's provision of emergency medical transport services provides a direct benefit to the individuals who use the District's emergency medical transport services; and,

WHEREAS, the District's provision of emergency medical transport services satisfies a public purpose of providing and enhancing emergency medical transport services to individuals in the District; and,

WHEREAS, the District's cost of providing emergency medical transport services is funded in part through user fees charged by the District to individuals who receive the benefit of emergency medical transport services from the District; and,

WHEREAS, there is a real and present need and necessity for the District to change the fees the District charges to individuals who receive a benefit from the use of the District's emergency medical transport services as a result of increases in the District's costs of providing

emergency medical transport services since the date the current emergency medical transport fees were adopted by the District.

WHEREAS, the District adopted Resolution No. 09-09-03 on September 17, 2009, which established the current emergency medical transport fees; and,

NOW THEREFORE, be it resolved by the Board of Commissioners of the Lehigh Acres Fire Control and Rescue District, that:

SECTION 1. INCORPORATION OF RECITALS.

The recitals set forth above are true and correct and form a part of this Resolution.

SECTION 2. AUTHORITY.

The Board of Commissioners of the District is authorized to adopt this Resolution by Chapter 191, Florida Statutes, and other applicable laws.

SECTION 3. NEW EMERGENCY MEDICAL TRANSPORT FEES.

The categories of fees charged by the District for emergency medical transport services shall be modified to the fees described in the Schedule of Fees attached hereto as Exhibit A. Except as modified by the Schedule of Fees attached hereto as Exhibit A, the District's current fees charged for emergency medical transport services, or otherwise, shall remain in full force and effect.

SECTION 4. SCRIVENER'S ERRORS.

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Chief, or his designee, without need of public hearing, by filing a corrected or re-codified copy of same with the District's records custodian.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or other provision of this Resolution is held unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remainder of this Resolution.

SECTION 6. RESCISSION.

The Board of Commissioners hereby rescinds all prior resolutions and other official action of the Board of Commissioners, including any prior adopted emergency medical transport fees, to the extent of any conflict with any part of this Resolution.

SECTION 7. CONSTRUCTION AND EFFECTIVE DATE.

This Resolution shall be liberally construed to affect the purposes hereof and shall take effect immediately upon its adoption. Further, the change in the emergency medical transport services fees described herein shall take effect on September 22, 2011, and shall remain in effect until further modified by the Board of Commissioners.

THE FOREGOING RESOLUTION WAS OFFERED BY COMMISSIONER Carter WHO MOVED THE RESOLUTION'S ADOPTION. THE MOTION WAS SECONDED BY COMMISSIONER Berndt AND, UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

Commissioner David P. Adams	<u>Aye</u>
Commissioner Larry Becker	<u>Aye</u>
Commissioner Jeffrey Berndt	<u>Aye</u>
Commissioner Linda R. Carter	<u>Aye</u>
Commissioner Kevin Shea	<u>No</u>

[NEXT PAGE FOR SIGNATURE]

Duly passed and adopted on this 22 day of September, 2011.

BOARD OF COMMISSIONERS OF THE
LEHIGH ACRES FIRE CONTROL AND
RESCUE DISTRICT

By: 
Jeffrey Berndt, Chair

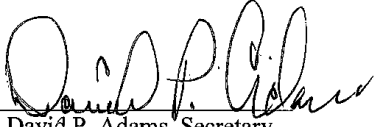
Attest: 
David P. Adams, Secretary

EXHIBIT A
SCHEDULE OF FEES

Type of Service	New Fee
Ambulance Service Transport Fees	
Basic Life Support (BLS)	\$525.00
Advanced Life Support (ALS)	\$650.00
Advanced Life Support (ALS2)	\$700.00
INTERFACILITY - Ground Ambulance	
Basic Life Support (BLS)	\$400.00
Advanced Life Support (ALS)	\$500.00
Treat-Non Transport Fee	\$150.00
Mileage Fees	\$ 10.00 per mile