

# **LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT**

## **COMMISSION MEETING**

### **MINUTES**

**January 29, 2013**

The January 29, 2013 regular Commission Meeting of the Lehigh Acres Fire Control and Rescue District Board of Commissioners was held at Lehigh Acres Fire Control and Rescue District Station 104, 3102 16<sup>th</sup> St SW, Lehigh Acres, FL 33976. The meeting was opened at 6:00pm by Chairman Becker. Present are: Commissioners Adams, Carter, Becker, Kruse and Danis; Interim Chief Wayne, Assistant Chief Bennett, Division Chief Nickell, Finance Mgr Ben VanKlingeren and Admin Assistant Platas. Attorney Pringle and Dr. Mary Ellen Dorsett were also in attendance.

After the Pledge of Allegiance, Ben VanKlingeren gave the invocation.

#### **ADOPTION OF AGENDA:**

Commissioner Becker asked if there were any additions, corrections or deletions to the Agenda. Motion to adopt from Commissioner Carter with second from Commissioner Kruse. Motion carries.

#### **CONSENT AGENDA:**

- Regular Commission Meeting Minutes of December 18, 2012
- Special Commission Workshop of December 19, 2012
- Treasurers Report

Commissioner Becker commented on the Treasurers Report and the revenue received. Motion to approve and accept the Consent Agenda from Commissioner Carter with a second from Commissioner Kruse. Motion carries.

#### **PUBLIC COMMENT ON AGENDA ITEMS:**

None.

## **DEPARTMENT REPORTS:**

### **Interim Chief Wayne spoke on the following items:**

- Spoke on the EMS calls being up about 23% over last year this time.
- Total incidents for December is up 8% from last year.
- Had some brush fires over the weekend. Mutual aid came out. All fire managed effectively.
- Five new employees started this month.
- As of Sunday (1/27/13), we are running three ambulances 24 hours a day, 7 days a week.
- COPCN's renewal is up in March. Chief anticipates this being on the County Commission agenda next month.
- Commission office will need to be used by Life Scan during the physicals for the month of February.
- Lee County privatization is gaining ground fast. Chief will keep Commissioners informed of any changes.
- Had a budget review with employees and union.
- Spoke on the swearing in of new employees. He would like to implement this again. Bring the 5 new firefighters to next meeting.

### **Assistant Chief Ken Bennett**

- Internet and social media training is scheduled for Feb. 22<sup>nd</sup>.
- Wireless access points have been installed at all stations.
- Internet policy should be on next month's agenda.
- Hurricane guidelines has been updated.
- Infection Control policy – Lee County EMS has a policy that they request all fire districts adopt. We have unofficially done this. To convert this over to a policy will take some time. We will possibly have this ready by March meeting.

Commissioner Adams questioned when Genesis' contract runs out. Commissioners stated they would like to see a report in February to see where they are. Also, we should be checking to see about other companies, possibly getting ready to send out a Request For Proposal.

Finance Manager VanKlingeren stated that the audit for the 2011 – 2012 fiscal year should be on the February agenda for approving.

### **DVP:**

Brad Labar, DVP for District 6 stated the guys are pretty happy and things are going well. Wanted to also thank Commissioner Carter for obtaining the buildings for training.

## **ATTORNEY PRINGLE:**

After the last meeting, Rep Caldwell had phone conversations with Attorney Pringle. Attorney Pringle wrote some legislation to Chapter 191 to make it clear to use assessment for EMS services as well as fire. Rep Caldwell sent it off to be put in form that he feels would be acceptable. He also took the language to and presented it to him. Senator Richter has agreed to support this as well. We are working towards the process of having an election in 2014.

## **UNFINISHED BUSINESS:**

***Process of Hiring a New Fire Chief for Current Vacancy*** – Commissioner Becker stated that all Commissioners met with Dr. Mary Ellen Dorsett individually. He stated he met with Attorney Pringle and Mary Ellen Dorsett regarding having potential Chiefs complete a “packet” that will be placed on the website.

Mary Ellen Dorsett and Richard Pringle both spoke on the need of a strategic plan, which we do not have. Commissioner Becker stated as a five person Board, we can not do justice to a strategic plan without assistance. Attorney Pringle stated a strategic plan is simply a roadmap for the District that connects all the different functions of the District, i.e. ambulance services, fire services, operation side, revenue side. It also includes reference to capital improvements. Ms. Dorsett stated that Iona McGregor’s strategic plan is updated every year and it is reviewed every quarter. This is a document to do business by for everyone. This is a living document. You don’t be afraid to change it if certain things aren’t working. It’s the plan you use to guide the District. You can also guide the Fire Chief with this document. Because things change so fast, it is good to look and revise every year.

Review of the Fire Chief’s Job description – has the changes made. Attorney Pringle wanted to make a few more changes.

- B-5 remove job performance from this item.
- B-12 – Chief Executive Officer should be added before Bargaining Agent. Add “contract” after “Negotiating employee” and removing everything after that.
- Under Duty F - Residency Requirements of the Chief - where the Chief resides is a negotiated item of his contract. This provision needs to be discussed with the Chief in contract negotiations so it should be removed from this area.
- Qualifications on page 5 – 15 years of fire and Emergency service experience. (change “or” to “and”).

Dr. Dorsett asked if we are going to limit our search to State of Florida or take this to a national level. Consensus was to keep the search to Florida. If they don't like what they get, then they can widen the search.

Attorney Pringle stated areas within the job description will be adjusted to meet Florida requirements.

- Discussion on accredited school accepted by the State of Florida or nationally accredited. Chief Wayne spoke and said it should be regional accreditation. Bureau of Fire Standards and Training accepts regional.
- Moving the Florida Fire safety Inspector to the preferred education item. Also move Florida certified paramedic to preferred.
- Remove "graduated from" and just have, Executive Fire Officer or comparable program. This would be preferred.
- Certified Special District Manager – move to preferred education.

On physical requirements – language to be determined by counsel. This would be something you would negotiate under the contract.

Commissioner Carter motioned to approve with modifications as discussed tonight with a second from Commissioner Danis. Motion carries.

Commissioner Becker asked if we need to move on the phase 2 of this process. Attorney Pringle stated Phase 2 is the implementation of the process itself.

Advertising the position is the next step.

Attorney Pringle asked Commissioners if they would like him to proceed with the development of the advertisement.

Commissioner Becker – we will need to put a packet together and on the website.

Dr. Dorsett strongly states not to move forward with advertising until the strategic plan has been developed.

Commissioner Becker asked if we want to continue with this process. He would like everyone's opinion.

Commissioner Adams states continue until you get a list of candidates.

Commissioner Kruse stated prior to searching for a Chief, she would like a pause, but create a strategic plan. Put things on hold right now. Things are going well in the dept.

Commissioner Danis likes the strategic plan. Organizational plan. All employees would like to have input.

Commissioner Carter is in agreement for the strategic plan first.

Commissioner Becker stated we start working on a strategic plan at this time. Dr. Dorsett can advise us on the strategic plan. Also, clean up the application and get that to Commissioners.

This will be placed on next month's agenda. She will bring back the cost for the strategic plan.

**Commissioners Handbook** – Attorney Pringle stated if the revisions are acceptable, then adopt. Commissioner Kruse motioned to approve with modifications and corrections with second from Commissioner Danis. Motion passed.

#### **NEW BUSINESS:**

**Inventory Disposal Request** – Ben Van Klinger stated there are items that need to be removed from the District's fixed asset inventory. Commissioner Carter motioned to declare Lehigh Acres Fire Control and Rescue District's Inventory Tag # 1593 (Motorola XTS 5000 Portable Radio – Serial #721CHF2854), 1781 (Motorola XTS 5000 Portable Radio – Serial #721CHF3401), 1658 (Dell Optiplex 745 tower- Serial #6Q4MHD1) as surplus property with a second from Commissioner Adams. Motion carries.

Commissioner Carter motioned to properly dispose of the above surplus property with a second from Commissioner Danis. Motion carries.

**Job Description Revision for Assistant Chief of Administration – Fire Marshal** – Chief Wayne said this is sort of a reorganization of the chain of command. He's been starting to review some of the job descriptions and whom staff reports to. The one change in this job description is to move the Administrative Assistant out from the Assistant Chief /Fire Marshal and have this position report back to the Fire Chief. Also, under Minimum Qualifications, Chief Wayne didn't think it should be "an equivalent to a bachelor degree", it should be a bachelor degree as a minimum requirement obtained within 2 years into position. Also that the school must be a regionally accredited college. He would also like to change "Associates of Arts" to just "Associates Degree". After some discussion regarding the degree being "regionally accredited", Ms. Dorsett stated it's not uncommon for when you change something, to start from here and go forward – grandfathering in. Attorney Pringle stated it has to go into the job description. Chief Wayne stated the job description should read "A bachelor degree from a regionally accredited university" and "must possess an associates degree".

Attorney Pringle stated the job description should note – except for current employees. All future employees must meet these requirements. Attorney Pringle will come up with the appropriate language.

Commissioner Danis motioned to approve the Assistant Chief of Administration – Fire Marshal’s Job Description as amended with second from Commissioner Carter. Motion carries.

***Update the Current Negotiating Team*** – Attorney Pringle researched regarding Chief Wayne participating in the negotiations. Attorney Pringle stated that Chief Wayne can have an Interim Chief’s contract that will include salary and benefits and recognize that he is not a part of District 19 Bargaining Unit. The contract will provide salary and benefits and recognize he is not a part of District 19 bargaining unit while he is Interim Chief. It would provide that at any time he could leave the Interim Chief position and return to District 19 as a Battalion Chief without any penalties. The other provision needed is the Board cannot terminate him. The Board needs to move him back to prior position, if they don’t want him to continue as Interim Chief. If we do this and everyone agrees that this is ok, then we can put him on the negotiation team.

Chief Wayne said he will continue on as Chief for as long as Commissioners want him to do this.

Commissioner Danis motioned to move Chief Wayne legally as Interim Chief with a second from Commissioner Carter. Motion carries.

Commissioner Carter motioned to appoint Chief Wayne to the negotiation team with second from Commissioner Kruse. After some discussion, Commissioner Carter amended her motion to state that the current negotiation team is as follows:

Chief Wayne is the Chief Executive Officer and the lead negotiator  
Chief Adams – is removed from the negotiation team  
Attorney Joshi is no longer the lead negotiator.

The rest of the negotiation team remaining:  
Assistant Chief/Fire Marshal Bennett  
Finance Ben Van Klingeren  
Attorney Pringle

Commissioner Kruse seconded the amendment. Being put to a vote, motion carries.

**Renewal of Dental Plan** – Life Insurance came in flat, zero percent increase with a two year rate guarantee. Dental came in 3.4%. This was negotiated back down to zero. STD/LTD – short term disability came in at 113% increase and long term came in 40% increase. The Insurance Committee recommendation is to drop STD. LTD was negotiated down to a 5% increase. By dropping short term disability, the department overall saves \$26,211.21 in the budget.

Commissioner Carter motioned to accept as stated with second from Commissioner Kruse. Motion carries.

Commissioner Carter discussed Lee County Dreams for Lehigh Acres – Commissioner Carter spoke on new changes that will be scheduled to begin in March/April 2013. Commissioner Carter would like to see a government complex to include the fire department, sheriff and any other government entity in Lehigh Acres. She is looking forward for the changes to begin.

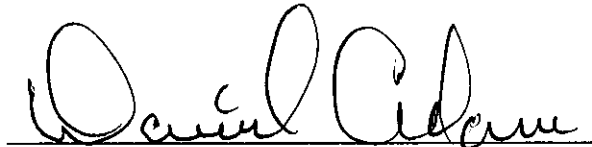
**PUBLIC COMMENT:**

John Benson  
Brad Labar, District 6 DVP

**COMMISSIONERS COMMENTS:**

Commissioners thanked staff, employees, public and comments they had.

Adjourn: 8:40pm

A handwritten signature in cursive script, appearing to read "David Adams", written over a horizontal line.

David Adams, Secretary