

**Bonita Springs Fire Control & Rescue District
Board Minutes**

January 12, 2009

Present:

Chairman, Frank Liles
Commissioner Wayne Edsall
Commissioner Ed Fitzgerald
Commissioner Evans Conforti
Commissioner Steve Lohan

Administration:

Chief Phil Kinsey, Jr.
Assistant Chief Ken Craft
Administrative Director Iris Roman
Fire Marshal Tim Fernandez
Deputy Chief Joe Daigle
Deputy Chief Dan Ryan
Deputy Chief Shane Sibert
Union President Greg DeWitt

Chairman Liles called the meeting to order at 5:01 PM and began the meeting with the Pledge of Allegiance.

Election of Officers

Chairman – A **motion** was made by Commissioner Wayne Edsall to elect Commissioner FitzGerald Chairman; **second** by Commissioner Lohan. **Motion carried.** The vote was 4-1 in favor of Commissioner FitzGerald with Chairman Liles voting no. Commissioner FitzGerald assumed the seat of chairman for the remainder of this meeting.

Vice Chairman – A **motion** was made by Commissioner Lohan to nominate Commissioner Edsall to the position of Vice-Chairman; **second** by Commissioner FitzGerald. **Motion carried.**

Secretary/Treasurer – A **motion** was made by Commissioner Liles to nominate Commissioner Conforti; **second** by Commissioner Edsall. **Motion carried.**

Public Input

Union president of Local #3444, Greg DeWitt made one comment regarding the agenda item of filling the positions on the general pension board and firefighters' retirement plan as trustee. He stated that the list of the candidates are noted and respected members of the public community. The position on the pension board is one contra to the fireboard. The fire board's position is to do what is right for the district. He quoted Florida Statute 112.656 that states that the member on the pension board has a fiduciary responsibility to the members and to the plan, not to this board of commissioners, not to the citizens of Bonita Springs, but to the members of the pension plan.

President DeWitt stated that the sole responsibility on the fireboard is to save the tax payers money and to save the district money; that's not the purpose on the firefighter's pension board. That is the fire board's duty to save the district money and the taxpayer's money. He noted that one of the candidates, Neil Arnal, has written letters to the Naples Daily News stating he would save the taxpayers money by being on the pension board. That is not the purpose of this position. The statute states that the agenda on that board is to improve the plan and benefits to the members of that plan.

Commissioner Edsall asked how many members were presently on the board. Currently, there are two members appointed by the fire board and two are elected by the entire membership which may be any state certified firefighter employed by the Bonita Springs Fire District. Currently, Brad Brown and Leo Willette were elected by the firefighters and Bob Paterson and Tony Gambino are appointed by the board of fire commissioners. There is a fifth person of the board, Richard Garner, who is appointed by the other 4 trustees. President DeWitt noted that the plan states that the responsibility is to "administer the plan." That is actuary fees, lawyer fees, fund managers – that's the administration of the plan.

Commissioner FitzGerald stated that he opposed former Commissioner Bob Paterson being on the board for that specific reason last year. He was a board member and was on the pension board. He had dual ethical responsibility – one to the pension members and one to the city who elected him. Commissioner FitzGerald believed that it was a conflict of interest being on both boards. Union president DeWitt stated that since then, the board of commissioners approved a resolution specifying that a member of the fire board must be on the pension board. A member of the fire board must be on it. One of the five current fire board members will be elected tonight to the board stated president DeWitt.

Former Fire Board Commissioner Bob Paterson spoke requesting that the board consider re-electing him to the firefighters and the general employee's pension board. He has been on the firefighters board for four years and the general employees pension board since its inception a little over two years ago. He stated he has a great deal of experience and has been going through the pension/trustee courses to become a certified pension trustee and only has one more course to take. The pension boards have invested in his education and Mr. Paterson stated that it would be a shame to waste it. He recognizes that their duties are fiduciary only in that the fire board makes policy and the pension board member makes sure that the money is well invested. He stated that it would be beneficial to have someone who is experienced on the board and board matters to continue. With that, he asked for the fire boards support to be re-elected to the pension board.

I. Administrative

A. Minutes - Chairman FitzGerald requested a motion to approve the regular board minutes of December 8, 2008. **Motion** made by Commissioner Edsall; **second** by Commissioner Conforti. **Motion carried** to accept the December 8, 2008 board minutes.

B. Financial - The motion to accept acknowledgement of December 2008 financial report and acknowledgement of wire transfers and transfers between accounts was requested by Chairman FitzGerald. **Motion** made by Commissioner Conforti; **second** by Commissioner Edsall. **Motion carried.**

II. Chiefs' Reports

Chief Kinsey

Station #5. Chief Kinsey gave some background information to the new commissioners on the status of Station #5. Unless otherwise directed by the board, Chief Kinsey stated that the District would proceed with the invitation for public bidding for the project.

Commissioner Edsall asked how long it would take Station #3 to get from their station down to West Terry and what justifies the building of this station. He asked if the objective was to serve the Bonita Bay area. Chief Kinsey replied that yes, it would be advantageous for us to have it there. Currently, only the rescue truck is available there and it was recommended in a study that the District move the ladder truck to that location. It would greatly decrease the district response time to have that station located there.

The location of Station 5 would be centrally located for the areas surrounding Station 2 and Station 3 and this would be beneficial for the ISO rating according to Assistant Chief Craft. Commissioner Conforti stated that Station 5, with the ladder truck stored there, would be beneficial to the Hwy 41 corridor especially given the fact that it is increasingly being developed, and responding with the ladder truck would be a necessity.

Commissioner Lohan requested the timeframe for the completion of the station. Commissioner Conforti stated that due to the fact that an extra bay had been added, this put the start of construction behind but he hopes it will be completed within the year.

The second item that Chief Kinsey had was regarding stakeholders for the merger focus group. Chief Kinsey has received bios on Janet Martin from the City of Bonita Springs, Brian Ferrar from the Chamber of Commerce, and Fred Partin from BSU.

Chief Kinsey contacted the City of Ft. Myers regarding the memorial fund for Alex Wright's father noting that there were other agencies interested in participating in this.

In the Fire Prevention area, an office has been set up for the commissioners. It is the first office on the left side.

The Toys for Tots distribution was made available to over 600 children this year. Chief Kinsey thanked staff for their support and efforts.

Assistant Chief Ken Craft

Incident Responses: 443 responses, approximately a 7% increase from November 2008 of 415 incidents.

- A. Fire: 12 incidents, approximately a 175% increase from November of 5 incidents.
- B. EMS: 315 incidents, approximately a 14% increase from November of 277 incidents.
- C. Hazardous Conditions: 10 incidents, approximately a 25% increase from November of 8 incidents.
- D. Service calls: 26 incidents, or a 235% increase from November of 8 incidents.
- E. Good intent: 54 incidents, or approximately a 28% decrease from November of 74 incidents.
- F. False alarm/call: 26 incidents, or approximately 40% decrease from November of 43 incidents.

Response Times:

- A. 87% of all our overall response was reached within 8 minutes. This includes emergency and non-emergency calls.
- B. 88.5% of medical incidents were reached within 8 minutes.
- C. 64% of suppression incidents were reached in six minutes or less by the first due engine.

Individual Unit Responses: 563, or an increase of approximately 8.5% from November of 520.

R-21: 110	E-21: 60	L-21: 43	B-23: 0
R-24: 56	E-22: 87	Sq-21: 25	B-24: 5
R-25: 59	E-23: 77	M-22: 2	Sup.-21: 0
	E-24: 39	M-21: 0	
	Res. E-: 0		

Command Staff Responses: 76

A.C. of Ops: 1	D.C. of Fire: 1	D.C. of EMS: 3	D.C. of Special Ops: 5	B.C. 60
B-8: 2	B-10: 4			

Auto-Aid/Mutual Aid Responses given:

- A. 4 auto-aid responses were made to Estero.
- B. 1 mutual aid response was made to North Naples

Training Classes: 154 different training classes were offered during the month of December between the Fire/EMS and Special Operations Divisions. This resulted in the logging of over 2,319 personnel hours of training. One of our most critical training programs for the month was the Rapid Intervention Training that we had for select members of the three shifts. Each Division will further expand.

We completed radio communications testing in our 37 high-rise to identify emergency radio communication issues and to see how they may be resolved.

We currently are working on 4 new protocols.

We began our Operations Chief meeting during the month of December and covered over 14 items. This meeting involved Estero, Fort Myers Beach and San Carlos Park Fire Departments.

Fire Hydrants:

- 41 were flushed, lubricated, prep'd and painted
- 18 street markers were replaced
- 21 hydrants were color coded
- 3 hydrants with reported problems were repaired.

Deputy Chief Ryan will give the update on the new engine and platform truck.

Deputy Chief Joe Daigle

Equipment Update: The EMS Division has no new equipment to report.

Training Update: During the month of December, training finished up the pharmacology testing for suppression personnel. The Training Division completed orientation including EMS skills testing and BLS credentialing with Roy Brown (the new firefighter).

We have 33 on-line paramedics and 47 EMT's.

A brief overview of the Medical Director's role as according to State Statute 64-j and her functionality:

- * The Medical Director audits the performance of personnel by reviewing patient care records, and direct observation. (Quality Assurance)
- * Comparison of performance standards for drugs, equipment, and protocols and procedures.
- * Participation in the Quality Assurance program developed by the department.
- * Ensures the department is in compliance with the handling of all medication such as controlled substances.
- * Develops Trauma Transport Protocols
- * Provides monthly in-service training
- * Authorizes EMT's and Paramedics to function as such through the department credentialing process.

Present Direction: The EMS Division is in the process of renewing the departments Advanced Life Support License with the State of Florida. The EMS Division is also working in conjunction with training to provide a mobile training unit, which will deliver hands on practical skills training on site for each station. The objective is to maximize the frequency and quality of practical application training. Continuous practical training insures that the customer receives care in an accurate and expedient manner.

Deputy Chief Dan Ryan

Training: The department finished up with "Calling the May Day" training for the Rapid Intervention Team (RIT). Probationary FF Roy Brown completed our 3 week orientation and has been assigned to "B" shift.

Explorers Post #5513: They are still on track to go to Gatlinburg, TN for Winter Fest from January 29th to February 2nd. A car wash was held at Station #1 and \$125.00 was raised. They will be training with Estero at Station 4 tonight beginning at 1900.

Apparatus: The final inspection of E-21 is completed. It leaves Appleton, WI tomorrow and will be arriving at Ten-8 in Bradenton for some electronic installations and minor adjustments. After work is completed there, it will come to Station 4 for some more work which will take approximately another month to install.

We found 8 items that need attention and we are very happy with the results and performance of Pierce Manufacturing.

Maintenance: There were no major repairs in December regarding the fleet. All apparatus are functioning well. We are under budget for our maintenance costs so far this year.

Pre-Plans: Two pre-plans were completed this month – Mango Creek Condos at Bonita Beach Road and Imperial River Road and the YMCA.

Deputy Chief Shane Sibert

December Special Operations Division Report

Equipment Update: We updated our existing radio communications battery cache again as the ones ordered would not hold a charge. (out of date). This includes portables: 800 MHz and VHF for Administration, suppression, prevention, Training, and PIO Divisions.

Training Update: Confined Space Operations: Special Operations Members continue to conduct and complete Awareness and Operations levels in Confined Space Rescue Operations.

Direction: The Special Operations Division has been working toward the continued training to bring members to operations level in the respected disciplines.

Fire Marshal Fernandez

	Last Month	This Month
Number of Inspectors	7	7
Existing occupancy inspections: (YTD 4,202)	472	223 (-249)
Existing occupancy reinspections (YTD 1,464)	84	198 (+114)
New construction inspections: (YTD 4,797)	519	501 (-18)
USE permit inspections (YTD 220)	21	20 (-1)
Hydrant fire flows (YTD 73)	2	24 (+22)
Plan Review (YTD 808)	53	59 (+6)
New buildings (YTD 25)	3	5 (+2)
Fire permits received (month of December)	33	17 (-16)
Fire permits YTD (12/31/2008)	205	
Fire permits issued YTD	179	

- * The “Fire Prevention and Control Inter-Local Agreement” was agreed upon, and signed by the City of Bonita Springs on December 17, 2008.
- * Inter-local Agreement (functional consolidation) between the Estero Fire Control and Rescue Service District and Bonita Springs Fire Control and Rescue District for Plan Review Services was agreed upon in December 2008, effective January 5, 2009.
- * Existing occupancy geographical zone assignments were established for fire inspectors to do for the year 2009. (Inspector’s Hogrefe, Lee, Levesque, Morris)
- * Inspector’s Dahlgren and Krupp will continue to do new construction inspections for the year 2009.
- * Inspector Scholz will continue to do pre-fire plans and school inspections for the year 2009.

Commissioner Edsall asked if the inspectors conducted fire drills at the schools. Fire Marshall said they were not present at all of them but someone from the school board is in attendance. The department goes twice a year to train the school inspectors.

If there is a severe violation, it is up to the school board to rectify those problems.

Chairman FitzGerald will talk with Fire Marshal Fernandez regarding this issue.

Union President Greg DeWitt

There are no problems on the labor side.

In the board packets there are two letters, one from Bonita Springs Middle School and one from Spring Creek Elementary, as well as Bonita Springs Elementary thanking the “B” shift for attending their school. This is a new tactic for the media to bring positive news to the public and do positive public relations for the department.

Chairman FitzGerald commended president DeWitt for his efforts and would like to have another commissioner be a liaison advocate to the union. This person would be an advocate to the board as well and could possibly write letters to the media about the good works of the department personnel.

Commissioner Edsall asked why we have a PIO officer and Public Education Specialist who are paid \$150,000.00 a year to handle public information, press releases, marketing which should include firefighters and what they are doing. He noted that the department is not working together and should be funneling these types of things through their department for dissemination.

President DeWitt stated he did not want to use the PIO officer or Public Education department to expand on the good works of the union for fear that there would be repercussions from taxpayers for using those offices to promote the union.

III. Old Business

Tri-Data Appointment

One commissioner from the board is to be appointed to work with Tri-Data on the merger study. **Motion** made by Commissioner Edsall to nominate Chairman FitzGerald; **second** by Commissioner Lohan. **Motion carried.** The vote was 5-0. Chairman FitzGerald will be the liaison between Tri-Data and the fire board.

Appointment of citizens to focus group for January 23, 2009 meeting

Chief Kinsey suggested that the lists of people submitted by the board suffice for the members of the focus group. There were five nominations presented – Paul Pass, John Hritz, Tom McGeorge, Neil Arnal and David Morton. Chief Kinsey stated that this is a focus group and as such, have no voting rights. Chairman FitzGerald made a **motion** to close the focus group nominations; **second** by Commissioner Edsall. **Motion carried.** The vote was 5-0.

IV. New Business

A **motion** was made by Commissioner Liles to nominate Commissioner Conforti for the position on the firefighter's pension board. There was **no second**. Commissioner Lohan stated he has a problem with one of the commissioners being on that board due to a conflict of interest.

Commissioner Conforti made a **motion** to revoke the 07/08/04 resolution stating that a fire board commissioner must be appointed to the firefighter's pension board; **second** by Commissioner Lohan.

In further discussion by Commissioner Edsall, he felt that a commissioner on the fireboard could just as well serve on the firefighter's pension board. He noted that the two boards have two distinct responsibilities and a fire commissioner may do the job better. By revoking this resolution, he felt the fire board was rushing to judgment and if the fireboard took that action tonight, another call for qualified candidates would have to be put out.

Commissioner Edsall made a **motion** to table the vote which Chairman FitzGerald stated overrode the original motion by Commissioner Conforti to revoke the 07/08/04 resolution.

A vote was then taken on Commissioner Conforti's **motion** of revoking the 07/08/04 resolution. There was a **second** by Commissioner Lohan who voted to overturn the resolution; Commissioner Edsall voted not to overturn the resolution 07/08/04; Commissioners Conforti and Liles voted yes. **Motion carried** for the revocation of the resolution.

Commissioner Conforti made a **motion** to nominate Bob Paterson to sit on both the fire board and the firefighter's pension board; **second** by Commissioner Liles. Chairman FitzGerald, Commissioner Edsall and Commissioner Lohan voted no. Chairman Fitzgerald reprimanded Bob Paterson stating he never reported to the board any financial dealings of the pension board to the fire board such as multiplier increases. Commissioner Conforti explained that the fire board approved all increases in pension benefits and the information was contained in the monthly board packets as well as in the public records of the minutes. The vote was Commissioner Conforti and Liles – yes; Commissioners Lohan, Edsall and FitzGerald no. **Motion failed.**

Chairman FitzGerald made a **motion** to nominate Gina Palanzi as the next member on the pension board; **second** by Commissioner Lohan. Commissioner Edsall stated he would like to call a special meeting to discuss the nominees. **Motion carried.** The vote was 3 for and 2 against. Vote: Commissioners Lohan and Conforti voted yes as did Chairman FitzGerald. Voting no were Commissioners Edsall and Liles.

Chairman FitzGerald **nominated** Nancy Oppenheim to the second position; Commissioner Conforti **seconded.** **Motion carried.** The vote was 4-1.

The two new members on the firefighter pension board are Gina Palanzi and Nancy Oppenheim. Ms. Oppenheim will serve on both boards. Chairman FitzGerald and Commissioner Liles both agreed that pension information should be placed on the monthly board meeting agenda after there has been a pension meeting.

Request for Travel – non-line items

High Rise Operations Symposium – FDNY Training Academy

Commissioner Liles made a **motion** to approve four employees attending a high rise symposium in New York on March 19th & 20th at an estimated cost of \$5,000.00; **second** by Commissioner Conforti. **Motion passed.** The vote was unanimous.

Commission on Fire Accreditation International

A **motion** was made by Commissioner Conforti to send Chairman FitzGerald, Chief Kinsey and Assistant Chief Craft at a cost of approximately \$1,156.00 per person; **second** by Commissioner Liles. **Motion passed** unanimously.

Interlocal Agreement

This is an Interlocal Agreement between Bonita Springs Fire Control and Rescue District and the City of Bonita Springs-Fire Prevention. A **motion** to accept the agreement was made by Commissioner Lohan; **second** by Commissioner Conforti. **Motion passed** unanimously.

Public Input

Mr. Alex Grantt asked why there was a difference in the tax reported by the audit and the tax collector. He also noted there was a difference on the fund balance from the years 2002-2007 as well as expenses in the construction of Station 4. Chairman FitzGerald suggested Mr. Grant make an appointment to meet with the Finance Director, Tony Gambino for further clarification on these issues.

V. Commissioner's Business

Commissioner Lohan requested that the meeting minutes be placed on our website and updated regularly.

Department physicals are costing approximately \$70,000.00 a year. Commissioner Lohan asked why there is a charge if the department is paying for the health insurance. Administrative Director Roman explained that the department is partially self-funded and there is no difference if the department pays a claim or the insurance company pays for the physical. She stated that the insurance company would not pay for some of the procedures performed for our physicals.

Commissioner Edsall requested a five-year plan of projected expenditures from Chief Kinsey. Chief Kinsey will supply that to Commissioner Edsall.

A **motion** to adjourn the meeting was made by Commissioner Conforti; **second** by Commissioner Edsall.
Motion carried.

Meeting adjourned at 6:50 PM

Respectfully submitted

Mary Huss
Secretary