

MINUTES  
EAST NAPLES BOARD OF FIRE COMMISSIONERS MEETING  
June 18, 2008

I. MEETING OPENED

Commissioner Cannon called the meeting to order at 5:32 P. M. Present were Commissioner Cannon, Commissioner Gibbons, Commissioner Davis, Commissioner Miller, and Commissioner Boyer. Also present were A/C Potteiger, D/C Dyer, D/C Biondo, D/C Teague, Capt. Leal, Lt. Packard, D/E McGowan, Mechanic Popiol, Fire Code Official Salvaggio, Lt. Insp. Riley, FF Ozneil Perez, SSA Bishop, CRO Speers, Aaron Cline, and A/A Packard.

A. Pledge of Allegiance

Commissioner Cannon opened the meeting with the Pledge of Allegiance.

B. Additions or Deletions to Agenda

Deputy Chief Teague requested some equipment be declared surplus and Commissioner Cannon said this would be put under "New Business" as "D" and make the "Board E". Commissioner Cannon asked if there was a report on the Company Vehicles Program from Chief Schank and Pott said he had some recommendations, so that was kept on the agenda. Commissioner Cannon asked if we had anything on Ladder 21 from Deputy Chief Bogert and Pott said that can be crossed off but Commissioner Cannon said to keep it on the agenda.

Commissioner Boyer made a motion to approve the agenda which was seconded by Commissioner Gibbons and passed unanimously.

C. Approval of Minutes of May 13, 2008 Meeting

Commissioner Boyer made a motion to approve the minutes of the May 13, 2008 meeting as written. Commissioner Miller seconded the motion and it passed unanimously.

D. Approval of Minutes of May 27, 2008 Special Meeting

Commissioner Boyer made a motion to approve the minutes of the May 27, 2008 Special Meeting. Commissioner Miller seconded the motion and it passed unanimously.

E. Treasurer's Report

Deputy Chief Dyer said his report is as submitted. Doug said we have a pretty high overtime which is accounted for because of the Brevard County fires as we sent personnel up there to assist regarding mutual aid with them. The other overtime is due to personnel out on workman's compensation. B Shift is especially hard hit.

Commissioner Cannon said our ad valorem collections are still down about \$800,000.00. He said hopefully when we go to the tax certificate sales we receive some of that money.

Commissioner Boyer questioned the top line of page 22, SIP Insurance Fund, and D/C Dyer advised this money is put in the Health Contingency Fund to pay claims.

Commissioner Boyer questioned the False Alarm category of \$20,000.00 and where are we at collecting those fees. Commissioner Cannon advised we have an agenda item that is going to discuss False Alarm Fees.

Commissioner Boyer questioned Account 240-900-001 and Commissioner Cannon advised this is depreciation on equipment.

Commissioner Boyer asked what the percentages on page 25 referred to and Pott said this shows how much of the budget was used versus how much is left and how it compares to last year's budget.

In regard to the fuel report for the Fire Code Office, Commissioner Boyer said most of the fuel usage went down but Bob Salvaggio's went up and Rico's went way up. Pott said they changed vehicles and the mileage depends on how many meetings they go to.

Commissioner Davis made a motion to approve the Treasurer's report, subject to audit. Commissioner Boyer seconded the motion and it passed unanimously.

F. Awards and Recognition

The Board presented Carl Waltman and Alan Wittenauer with certificates for all their work in ENFD's Cert Program. They also recognized Cinde Kavan who was out of town and will present her certificate at a later date.

G. Reports

1. Fire Administration

a. Personnel

Pott advised that Brian Anderman, John Obst, and Ray Kilmer out on workman's comp. Clay Wilroy went out on workman's comp today and Tony Palermo is supposed to be coming back within the week. Nate is out on workman's comp and Eric Clere is going for an operation and will be out for six to eight weeks. Kevin Nelmes had a minor operation on his throat and should be back in a couple of shifts.

Ray Kilmer is on light duty, Tony Palermo was on light duty but the doctor rescinded it, Nate was on light duty but he needs another operation. John Obst is not on light duty and the status on Clay Wilroy is not known yet.

b. Other

Pott advised there will be no Steering Committee Meeting in June. The next meeting will be on July 24<sup>th</sup> at East Naples Station 20 at 6 P. M.

c. Public Comment

Pott said he personally received an email from the Chief from Golden Gate thanking him and all our personnel that helped him with the brush fires. Doug reported that the County Commission is going to have a tribute to the Wildfire Proclamation next Tuesday at the regular Commissioners' Meeting at the county complex at 9 A. M.

2. Administration: Assistant Chief

a. Fire Code Official's Office (with fuel report)

Pott said he requested Bob Salvaggio to come to the meeting as Ed is on a vacation/conference. Pott said the impact fees are definitely declining. He said our average is usually about \$35,000.00 and we have received about \$7,000.00.

Pott said Jeremy Johnson resigned from the FCO Office on good terms and at this time we are not looking at fulfilling that position.

In reference to the new Fire Code Building Bob said they are probably going to look at alternate funding or another entity to join them.

b. GRIT

No report.

c. Other

Pott said he will bring this topic up under New Business. Commissioner Cannon asked what Pott has under New Business and Pott said the 951 update for eminent domain and the lawyer question.

Commissioner Cannon said we keep getting personnel on workman's comp claims and we are running three short. He asked if we have some preliminary numbers regarding ad valorem and Pott said we have preliminary numbers from the county but we can't trust those numbers as everything is in draft. Pott said if we look at what we are spending in overtime and the fact that these positions are not new positions he would like to ask for three people just to get us through. Commissioner Cannon said as much as he hates to, until we receive the final numbers, he feels we should move in that direction.

Commissioner Boyer made a motion to hire three replacement employees, Commissioner Gibbons seconded the motion and it passed unanimously.

3. Fire Prevention: Deputy Chief

D/C Nick Biondo said his report is as submitted.

Nick said Lisa Douglass contacted him and they are going to have the Jaycees fireworks at Sugden. Nick advised her to send him a letter or email requesting ENFD's services. Commissioner Boyer said we are going to have to start cutting back our services and maybe in the future this is one area we can cut. Nick said in the past we provide a truck that is on duty, a brush truck and an engine, and two inspectors. There is overtime involved. Nick asked if the Board approved their doing the same as in the past. Commissioner Davis said she feels we should keep it the same for our community. Commissioner Cannon said if the Jaycees have a good Fourth of July, any donations to the East Naples Fire Department would be much appreciated. Nick said the Jaycees could build our time in their contract as it is a service we provide for them. Commissioner Cannon said in future years the Jaycees request should be in writing and received three weeks in advance.

Nick said the Juvenile Fire Service Program has been adopted by the Chiefs. This is a program the county chiefs have endorsed for helping any children having problems.

Nick advised the Arson Task Force was also passed by the chiefs.

Nick said they have moved personnel around in the Bureau. They took one person out of new construction and put him into existing. Brad Frasier, who has not been here quite a year, has passed his Inspector's Test and is now certified and working in existing. Rob Griffin is back from Fiddlers.

Nick requested permission to advertise for a Public Information Meeting regarding the new Fire Protection

and Fire Prevention Ordinance which will be held around the middle of July. The Board gave Nick permission to advertise the meeting.

4. Support Services Report

D/C Doug Dyer said his report is as submitted. Doug said he has a couple of highlights with the first one being budget forms for next year's budget that went out to the department for proposals for next year's budget and the submission deadline is July 1, 2008.

Doug said the second highlight is they received the permit for the PE room at Station 21 and the RFP for construction which is due by the 15<sup>th</sup> of July.

Doug said on page 89 there is a draft policy for lost, mutilated, or stolen checks that contains a stop payment fee the employee will have to pay.

Doug reported we had an independent payroll audit. Greg Perrino verified, in accordance with Appendix A of the contract, that everybody's salary is currently correct. Commissioner Cannon requested Greg Perrino present the audit to the Board upon its completion.

The Board had asked Doug to put together an Executive Summary on computers for the front line engines and after collecting all the pertinent information Doug said to outfit the front line apparatus, just the hardware will cost about \$35,000.00 total, plus approximately \$25,000.00 for software.

Following a long discussion on the capabilities of the computers Commissioner Cannon directed staff to get some opinions and do a little research on what trucks were purchased with impact fees and which were purchased with ad valorem, get us some good hard numbers, and get this moving. Doug said we could have the companies come down and look at the trucks and see how much it is going to take to really do it as our figures are estimates.

Doug said the shop report is as submitted.

Doug said he is no longer driving the F250 as there is no longer a need for him to drive it seeing he is in Support Services.

5. Training Report: Deputy Chief

D/C Keith Teague said he missed the last several Commissioner Meetings as he was doing training and he said he is happy to be back.

Keith said he wants to thank Nick and Capt. Burkhardt for all the work they did in putting a power point presentation together.

Keith said next month they have two training sessions scheduled, one for Mayday Lost/Trapped Firefighter that they do annually, and the other for Officer's Training. Both Naples Steel and Island Rental have granted us permission to use their facilities for training. We will utilize Naples Steel for the Mayday Lost/Trapped Firefighter, hopefully for the whole month of July and push Officer's Training back two weeks.

Keith said Andrea is back so they are back to full strength.

6. Fire Operations: Deputy Chief

Pott said the Operations Report is as submitted. He advised the Board that Chief Bogert is on vacation for another two weeks.

II. OLD BUSINESS

A. On-Going

No topics were presented.

B. 175 Retirement – Chief Potteiger

Pott said he, Doug, and Commissioner Gibbons went to the Special Districts meeting and requested the help of the Special Districts in reference to the 175. They stated that if we draft some language they will support it and go forward with it through Terry Lewis' Office. Pott said Commissioner

Cannon had some good ideas; including talking to some of our legislators to get it through and we are in the process of that. We also sent a letter to the Local to initiate the start/stop as we can negotiate through the options that we had a couple of months ago with our lawyer.

Pott said the Special Districts are looking at a bill to charge for services but there are some legalities that are coming up and they are making sure we can do it in a legalized way.

C. 951 Property Update

Pott said he has not received any information back on the eminent domain. The engineering company is setting up another meeting with the land owner to set up a meeting about swapping properties, letting us have a thirty foot easement, or eminent domain.

D. Discussion on Chief's Salary – Commissioner Boyer

Commissioner Boyer said he gathered information from Chief Schank, did a quick survey of the general area, and got information off the internet showing what chiefs make nationally. He said his proposal to Doug Dyer and to the Board to approve is \$110,000.00.

Chief Dyer said Commissioner Boyer expressed his intentions to him earlier and he understands his position but Doug's proposal to him, about two weeks ago when they met, was \$115,000.00 plus the bonuses he is eligible for according to the East Naples Handbook which would make it \$124,600.00.

Commissioner Cannon said he has a figure of \$115,000.00. He said that is about where Bob is at presently. He said North Naples chief makes around \$150,000.00 plus a private retirement; Golden Gate hired their chief a couple of months ago at \$127,000.00 plus, he believes, a private retirement. He would hate to see us pay a chief less than Golden Gate pays as we are a much larger district. Commissioner Davis said she believes we should pay \$115,000.00 plus benefits as we are still behind all the other chiefs in the county.

Commissioner Davis made a motion that we pay our new chief \$115,000.00 plus benefits that are described in the handbook. Commissioner Gibbons seconded the motion.

The motion passed four to one with Commissioner Boyer opposing.

Chief Dyer thanked the Board and feels this is a fair offer. Commissioner Cannon said Doug will take the title of the new chief on August 1, 2008. CRO Speers is to do press releases.

E. Replacement of 175 Trustee

Pott advised he has not received any resumes. This was advertised in the Naples Daily News and the Collier Citizen to no avail. Commissioner Cannon advised the Board and staff to keep talking to people in the district to see if they are interested in the position.

F. L-21 – Deputy Chief Bogert

Pott said Ladder 21 was declared surplus at the last Board Meeting with a minimum bid of \$20,000.00. The ad ran for a week and the sealed bids were supposed to be turned into Pott. He has not received any as of this date. Chief Bogert said someone was interested in it but we have not received a bid. Commissioner Cannon said we could advertise in the trade magazines and it would get a lot of attention.

Commissioner Boyer made a motion we reject all bids and resubmit in two months time. Commissioner Cannon seconded the motion and it passed unanimously.

G. Impact Fee Update NNFD – Chief Potteiger

Pott said we met with the county two weeks ago at North Naples. North Naples was gracious enough to decide to pay back all the impact fees that were owed throughout the county. The challenge was the legal council advised that it would have to be paid back out of ad valorem because of the six year window that you are supposed to be using the impact fees so they decided to get an Interlocal between the county and the departments and the county would divide the monies and be responsible to send it out. Commissioner Cannon asked if we need to issue the county a check for our share and then get it back and Pott said we do not have to issue a check to the county. With the interlocal they will do all the trade offs, who owes who, and it will be in the form of an interlocal that the Board will sign and it will be done.

North Naples did advise the county that this will be the last time something like this happens. If they make a mistake, shame on them.

Pott advised the Board we pay one and a half percent for the collection and he would like to negotiate a lower figure. Commissioner Cannon said he would like to see that as he would like to go down to one percent, the same as Golden Gate is paying. Pott said we should receive approximately \$37,000.00.

H. Executive Summary 2008-02 Collection of False Alarm Fees – D/C Biondo

Nick said he is trying to get some closure on some of the False Alarm problems they are having, especially the payment of the false alarms.

Commissioner Boyer made a motion to approve Executive Summary 2008-02 and Commissioner Davis seconded the motion. The motion passed unanimously.

Nick is to try the collections and report to the Board on the progress in nine months.

I. Executive Summary 2008-03 Worthless Checks – D/C Biondo

Nick said this Executive Summary is the result of checks we have received that bounced.

Commissioner Boyer made a motion to approve the worthless check collection for non commercial. Commercial collections should be collected under a lien program. Commissioner Davis seconded the motion and it passed unanimously.

J. Resolution 2008-05 Revised False Alarm Resolution – D/C Biondo

Commissioner Cannon made a motion to approve Resolution 2008-05 Revised False Alarm Resolution and Commissioner Boyer seconded the motion. The motion passed unanimously. Nick thanked Yolanda for all her research and work on this project.

K. Board of Fire Commissioners  
(Topics initiated by the Board)

Commissioner Boyer said he is constantly receiving emails from the engineer who worked on the project at 951 and Lake Park as he wants more work and there is a process to go through in hiring him and the environmental study people. He requested guidance and proposal to his fellow Board members that we go ahead and start developing that property but not build on it yet. Commissioner Boyer also asked the Board's permission to talk with Mayor Bill Barnett from the City of Naples and see if we can get some of their fill from the water plant.

Commissioner Boyer said he would like to see a proposal to take our impact fee money and get the Army Corps of Engineers, get all that stuff behind us, have the property completely cleared off the way it is supposed to be, start having fill put on it and once the fill is up to the point we need then do the water retention pond and let it sit. He said if we do consolidate our districts into a countywide district he would like to see that station built as if we are consolidated he doesn't know if they would put a station out there.

Commissioner Cannon asked Commissioner Boyer if he has an estimated idea on cost and Commissioner Boyer said engineering could run as high as \$40,000.00 and that is to put the building up including, he hopes, his total package. The environmentalist guy should be under the amount. Commissioner Cannon asked Commissioner Boyer if he could bring estimates and bids to the next meeting and he said he hopes he can.

Commissioner Boyer asked if the Board would approve getting bids for the engineering and Commissioner Cannon said yes.

III. NEW BUSINESS

A. Company Vehicles Program – Chief Schank

Pott said Chief Schank had the idea, for cutting down on fuel, of filling everybody's tank up on Monday morning to see where we are at and see how long it lasts. Pott said after talking to staff and Chief Dyer he believes the way we would

like to see it go is to uniformly make a statement of we will strive to cut the department's fuel consumption by 30%/40% and that way we can look at everything from trucks idling to where the vehicles are going. Doug said the idea is to first make it a voluntary thing, put a target of 30% reduction in consumption, not cost, by October the first and that way he leaves it up to the individuals to figure out how they want to do that. Then, if we meet that goal we can adjust by 5% until we get down to something that is manageable. Doug said if that doesn't work we will have to take more drastic steps.

Pott said a lot of people use Sedgeways and they have a unit for going through the woods, for blacktop, etc.

Commissioner Boyer asked why can't we get rid of some cars and pay employees per diem. Pott said the reason we bought some of the cars is that it was a good deal and we seemed to need cars all of a sudden. Doug said for long term consideration is the recapitalization of some of the bigger vehicles that we bought and buying some smaller ones.

Pott said there are some IRS codes that we are putting together to see the legalities of that as Commissioner Cannon, for the last couple of years, has been singing about the IRS ramifications.

B. Draft Policy 2008-01 Policy on Reissuing Checks – D/C Dyer

Doug said they created this policy trying to distinguish between lost and stolen checks, mutilated checks and checks that have not been cashed for six months.

Commissioner Cannon said to bring this back next month and we will see what happens. Doug asked the Board to let him know of any comments or suggestions so they can make the changes.

C. Request for Attorney's Fees for Workman's Compensation Issues – Chief Potteiger

Pott said we have a situation with one of our employees which he cannot go into, but some things have developed on his employment here and requested permission to retain an attorney from Allen, Norton, & Blue and look into legalities of what our rights are and what are rights are not on the

employee versus the workman's comp part of it. Pott said he has no idea of the cost. The Board agreed to Pott's request.

D. Surplus Equipment – D/C Teague

Keith requested an old overhead Bell & Howell projector and a LCD Sharp projector be declared surplus equipment. Commissioner Davis made a motion to declare the Bell and Howell overhead projector and the Sharp LCD projector surplus equipment. Commissioner Cannon seconded the motion and the motion passed unanimously.

E. Board of Fire Commissioners  
(Topics initiated by the Board)

Commissioner Boyer asked what the meeting dates for July and August will be. Commissioner Cannon said for the August meeting date a number of us will be out of town and in July a couple of us may be out of town.

Commissioner Cannon asked if we could move the meeting to the 22<sup>nd</sup> of July and cancel our regular meeting in August but we may have some workshops. The Board agreed to this.

Doug advised the Board the Steering Committee Meeting will be on the 24<sup>th</sup> of July here at Station 20.

IV. ADJOURNMENT

Commissioner Gibbons made a motion to adjourn and Commissioner Cannon seconded the motion. The meeting adjourned.

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Thomas G. Cannon

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Karen M. Miller

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Richard Gibbons

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Robert A. Boyer

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Angela S. Davis