

**THE FOLLOWING MINUTES OF THE BOARD OF COMMISSIONERS MEETING REPRESENTS A SUMMARY OF THE STATEMENTS MADE DURING THE MEETING AND INCLUDES ALL OFFICIAL ACTION TAKEN BY THE BOARD. THEY DO NOT CONSTITUTE A VERBATIM RECORD OF THE ACTUAL COMPLETE STATEMENTS MADE DURING THE BOARD OF COMMISSIONERS MEETING. ANYONE WHO IS INTERESTED IN A VERBATIM AUDIO RECORDING OF THE BOARD OF COMMISSIONERS MEETING CAN REQUEST AN AUDIO RECORDING FROM THE RECORDS CUSTODIAN OF THE DISTRICT.**

Meeting called to order 6:05p.m.

Opening Prayer and Pledge of Allegiance dispensed with as observed at Budget Workshop earlier this evening.

Roll Call – Richard Pringle, Attorney for the District; Dave Howard, Fire Chief; Cynthia Zinger, HR and Administrative Compliance; Mark Winzenread, Finance Director; Lauri McMahon, PEIRO; Joel Guzman, Logistics; Tracy McMillion, Training; Ed Steffens, Prevention; Seth Comer, Deputy Chief; Jim Walker, Commissioner; Scott Kuhn, Commissioner; Steve Barbosa, Commissioner; Todd Taylor, Commissioner; Mary Ellen Dorsett, Commissioner.

Chair stated that the order being changed to accommodate Attorney Pringle’s schedule and we will be going directly to agenda items.

Agenda Items Requiring Action

- 1) Video Documentation of Public Meetings
- 2) Medical Director Agreement
- 3) ~~Approval of Legal Bills~~ **Removed from agenda**
- 4) Chief’s Employment Agreement
- 5) **Marketing Plan Presentation** – walk on item

After Chair read in the agenda items and asked for any questions, additions, or deletions, Commissioner Taylor questioned the item of Approval of Legal bills, why is it on there, wasn’t that addressed last month? Commissioner Walker stated that although discussed last month, he does not feel the issue is resolved and has placed again on agenda to see if Board wants to have policy on bills. Commissioner Taylor stated he wishes to make **motion** (5146) to remove Legal Bill item from agenda. Chair read the Florida Association of Special Districts’ direction regarding the attorney to special district which states, “The lawyer is also a counselor and may respond to questions from Board members on issues of legal exposure, various legal options and risks associated with their official position. Board members should be encouraged to ask questions about the legal requirements of their services. There are some instances where following the advice of an attorney may provide a defense”. Discussion ensued as to rights of members to contact attorney. Commissioner Barbosa offered a seconded to the motion, and following discussion, the vote was three in favor, two opposed. Item is removed.

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Adoption of Agenda

**Motion** (5147) to adopt amended agenda made by Commissioner Barbosa, second Commissioner Taylor... approved and adopted.

Public Comment on Agenda Items

Chief's Report – Chief reviewed the report which was included in the packet adding that he wishes to revisit the IT item at future date. Regarding his employment agreement, he said that after reviewing the agreement and requirements, he has completed Masters degree and been accepted to NFA Chief program and feels it appropriate to wait until after completion of requirements before looking at new agreement.

Attorney – T3 Agreement is prepared and has been submitted to them for signing. The original medical agreement, doctor's agreement was one I was involved in writing and this revision I am okay with approval of as it is written.

Public Comment on Agenda Items – none

Unfinished Business

1) Video Documentation of Public Meetings

**Motion** (5148) to move from agenda and Chief will bring up in Spring or fall as I don't think it's right for the department to move on with it at this juncture made by Commissioner Kuhn, second Commissioner Barbosa... following brief discussion motion carried.

New Business

1) Medical Director Agreement

Chair deferred to Chief and Deputy Chief. Deputy Chief Comer explained the reasoning for revision of agreement that fee increase did not get reflected in previous agreement and that quarterly installments changed to monthly. **Motion** (5149) to update the medical director agreement to include the annual fee of \$25,000 to be made in 12 monthly payments of \$2083.33 and authorize Chair to sign offered by Commissioner Barbosa, second Taylor... approved.

~~2) Approval of Legal Bills~~ **Removed from agenda**

3) Chief's Employment Agreement

Commissioner Walker read the agenda summary submitted, "Dear members, as you are aware the fire chief's contract became effective June 1, 2016 and he has completed his probationary period May 1, 2017. I suggest to the commission that section 3 paragraph (c) wording be changed. The wording 'a super majority' be stricken and replaced with 'no less than four members' This change would clear up the intent of the wording. That clause can be found near the bottom of page 5 of the contract. I also suggest that the commission change the ending date of the contract to May 31, 2031 which would then be a ten year contract and would instill stability of the careers of the subordinate fire chiefs. I find it very unlikely that any one of us would like to work the pressure and anxiety of not knowing you may not have a job every two years. It would also eliminate the potential of politics or

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political influence in the department. I believe that job security is a concern of all of us in our careers. Lastly there's a potential morale issue that should be taken into consideration and a concern of all the commissioners".

Chair stated that Chief has mentioned that he has not completed terms of current agreement as of yet, and comfortable about the way it was written. Chief added that he agrees he has made the commitment to complete the NFA training and does believe that the intent of super majority was four out of five. Discussion of super majority and intent transpired with a suggestion of either or language by Attorney Pringle. If change, that would be language to address. Attorney was asked to state in motion form which was to amend employment agreement to add sentence in termination for cause section that says have to be five members present and super majority or if not five present, four votes would be required, either or. He then asked that item be postponed and continued next month due to time constraint. **Motion** (5150) by Commissioner Kuhn to postpone until next month, second Commissioner Barbosa... carried.

**Motion** (5151) to extend agreement to May 31, 2031 made by Commissioner Kuhn with second from Commissioner Walker... during discussion chair state appropriate time would be when agreement is up for renewal in May... Attorney Pringle stated usually between three and four year range, have not seen one longer than four but have provisions for renewal. During discussion, why commit to 14 year contract, questioned Taylor. Following discussion, Commissioner Kuhn withdraw previous **motion** (5151) and made new **motion** (5152) to have Chief provide commissioners with his, Berndt's and Elliott's contract s for next month and move forward, seconded by Commissioner Taylor... carried.

**4) Marketing Plan Presentation – walk on item**

The Marketing Plan document has been distributed prior to meeting. Dr. Banyan started with short presentation. This development checked off one of the boxes from the Strategic Plan. Focus group was conducted internally and externally with a home owners' association. In addition, a series of interviews were conducted. Analysis identified internal stakeholder (affiliated directly with District), connected (have relationship with, such as other fire districts, organizations, businesses), and external (tax payers, residents, legislators, not just within the district boundaries). PowerPoint was reviewed and discussed.

Following presentation, Dr Banyan asked for comments and questions. Chief asked if any insight with Facebook with regards to individuals of the organization representing the District in their personal comments. Where are we in moving forward with implementation, queried Chair? Chief has not reviewed document in detail. Have looked at some ideas and have basic survey placed on website. Chief added that accepting of plan is recommended. We will still have Dr Banyan as resource. **Motion** (5153) to approve marketing plan and utilize Dr Banyans assistance with implementation including reviewing agreement made by Chair, second Commissioner Taylor... motion carries.

Approval of Minutes – July 19, 2017

**Motion** (5154) to approve July 19, 2017 minutes made by Commissioner Barbosa, second Taylor Commissioner ... carried.

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Approval of Treasurers Reports – July, 2017

**Motion** (5155) to approve Treasurers Report for July, 2017 was made by Commissioner Taylor with second by Commissioner Barbosa... carried

Division/Committee Reports

Deputy Chief Comer informed Board of fire in Upper Captiva that we participated in, and recognized Chief Mascarelli for his assistance in our response. Boat was experiencing issues and he came in on his own time to assist in effort. Thanks.

BC Steffens - Prevention is fabulous, public events going well, implementation of risk assessment software which should be running few months.

BC McMillion - Completing air consumption drills this month. Crews have been practicing on their own each shift. Swim test will be up-coming. Pediatric System, purchased mobile program which assists in making drug calculations to treat high risk low frequency event. Mental health initiative has begun and will be ongoing initiative. We want to be sure we take care of our mental health as well as our physical health.

Guzman – Busy getting with operations on specs for new engine, assessing buildings for needs with remodeling and updating. We're excited about remodeling stations and getting up to date; also excited about moving forward with IT and T-3, and working on budget and negotiations.

DVP Report – negotiations and all else quiet

Public Comment – non agenda items – none

Commissioner Comments – Commissioner Kuhn stated that last month asked Ed about false alarms. Would like report scanned and sent to all commissioners. Residential, commercial, and government are the three categories. Do not bill government, not looking to bill residents, what does it cost to run truck out on a fire call? Don't want our tax dollars paying for false alarms, and would like Ed and Mark to come back with a cost.

Commissioner Barbosa received email from Chaplain Mark on PEER support program. He would like Chief to research the health plan for Commissioners regarding attorney general's opinion, looking at health only. That would be board decision, Chief will tell what is available and what it would cost, per Chair. Last thing was brochure, as printer can do at cost. The potential for conflict of interest was mentioned, and will run by Richard Pringle for legal advice.

Adjournment –

**Motion** to adjourn made by Commissioner Kuhn, second Commissioner Barbosa... carries.

Meeting adjourned 7:58 p.m.

Approved by \_\_\_\_\_

Print Name \_\_\_\_\_