

FORT MYERS BEACH FIRE CONTROL DISTRICT

**MARCH 13, 2019
BOARD OF FIRE COMMISSIONERS
WORK SESSION & MEETING**



MATERIALS



FORT MYERS BEACH FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS WORK SESSION & MEETING

AGENDA

MARCH 13, 2019

9:30 AM

2755 ESTERO BOULEVARD, FORT MYERS BEACH PUBLIC LIBRARY
FORT MYERS BEACH, FLORIDA 33931

BOARD OF FIRE COMMISSIONERS

LARRY WOOD
CHAIR

RON FLEMING
VICE CHAIR

BOB RAYMOND
SECRETARY/TREASURER

JACKI LISZAK
FIRE COMMISSIONER

JOHN BENNETT
FIRE COMMISSIONER

FIRE CHIEF
MATTHEW R. LOVE

1. Meeting Called to Order
2. Pledge of Allegiance
3. Restate Agenda Items [Information]
4. Adoption of Agenda [Discussion/Approval]
5. Public Input on Agenda Items
6. Consent Agenda [Approval]
Items listed are considered routine and action will be taken by one motion; if a Commissioner desires discussion, the specific item will be removed and considered separately.
 - A. February 27, 2019 Regular Monthly Meeting Minutes
7. Unfinished Business
 - A. Facility Planning [Information/Discussion/Approval]
8. New Business
 - A. Board Policy Manual Updates [Discussion]
 - B. Term Limits [Discussion]
 - C. Proposed Sanction Rescinding [Discussion/Approval]
9. Fire Chief Remarks [Information/Discussion]
10. Public Input
11. Commissioners Remarks [Information]
12. Adjournment

DRAFT MINUTES
REGULAR MONTHLY MEETING OF THE
FORT MYERS BEACH FIRE CONTROL DISTRICT
BOARD OF COMMISSIONERS
TIME: 6:00 PM
DATE: February 27, 2019
PLACE: 2525 Estero Boulevard – Town Hall
Fort Myers Beach, Florida 33931

IN ATTENDANCE: Chairman Wood, Vice-Chairman Fleming, Commissioner Bennett, Fire Chief Love, District members and members of the public.

Absent: Secretary/Treasurer Raymond & Commissioner Liszak

1. Meeting Called to Order

2. Pledge of Allegiance

3. Adoption of Agenda

Chairman Wood called for a motion to approve the agenda. Vice-Chairman Fleming made a motion to approve the agenda. Commissioner Bennett seconded. The motion was approved unanimously 3 – 0.

4. Swearing In Ceremony [Presentation]

Recess

5. January 9, 2019 Work Session & Meeting Minutes [Discussion/Approval]

Chairman Wood called for a motion to approve the January 9, 2019 meeting minutes. Vice-Chairman Fleming made a motion to approve the January 9, 2019 meeting minutes. Commissioner Bennett seconded. Motion approved unanimously 3 – 0.

6. Treasurer's Report

Chairman Wood requested Finance Director Jane Thompson to read the Treasurer's report for December 2018 and January 2019.

Finance Director Jane Thompson reviewed the summary of bank and investment account activities for the month ending in December 2018 and January 2019.

- A. December 31, 2018 Department Checks #44572 through #44631 for a total of \$196,817.70. [Discussion/Approval]
- B. January 31, 2019 Department Checks #44632 through #44731 for a total of \$268,694.84. [Discussion/Approval]

Chairman Wood made a motion to approve the December 2018 and January 2019 Treasurer's report. Commissioner Bennett seconded. Motion approved unanimously 3 – 0.

7. Chief's Report [Information]

Chief Love highlighted items on the Chief's report as well as:

- Usage of Lee County EMS Ambulance
- Celebration of Life for Dr. Hommerding
- Update in Incident Data Tracking
- FASD Reminder
- Engine Donation
- Gulf Star Marina Update
- Thank you Notes from Community

Vice-Chairman Fleming congratulated the members who promoted and welcomed our new team members. Vice-Chairman Fleming stated that he highly recommends that the Commissioners attend the upcoming FASD conference. Vice-Chairman Fleming stated that he is very pleased with Division Chief Kraus and his work. Vice-Chairman Fleming thanked Assistant Chief Wirth and Assistant Chief Martin for their support during the tragedy at the library.

8. Restate Agenda Items

9. Public Input on Agenda Items

No public input was provided

10. Unfinished Business

A. Facility Planning [Information/Discussion/Approval]

Chief Love stated that we continue to meet with our broker to assess properties and that he should have a further update in the coming weeks.

11. New Business

A. Consent Agenda Implementation [Discussion/Approval]

The Board discussed the items they would like to see on the Consent Agenda. Chairman Wood called for a motion to approve the implementation of the Consent Agenda. Vice-Chairman Fleming made a motion to approve the Consent Agenda that will include the Treasurer's report, minutes from prior meeting, and based upon feedback from Union Representatives, adding item number twelve (12) Reports from Union Representatives Districts 3 and 15. Commissioner Bennett seconded.

Motion approved unanimously 3 – 0.

12. Reports from Union Representatives Districts 3 and 15 [Information]

No reports provided

13. Fire Chief Remarks[Information/Discussion]

Chief Love thanked the Board for allowing the Recess and the Promotional Ceremonies.

14. Public Input

No public input was provided

15. Commissioners Remarks

Vice-Chairman Fleming thanked the department and outside agencies for their support during the tragedy at the library. Vice-Chairman Fleming stated that he is proud to be a member of this organization. Vice-Chairman Fleming stated that he is happy with the promotions, and wished all First Responders an eventful, but safe night.

Commissioner Bennett congratulated the members on their promotions, and welcomed the new members. Commissioner Bennett discussed a direct contact he received feedback from on the outstanding service provided by our department. Commissioner Bennett also wished all First Responders an eventful, but safe night.

Chairman Wood thanked Chief Love and his staff for the recent hiring process of new members as well as the promotional process. Chairman Wood stated that he was impressed by the training hours for December and January and congratulated Chief DiCristofalo on his training progress.

16. Adjournment

6:58 pm

FORT MYERS BEACH

FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS
WORK SESSION & MEETING

UNFINISHED BUSINESS
MATERIALS



FORT MYERS BEACH FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS MEETING

“Blue Sheet” AGENDA ITEM INFORMATION

AGENDA CATEGORY: Unfinished Business ITEM 7A
AGENDA ITEM: Facility Planning
SUBJECT: Infrastructure Options
OTHER: N/A

ACTION [Information/Discussion/Approval](#)

PURPOSE

Provide the Board of Fire Commissioners with updates on facility designs, and planning for future infrastructure sustainment.

HISTORY

In previous meetings, and as a result of the long-term facility assessment, discussions have taken place in regard to the planning process and funding options for facility needs to situate the District for the procurement of property and facilities.

Funding options, re-building, and new construction planning was discussed at a previous meeting and staff was given direction by the Board on moving forward.

FORT MYERS BEACH FIRE CONTROL DISTRICT

**BOARD OF FIRE COMMISSIONERS
WORK SESSION & MEETING**

**NEW BUSINESS
MATERIALS**



FORT MYERS BEACH FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS MEETING

“Blue Sheet” AGENDA ITEM INFORMATION

AGENDA CATEGORY: New Business ITEM 8A
AGENDA ITEM: Board of Commissioners Policy Updates
SUBJECT: Discipline Policy
OTHER: N/A

ACTION [\[Discussion\]](#)

PURPOSE


Discuss verbiage changes to the Board of Commissioners Policy B2000 (Commissioner Handbook) regarding the discipline policy.

HISTORY

At previous meetings and retreats, these topics were discussed and the Board identified the desire to enter further discussion for potential updates. See attached example.

RECOMMENDATION

Staff recommends Commissioners review the Board Policy Manual and provide feedback on the topics for approval at a future meeting.

	FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY		
Title	Commissioner Handbook	Number	B2000
Division	General	Revision Date	REV DRAFT 3/5/2019
		Effective Date	1/1/2018

take an oath of office, nor shall the recording secretary be required to post a performance bond.

The Board will, if deemed necessary, appoint an acting officer in the absence of any individual officer.

VII. Compensation

Each Commissioner shall receive the maximum compensation authorized by statute, unless otherwise determined by the Board. No Commissioner shall receive compensation as an employee of the District, except as may be provided by statute.

VIII. Indemnification

The District shall defend, hold harmless and indemnify any Commissioner, officer, agent, or employee, whether elective or appointive, against any tort or liability, claim or demand, without limitation, arising out of any alleged act or omission occurring during the performance of official duty, as more fully defined by law or by an indemnification resolution, if any. In the event a Commissioner is charged with a public records violation, sunshine law violation, ethics violation or criminal violation, this section will only apply after exoneration.

IX. Violation

If it is believed that a Commissioner has violated the items found in this document, or any other District Policy or Procedure, the alleged violation will be brought before the Board for review. The Commissioner who allegedly violated the item will have the opportunity to present a response to the allegations. Following the information presented, by **super majority vote, of all existing District Board members (4 out of 5, 3 out of 4, 3 out of 3)**, the Board may provide a formal sanction upon the violating Commissioner to include a publically voted on statement of record by the District.

- A. Any violation of Local, State, and/or Federal law may be escalated to the proper authorities by any individual, or on behalf of the District via a majority Board vote.

SECTION 5: Florida Sunshine Law

I. Purpose of Florida’s Government-in-the-Sunshine Law

The purpose of Florida’s Government-in-the-Sunshine Law is to provide a right of access to governmental proceedings at both the state and local levels. It applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before the board for action. There is also a constitutionally guaranteed right of access. Virtually all state and local collegial public bodies are covered by the open meetings requirements with the exception of the judiciary and the state Legislature which has its own constitutional provision relating to access.



FORT MYERS BEACH FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS MEETING

“Blue Sheet” AGENDA ITEM INFORMATION

AGENDA CATEGORY: New Business **ITEM 8B**
AGENDA ITEM: [Board Term Limitations](#)
SUBJECT: Fire Commissioner Terms in Office Limitations
OTHER: N/A

ACTION [\[Discussion\]](#)

PURPOSE
Discuss the potential adding of Board Policy limiting Commissioner Terms in Office.

HISTORY
At previous meetings and retreats, this topic was discussed. The District’s Attorney identified that such an alteration may also require referendum vote. The Board identified the desire to enter further discussion.

RECOMMENDATION
Staff recommends Commissioners discuss the topic and provide staff direction for potential policy verbiage.



FORT MYERS BEACH FIRE CONTROL DISTRICT

BOARD OF FIRE COMMISSIONERS MEETING

“Blue Sheet” AGENDA ITEM INFORMATION

AGENDA CATEGORY: New Business ITEM 8C
AGENDA ITEM: Proposed Sanction Rescinding
SUBJECT: Added at the request of Commissioner Fleming
OTHER: N/A

ACTION [Discussion/Approval]

PURPOSE

Discuss and determine action for a proposal to rescind a sanction by the Board at the November 13, 2018 Board meeting.

HISTORY

At a previous meeting, the Board voted 2 – 1 to bring a sanction against a Commissioner. The approved minutes are provided below.

At the request of Commissioner Fleming, this item appears for discussion and potential action in rescinding the described sanction.

*Estero Island Taxpayers Association October Meeting Comments
[Information/Discussion]*

The Board discussed the comments made by Commissioner Fleming at the last Estero Island Taxpayers Association Meeting and whether there should be a sanction brought against him for the comments that were made at the meeting. Vice-Chairman Schindler made a motion for a sanction against Commissioner Fleming. Chairwoman Morris seconded. The Board continued to discuss whether a sanction was necessary.

Sanction: The Fort Myers Beach Fire Control District Board of Fire Commissioners has agreed by majority vote to sanction Commissioner Ron Fleming for comments made in conflict with Board Policy relating to representing the Board without approval to do so.

Chairwoman Morris called for a vote and stated that Commissioner Fleming cannot vote, as it is a conflict of interest. Motion approved 2 – 1.

<i>Chairwoman Morris</i>	<i>Aye</i>
<i>Vice-Chairman Schindler</i>	<i>Aye</i>
<i>Commissioner Wood</i>	<i>Nay</i>