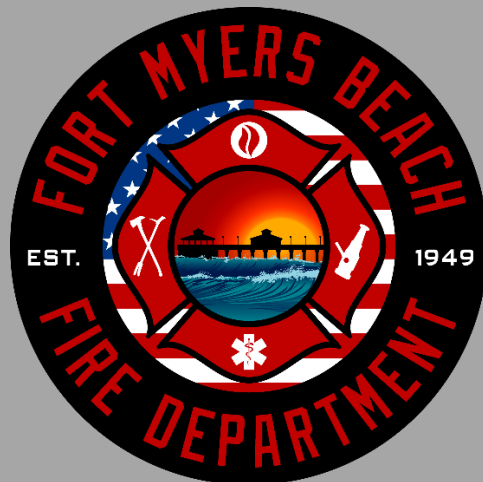


# FORT MYERS BEACH FIRE CONTROL DISTRICT

**DECEMBER 5, 2017**  
**BOARD OF FIRE COMMISSIONERS**  
**WORK SESSION & MEETING**



# MATERIALS



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS WORK SESSION & MEETING

### AGENDA

**DECEMBER 5, 2017**

**10:00 AM**

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

#### **BOARD OF FIRE COMMISSIONERS**

CAROL MORRIS  
CHAIR

THEODORE R. SCHINDLER II  
VICE-CHAIR

BOB RAYMOND  
SECRETARY/TREASURER

RON FLEMING  
FIRE COMMISSIONER

LARRY WOOD  
FIRE COMMISSIONER

**FIRE CHIEF**  
MATTHEW R. LOVE

1. Meeting Called to Order
2. Pledge of Allegiance
3. Adoption of Agenda [Discussion/Approval]
4. September 26, 2017 Tentative Budget Hearing Meeting Minutes [Discussion/Approval]
5. October 2, 2017 Final Budget Hearing Meeting Minutes [Discussion/Approval]
6. October 17, 2017 Regular Meeting Minutes [Discussion/Approval]
7. Restate Agenda Items [Information]
8. Public Input on Agenda Items
9. Handtevy Presentation by Division Chief Kraus [Information]
10. Old Business
  - A. Board Policy Manual [Information/Discussion]
  - B. Commissioners Attendance in Negotiations [Information/Discussion]
11. New Business
12. Reports from IAFF Union Representatives Districts 3 and 15 [Information]
13. Fire Chief Remarks [Information/Discussion]
14. Commissioner Remarks [Information]
15. Public Input
16. Adjournment

MINUTES  
TENTATIVE BUDGET HEARING OF THE  
FORT MYERS BEACH BOARD OF FIRE COMMISSIONERS  
TIME: 5:05 PM  
DATE: September 26, 2017  
PLACE: 2755 Estero Boulevard – Public Library  
Fort Myers Beach, Florida 33931

IN ATTENDANCE: Chairwoman Morris, Vice-Chairman Schindler, Secretary/Treasurer Raymond, Commissioner Fleming, Commissioner Wood, Fire Chief Love, District members and members of the public.

**1. Meeting Called to Order**

**2. Pledge of Allegiance**

**3. Adoption of Agenda**

Chairwoman Morris called for a motion to approve the agenda. Commissioner Fleming made a motion to approve the agenda. Vice-Chairman Schindler seconded. Motion approved unanimously 5 – 0.

**4. Restate Agenda Items**

**5. Highlights of Proposed Budget and Millage Rate [Information]**

Chief Love presented the proposed budget for 2017/2018 in detail.

**6. Public Input**

*None*

**7. Adoption of Tentative Millage Rate – Resolution 2017-03**

Chairwoman Morris read resolution 2017-03 for the record. Sec./Treasurer Raymond made a motion to adopt resolution 2017-03. Vice-Chairman Schindler seconded. Chairwoman Morris called for a roll call vote.

Chairwoman Morris	Aye
Vice-Chairman Schindler	Aye
Sec./Treasurer Raymond	Aye
Commissioner Fleming	Aye
Commissioner Wood	Aye

**8. Adoption of Tentative Budget – Resolution 2017-04**

Chairwoman Morris read resolution 2017-04 for the record. Vice-Chairman Schindler made a motion to adopt resolution 2017-04. Commissioner Wood seconded. Chairwoman Morris called for a roll call vote.

Chairwoman Morris	Aye
Vice-Chairman Schindler	Aye
Sec./Treasurer Raymond	Aye
Commissioner Fleming	Aye
Commissioner Wood	Aye

**9. Establish Final Budget Hearing Date**

A. Proposed – October 2, 2017 at 5:05 PM [Discussion/Approval]

Vice-Chairman Schindler made a motion to approve the proposed date of October 2, 2017 at 5:05 PM for the final budget hearing to be held at the Fort Myers Beach Public Library. Commissioner Wood seconded.

Motion approved unanimously 5 – 0.

**10. Remarks of Commissioners**

Commissioner Wood stated that he was impressed with the budget presentation and that it was very clear and concise.

Sec./Treasurer Raymond agreed with Commissioner Wood's comment. Sec./Treasurer Raymond also stated that the Department did a great job through the hurricane.

Commissioner Fleming commended the staff on the budget and storm preparation.

Vice-Chairman Schindler discussed the past reputation of the beach and how Chief Love and staff have turned the tables.

Chairwoman Morris stated that her goal has always been to turn our organization into a professional organization.

**11. Public Input**

*None*

**12. Adjournment**

Meeting adjourned at 5:47 pm.

MINUTES  
FINAL BUDGET HEARING OF THE  
FORT MYERS BEACH BOARD OF FIRE COMMISSIONERS  
TIME: 5:05 PM  
DATE: October 2, 2017  
PLACE: 2755 Estero Boulevard – Public Library  
Fort Myers Beach, Florida 33931

IN ATTENDANCE: Vice-Chairman Schindler, Secretary/Treasurer Raymond, Commissioner Fleming, Commissioner Wood, Fire Chief Love, District members and members of the public.

Absent: Chairwoman Morris

**1. Meeting Called to Order**

**2. Pledge of Allegiance**

**3. Adoption of Agenda**

Vice-Chairman Schindler called for a motion to approve the agenda. Sec./Treasurer Raymond made a motion to approve the agenda. Commissioner Fleming seconded. Motion approved unanimously 4 – 0.

**4. Restate Agenda Items**

**5. Fire Chief Remarks**

*None*

**6. Public Input**

*None*

**7. Adoption of Final Millage Rate – Resolution 2017-05**

Vice-Chairman Schindler read resolution 2017-05 for the record. Vice-Chairman Schindler made a motion to adopt resolution 2017-05. Sec./Treasurer Raymond seconded. Vice-Chairman Schindler called for a roll call vote.

Vice-Chairman Schindler	Aye
Sec./Treasurer Raymond	Aye
Commissioner Fleming	Aye
Commissioner Wood	Aye

**8. Adoption of Final Budget – Resolution 2017-06**

Vice-Chairman Schindler read resolution 2017-06 for the record. Sec./Treasurer Raymond made a motion to adopt resolution 2017-06. Commissioner Wood seconded. Vice-Chairman Schindler called for a roll call vote.

Vice-Chairman Schindler	Aye
Sec./Treasurer Raymond	Aye
Commissioner Fleming	Aye
Commissioner Wood	Aye

**9. Remarks of Commissioners**

Vice-Chairman Schindler and Commissioner Raymond commented on the passing of Battalion Chief Coenen.

Commissioner Fleming congratulated staff on their budget work.

**10. Public Input**

*None*

**11. Adjournment**

Meeting adjourned at 5:12 pm.

MINUTES  
REGULAR MEETING OF THE  
FORT MYERS BEACH FIRE CONTROL DISTRICT  
BOARD OF FIRE COMMISSIONERS

TIME: 6:00 PM

DATE: October 17, 2017

PLACE: 2755 Estero Boulevard – Public Library  
Fort Myers Beach, Florida 33931

IN ATTENDANCE: Chairwoman Morris, Vice-Chairman Schindler, Sec./Treasurer Raymond, Commissioner Fleming, Commissioner Wood, Fire Chief Love, District members and members of the public.

**1. Meeting Called to Order**

**2. Pledge of Allegiance**

**3. Adoption of Agenda**

Chairwoman Morris requested to add a discussion under new business 11A regarding the November Work Session/Meeting. Commissioner Fleming requested to add Marine Water Resources under Old Business and a discussion regarding the Community Emergency Response Team (CERT), which was agreed to be added to the Chief's Report. The Board agreed 5-0 to adopt the amended agenda.

**4. October 3, 2017 Work Session and Meeting Minutes [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the October 3, 2017 Work Session /Meeting minutes. Vice-Chairman Schindler made a motion to approve the October 3, 2017 meeting minutes. Commissioner Fleming seconded.  
Motion approved unanimously 5 – 0.

**5. Treasurer's Report**

Chairwoman Morris requested Sec./Treasurer Raymond to read the Treasurer's report for August 2017 and September 2017.

Sec./Treasurer Raymond reviewed the summary of bank and investment account to activities for the months ending in August and September.

**A. August 31, 2017 Department Checks #43237 through #43317 for a total of \$175,538.56 [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the August 2017 Treasurer's report. Commissioner Fleming made a motion to approve the department checks for August 2017. Vice-Chairman Schindler seconded.  
Motion approved unanimously 5 – 0.

**B. September 30, 2017 Department Checks #43318 through #43369 for a total of \$173,040.06 [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the September 2017 Treasurer's report. Commissioner Wood made a motion to approve the

department checks for September 2017. Commissioner Fleming seconded. Motion approved unanimously 5 – 0.

#### **6. Chiefs Report [Information]**

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

- Fire Prevention Week at Beach Elementary
- Battalion Chief Coenen's funeral service
- Tablets for Commissioners
- Legislation on consolidation
- Marine and drone operations
- Strategic plan
- Solutions to reporting run data
- Community Emergency Response Team (CERT)
  - Vice-Chairman Schindler apologized to CERT members for the way things were handled after the last Board meeting and requested that a formal proclamation be made to thank the CERT members for their service.
  - Fort Myers Beach resident and CERT team member John Pohland discussed the liability and insurance issue mentioned in regards to CERT. The Board and CERT members who were present continued to discuss the District and CERT.

#### **7. Attorney Report [Information]**

Chairwoman Morris reported that the meeting with the judge regarding the Darren White case was cancelled and that new depositions have been requested.

#### **8. Restate Agenda Items [Information]**

#### **9. Public Input – Agenda Items Only**

*No input was provided*

#### **10. Old Business**

##### **A. 2018 Meeting Dates and Location [Discussion/Approval]**

The Board and Chief Love discussed the 2018 meeting dates, locations, and times. Chairwoman Morris called for a motion to approve the 2018 meeting dates, locations, and times. Vice-Chairman Schindler made a motion to approve the 2018 meeting dates, locations, and times. Sec./Treasurer Raymond seconded. Motion approved unanimously 5 – 0.

##### **B. Vehicle Replacement Procurement [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the vehicle replacement procurement. Sec./Treasurer Raymond made a motion to approve the vehicle replacement procurement. Commissioner Wood seconded. Motion approved unanimously 5 – 0.



C. Marine Resources (added by Commissioner Fleming)

Commissioner Fleming stated that he has contacted Al Durrett at Fish Tale Marina to discuss marine resource options. The Board continued to discuss the options and purpose of marine resources.

**11. New Business**

A. November 7, 2017 Work Session and Meeting (added by Chairwoman Morris)

Chairwoman Morris discussed the meeting attendance for the November work session and meeting. Commissioner Fleming made a motion to cancel the work session and meeting for November 7, 2017 due to attendance. Sec./Treasurer Raymond seconded.

Motion approved unanimously 5 – 0.

**12. Reports from Union Representatives Districts 3 and 15**

*No reports were provided.*

**13. Remarks of Commissioners**

Commissioner Fleming discussed the funeral service for Battalion Chief Coenen. Commissioner Fleming stated that Mom's Restaurant is offering a discount to First Responders.

Commissioner Wood discussed the fires in California. Commissioner Wood discussed Commissioners attending negotiations. Chief Love stated that he is waiting for a response from Attorney Salzman, and will pass the information on when he receives it. This topic will be added to the work session/meeting in December for discussion.

Chairwoman Morris commended everyone who assisted with Battalion Chief Coenen's service.

**14. Public Input**

*No input was provided.*

**15. Adjournment**

Meeting adjourned at 7:14 pm.

**FORT MYERS BEACH  
FIRE CONTROL DISTRICT**

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

**OLD BUSINESS  
MATERIALS**



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** Old Business  
**AGENDA ITEM:** [Board of Fire Commissioners Policy Manual](#)  
**SUBJECT:** Policies for which the Board of Fire Commissioners conduct governance.  
**OTHER:** Remains on the agenda from previous meetings

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#### **ACTION**

[\[Information/Discussion\]](#)

#### **PURPOSE**

Create a single document identifying how the Board of Fire Commissioners wishes to conduct business.

#### **HISTORY**

Previously, multiple miscellaneous items have existed in addition to the organizations bylaws, to include Board amendments and resolutions. This manual will bring all items into one document to be used by the Board of Fire Commissioners in conducting business and functioning as a Commissioner group.

Legal counsel and staff have put together a draft document based on previous meeting discussions.

Additional components have been provided by legal counsel and have been added to their respective section.

**This item remains on the agenda from previous work sessions. To date the final draft of the document has been reviewed by legal counsel with recommendations and alteration provided in the Red Line Version for Commissioner review.**

#### **RECOMMENDATION**

**Staff recommends Commissioners review the final draft with legal review comments in preparation for policy adoption at the December 19, 2017 meeting.**

# FORT MYERS BEACH FIRE CONTROL DISTRICT



## BOARD of FIRE COMMISSIONERS

# POLICY MANUAL

**DRAFT Red Line**

*Version 10/24/2017*

	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY MANUAL</b>		
	<b>Approved:</b>	<b>Effective Date:</b>	<b>DRAFT RED</b>
<b>Title:</b>	<b>Revision Date:</b>	10/24/2017	

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**PURPOSE**

The purpose of the Fort Myers Beach Fire Control District Board of Fire Commissioners Policy Manual is to define the policies and operating procedures the Board will use to conduct business.

**SCOPE**

All Fort Myers Beach Fire Control District Fire Commissioners.

**POLICY**

**SECTION 1: Policies of the Board**


- I. The Commissioners operate in compliance with the Florida Statutes including, but not limited to;
  - A. F.S. 119: Public Records; Public Officers, Employees, and Records
  - B. F.S. 120: Administrative Procedure Act; Public Officers, Employees, and Records
  - ~~B-C.~~ F.S. 189: Special Districts, F.S. Public Officers General Provisions F.S. 191: Independent Special Fire Control Districts; Planning and Development
  - ~~C-D.~~ F.S. 286: Public Business: Miscellaneous Provisions; Public Business
  - ~~D-E.~~ F.S. 447: Labor Organizations; Labor

**SECTION 2: Office**

- I. The principal business office of District and Board shall be at 100 Voorhis Street, Fort Myers Beach, Florida 33931, until otherwise designated by the Board.

**SECTION 3: Meetings**

- I. Meeting Materials
  - A. Commissioners will arrive prepared to all meetings having read Board material, reports and/or correspondence on matters to be discussed at meetings. The Commissioners are encouraged to contact or meet with the Fire Chief prior to each meeting for clarification or questions regarding the material provided.
- II. Roberts Rules of Order  
Board meetings will run consistent with Roberts Rules of Order for Small Boards pursuant to Sunshine Law.

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III. Regular Meetings and Work Session Meetings

Regular Meetings and Work Session Meetings shall be held based on the approved and posted schedule.

IV. Special Meetings

Special meetings may be recommended by any member of the Board or the Fire Chief with ~~seven~~<sup>three</sup> (3) days' notice provided to each Board member, the Fire Chief, and District Administrative Offices, and a majority vote of all Board members.

V. Emergency Meetings

Emergency meetings may be called by the Chair or Vice-Chair in the event of a bona fide emergency situation, with reasonable notice. Emergency Meetings will be subsequently ratified by the Board.

VI. Meeting Attendance

A. Commissioners will adhere to the components of the Florida Statutes, specifically Chapter 191.005, regarding meeting attendance, which states, "The Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings. The Board shall adopt policies by resolution defining excused and unexcused absences."


B. Commissioners will attend all meetings unless excused. Commissioners will notify the Fire Chief and Chair via email or telephone as soon as possible if they are unable to attend a meeting along with an explanation for being absent.

C. The Board has defined an unexcused absence as: times that a commissioner does not attend a scheduled meeting that is beyond the Commissioner's control, providing that such absences do not exceed four (4) consecutive occurrences.

Any absence exceeding the four (4) excused consecutive absences will then be considered an unexcused absence and count towards the policy that the Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings.

The Board will allow an exception to this policy for unusual temporary extended incapacity. This exception will only occur if a request is made in writing to the Board explaining why the Board should allow more than the four (4) unexcused consecutive absences, and is unanimously granted by the Board.

D. All ~~Regular and Special~~ Meeting attendance must be in person.

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E. Commissioners shall attend all scheduled Meetings in District provided attire, representing the District in a professional manner.

VII. Agenda

A. Agendas for regular meetings and work sessions of the Board shall be created and finalized at least four (4) days in advance whenever possible.

B. Commissioners shall notify the Fire Chief well in advance of the four (4) day window if they wish to add items to the agenda in order to allow for proper research and information. When adding an item to the agenda, the requesting Board member shall provide:

1. The area of the agenda for which the item will be placed (Old Business, New Business, Presentation, etc.)
2. The desired action to be taken (Information, Discussion, Approval, etc.)
3. A description of the topic, which will adequately prepare other Board members and staff for the topic to be discussed.

C. New Business and/or Old Business that remains open during a meeting should be carried forward as Old Business on the monthly agenda for the next meeting.

D. The agenda shall be reviewed, adjusted, and approved at the beginning of the meeting by the Board.

E. It is the general practice of the Board to review items, whenever possible, at a Work Session Meeting, and approve items at a Regular Meeting. Whenever possible, Work Session Meetings shall include presentation and discussion on topics, while Regular Meetings shall include the final vote on such items.

1. Items of time or other sensitivity shall be brought to the Board despite the meeting type, as to not delay decision making.

VIII. Conducting Business


A. Vote Requirements.

The Board shall require the affirmative vote of a majority of the Board Members present and voting for all actions unless otherwise noted by policy or Roberts Rules of Order.

B. Abstention

Commissioners must vote on all issues unless they have a conflict of interest and file the appropriate documentation with the state of Florida as identified in statute



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112.3143, to abstain from voting. [If a Commissioner has a voting conflict, pursuant to Florida Statute, they may still participate in the discussion of the issue before the Board of Commissioners.](#)

C. Order

The Board Chair, or designee, will maintain professionalism and order at meetings. Board, staff, and [community meeting attendees](#) will allow each the ability to present information and generate respectful discussion without interruption of one’s presentation and/or disorderly conduct.

IX. Public Conduct at Meetings

Comments by members of the public shall be made only during the “Public Comment” portions of the meeting and shall be limited to three (3) minutes per individual and five (5) minutes per group spokesperson unless additional opportunity is given at the Board’s discretion. Public comments do not require a response from the Board.

**SECTION 4: Commissioners**

A. Interference


No Commissioner shall interfere with the daily operation of the Fire Department, unless the Board as a whole agrees to bring to the attention of the Fire Chief an area of the daily operation in which the Board deems is not fit or proper.

B. Administration

Board member’s requests for administrative services and information shall be made through the Fire Chief. All information provided to one Board member shall be disseminated to all Board members.

C. Commissioner Contact with Employees and Members of the District

1. Commissioners will adhere to labor contracts adopted by the District with regard to involvement with Department personnel.
2. Commissioners will schedule all meetings including, but not limited to; structured meetings, stop-ins, coffees, lunches, or formal gatherings with Department personnel through the Fire Chief.
3. Commissioners will receive approval and coordinate ride-alongs with the Fire Chief.
4. Events initiated by a Commissioner that represent the Department to the Community and that use Department facilities or equipment will be approved by the Board with the consent of the Fire Chief.

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5. Commissioners shall report any complaint against an employee of the District to the Fire Chief in a timely manner.

D. Fire Chief Evaluation Process

The Fire Chief shall be evaluated annually by the Board as determined by Florida Statute and relevant legal documents.

II. Commissioners Access to Materials

A. Materials to disseminate information to the public, except campaign or election information are at the expense of the District.


B. All Commissioner clothing may be ordered through the Fire Chief following organizational policies and procedures. All such material should use Department approved language and logos, and should properly use the title “Commissioner”. All Commissioners will receive like clothing items in type and quantity.

C. The Board will not borrow Department equipment for personal or election use.

III. Commissioner Representation of the District and Representing an Official Board Position

A. Commissioners should only represent the District’s opinion when the majority of the Board has determined a position on an issue or subject. At no time, will a Board Member represent the thoughts of the District through personal opinion without the authorization of a Board majority. This includes, but is not limited to, representation verbally, in written format, using electronic mediums and social media, the use of District logo, letterhead, uniform, business cards, State Commissioner Card, District identification card, and any other insignia, to include the verbal representation of oneself as a Fire Commissioner. All written and verbal communication shall include a clear disclosure such as; “The view, opinions, or positions expressed herein are those of my own and do not represent those of the Board of Commissioners.”

1. Comments to the public should be factual.
2. A Commissioner should not make promises which would be binding on the District.
3. Once the Board takes a position on an issue, all official District correspondence regarding that issue will reflect the Board’s adopted position.


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B. Abuse of Title

1. Commissioners should only use their title when conducting official District business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed any delegated authority given by the Board to represent the District.
2. Commissioners may not represent the Board or the District at any meeting, discussion or otherwise without prior permission from the Board.
3. Commissioners may express their personal opinions and comments, but must clarify that they are not representing the Board and his or her statements represent personal opinions, and do not reflect the official position of the Board or the District.
4. When speaking to a reporter, Commissioners shall speak as an individual and not a representative of the District or the Board, and shall make that known to the reporter.
  - a. Commissioners are strongly encouraged to refer all media inquiries to the District’s Public Information Officer and/or Fire Chief, as well as brief the Fire Chief on any comments made to a media outlet.

IV. Commissioner Communication

- A. Commissioners will be provided with a District electronic mail account (email) for use while conducting District business. Should a Board Member use another server or media outlet to conduct District business, that Commissioners will copy the District issued account to confirm archival of the information.
- ~~B. Commissioners may submit one way communication to each other via electronic mail, as long as no Board Member replies to the message. In these circumstances, the Board will be equally provided with information and the information will be courtesy copied to the Fire Chief.~~
- ~~C.B.~~ Commissioners will refrain from communication with each other in any format regarding matters that may ever come before the Board. See further information within the “Sunshine Law” section.

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V. Identification

The District will provide Commissioners with business cards, which conform to the District’s business card template. Among, and in addition to customary information, business cards will include the title “Commissioner” rather than an officer position, the District’s administrative office address and phone number, and the District assigned electronic mail account.

VI. Officers

Commissioners shall elect from its membership a Chair, Vice Chair, and Secretary/Treasurer. Election will occur after each Commissioner election, and whenever added and acted upon on a meeting agenda.

A. Chair

The Chair shall preside at all meetings to include maintaining order. The Chair is authorized to sign all contracts, deeds, notes, debentures, warrants and other instruments on behalf of the District.

B. Vice Chair

The Vice Chair shall preside at meetings in the absence of the Chair.

C. Secretary


The Secretary shall be responsible for the records of the District; may act as Secretary at meetings of the Board and record all votes; shall be responsible for composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be an official record of the Board; and shall perform all duties incident to that office. The Secretary shall be the designated election official of the District, unless otherwise determined by the Board.

D. Treasurer

The Treasurer shall be authorized to invest or cause to be invested all surplus funds or other available funds of the District in permitted investments authorized by law or as specified by the Board.

E. Recording Secretary

The Board shall have the authority to appoint a recording secretary who need not be a member of the Board, and who shall be responsible for recording all votes and composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be the official record of the Board. The recording secretary shall not be required to

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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.

**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.

II. Sunshine Law Refresher

Commissioners are encouraged to receive annual refresher training of at least four (4) hours on subjects that pertain to applicable Sunshine Laws and/or Ethics.

III. Electronic Meetings

~~Electronic communications between two (2) or more Commissioners discussing pending resolutions or other District business shall be considered a public meeting and therefore is not permitted.~~

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**SECTION 6:** Code of Conduct, Mission, Vision & Values

I. General

The Board is tasked with using its best efforts to provide for the health, safety and welfare of the inhabitants and property owners of the District. The Board shall be guided by the principle of non-partisanship – all decisions and votes shall be made in the best interest of the public, on their merits, objectively and without regard to political party, region or ideological partisanship – and Commissioners shall conduct themselves in a highly professional manner.

II. Mission Statement

The Board recognizes and adopts the Fort Myers Beach Fire Control District’s (Also known as the “Fort Myers Beach Fire Department”) Mission, Vision, Values, and Slogan and will use such as guidance in decision making and conduct. (See Appendix A)

III. Code of Conduct

A. Purpose

This Code of Conduct sets the minimum requirements for members of the Board. The purpose of the Code of Conduct is to promote public confidence in the integrity of the Board and the District by assisting in understanding the standards of conduct expected of them and establishing penalties, when appropriate, for anyone who violates the public trust.


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Commissioners will represent the interest of our District. Therefore, the Commissioners are responsible for promoting efficiency, effectiveness, and responsiveness in the District, and to increase public awareness of the value and importance of the District. The Commissioners have a duty to use their public positions to contribute to the public good. The Commissioners shall be mindful of actions that give the appearance of impropriety and should strive to avoid situations that may create an appearance of impropriety.

C. Conduct

To facilitate the duty of the Commissioners as listed above, the Commissioners are committed and should conduct the District’s business following these guidelines:

1. Focus on the issue, stick to the issue;
2. Respect the dignity, style, values, and opinions of each Commissioner;
3. Agree to disagree without getting personal


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4. Refrain from verbal attacks, personal charges or abusive conduct on the character or motives of other members of the Board, the District staff and personnel, personnel of other agencies, and the public;
5. Once the Board makes a decision, move on to the next issue and work together in the future;
6. Encourage attentive listening and responsiveness in communication;
7. Listen to others before judging or reacting;
8. Make the needs of the District's constituents the Board's priority;
9. Exercise compassion, benevolence, fairness, and optimism;
10. Being prepared to make decisions that may not be popular;
11. Promoting organizational accountability through appropriate controls and procedures;
12. Taking responsibility for their own errors;
13. Assume best intentions, and consider the validity of the message;
14. During Board meetings, speak to each other, not to the audience;
15. Speak for yourself, don't speak for others;
16. Base decisions on your best judgment of the merits and substance of the matter at hand;
17. Keep Executive Session discussions confidential;
18. If you have a concern for matters related to another Commissioner, address the person directly.
19. Use and allow the District Manager as a subject matter expert in making District decisions.
20. Refrain from involvement in operations which have been delegated to the District Manager.

**SECTION 7: District Management**

**I. Fire Chief/Chief Executive Officer/District Manager**

- A. The Board will appoint a Fire Chief to maintain command and control of the District. The individual serving as the Fire Chief for the District serves as the Chief Executive Officer for the organization and reports directly to the elected Board of Fire Commissioners. The Fire Chief/Chief Executive Officer will serve as the District Manager, Commander-in-Chief, and will manage all functions of the District as identified in the Fire Chief position description and related agreements.
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- E. The Fire Chief is responsible for negotiating, or causing negotiation to occur for the District and acts as an agent to fulfill the Boards desires.

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I. Appropriating

At the time of budget adoption, the Board shall enact appropriations for the ensuing fiscal year as they relate to expenditures, compensation schedules, etc. The Board Appointed Fire Chief/Chief Executive Officer shall have the care and custody of the general funds of the District and shall deposit or cause to be deposited the same in the name of District in such banks or savings associations as the Board may select. The Fire Chief/Chief Executive Officer will approve or cause to be approved all vouchers, orders and checks for payment, and shall keep or cause to be kept regular books of account of all District transactions.


At no time will an individual Commissioner commit the District to an expenditure without authorization by the whole Board.

- A. The Fire Chief/Chief Executive Officer will execute purchasing authority as listed above, as well as present to the Board a procurement package for approval, as described in District Policy 202, at or above \$20,000.

II. All expenditures of the District will follow District policy for completion, and when required, District Account Signers will be required to approve signature purchases, such as District checks.

- A. Signature authority is authorized to the Fire Chief/Chief Executive Officer for expenditures at or below \$5,000.



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**SECTION 9:** Board of Fire Commissioner Policy Adoption

- I. The Board will review this document as needed, and no less than each time there is a change in the Officers of the District Board.
- II. By order of the Fort Myers Beach Fire Control District Board of Fire Commissioners, this Board of Fire Commissioner Policy Manual is adopted on this **XX** day of **XX**, 2017.


\_\_\_\_\_  
Chairwoman Morris

\_\_\_\_\_  
Vice-Chairman Schindler

\_\_\_\_\_  
Secretary/Treasurer Raymond

\_\_\_\_\_  
Commissioner Wood

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Commissioner Fleming

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**Appendix A**  
**Fort Myers Beach Fire Control District Core Elements**  
*Mission, Vision, Values, and Slogan*  
*Excerpts from FMBFD Policy & Procedure 1*

- I. The Mission of the Fort Myers Beach Fire Department is to honorably serve our community by providing caring, compassionate service through devoted professionals.
- II. The Vision of the Fort Myers Beach Fire Department is to be a best in class organization, shaping our community through excellence in service, changing lives in all that we do.
- III. The Values of the Fort Myers Beach Fire Department are:
  - A. Professionalism  
Professionalism for our team includes the actions of cooperation, responsibility, knowledge, maintaining health, patience, and advancement.
  - B. Loyalty  
Our team further identifies loyalty with security, social commitment, dedication, faith, success, and love.
  - C. Integrity  
FMBFD integrity includes honesty, power, wisdom, and justice.
- IV. The Slogan of the Fort Myers Beach Fire Department is: *Shaping our community through excellence.*

# FORT MYERS BEACH FIRE CONTROL DISTRICT



## BOARD of FIRE COMMISSIONERS

# POLICY MANUAL

## **FINAL DRAFT**

*Version 10/24/2017*



**FORT MYERS BEACH FIRE CONTROL DISTRICT  
BOARD of FIRE COMMISSIONERS  
POLICY MANUAL**

<b>Approved:</b>		<b>Effective Date:</b>	<b>DRAFT</b>
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**PURPOSE**

The purpose of the Fort Myers Beach Fire Control District Board of Fire Commissioners Policy Manual is to define the policies and operating procedures the Board will use to conduct business.

**SCOPE**

All Fort Myers Beach Fire Control District Fire Commissioners.

**POLICY**

**SECTION 1: Policies of the Board**

- I. The Commissioners operate in compliance with the Florida Statutes including, but not limited to;
  - A. F.S. 119: Public Records; Public Officers, Employees, and Records
  - B. F.S. 120: Administrative Procedure Act; Public Officers, Employees, and Records
  - C. F.S. 189: Special Districts, F.S. Public Officers General Provisions F.S. 191: Independent Special Fire Control Districts; Planning and Development
  - D. F.S. 286: Public Business: Miscellaneous Provisions; Public Business
  - E. F.S. 447: Labor Organizations; Labor

**SECTION 2: Office**

- I. The principal business office of District and Board shall be at 100 Voorhis Street, Fort Myers Beach, Florida 33931, until otherwise designated by the Board.

**SECTION 3: Meetings**

- I. Meeting Materials
  - A. Commissioners will arrive prepared to all meetings having read Board material, reports and/or correspondence on matters to be discussed at meetings. The Commissioners are encouraged to contact or meet with the Fire Chief prior to each meeting for clarification or questions regarding the material provided.
- II. Roberts Rules of Order

Board meetings will run consistent with Roberts Rules of Order for Small Boards pursuant to Sunshine Law.



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### III. Regular Meetings and Work Session Meetings

Regular Meetings and Work Session Meetings shall be held based on the approved and posted schedule.

### IV. Special Meetings

Special meetings may be recommended by any member of the Board or the Fire Chief with three (3) days' notice provided to each Board member, the Fire Chief, and District Administrative Offices, and a majority vote of all Board members.

### V. Emergency Meetings

Emergency meetings may be called by the Chair or Vice-Chair in the event of a bona fide emergency situation, with reasonable notice. Emergency Meetings will be subsequently ratified by the Board.

### VI. Meeting Attendance

A. Commissioners will adhere to the components of the Florida Statutes, specifically Chapter 191.005, regarding meeting attendance, which states, "The Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings. The Board shall adopt policies by resolution defining excused and unexcused absences."

B. Commissioners will attend all meetings unless excused. Commissioners will notify the Fire Chief and Chair via email or telephone as soon as possible if they are unable to attend a meeting along with an explanation for being absent.

C. The Board has defined an unexcused absence as: times that a commissioner does not attend a scheduled meeting that is beyond the Commissioner's control, providing that such absences do not exceed four (4) consecutive occurrences.

Any absence exceeding the four (4) excused consecutive absences will then be considered an unexcused absence and count towards the policy that the Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings.

The Board will allow an exception to this policy for unusual temporary extended incapacity. This exception will only occur if a request is made in writing to the Board explaining why the Board should allow more than the four (4) unexcused consecutive absences, and is unanimously granted by the Board.

D. All Meeting attendance must be in person.



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- E. Commissioners shall attend all scheduled Meetings in District provided attire, representing the District in a professional manner.

## VII. Agenda

- A. Agendas for regular meetings and work sessions of the Board shall be created and finalized at least four (4) days in advance whenever possible.
- B. Commissioners shall notify the Fire Chief well in advance of the four (4) day window if they wish to add items to the agenda in order to allow for proper research and information. When adding an item to the agenda, the requesting Board member shall provide:
1. The area of the agenda for which the item will be placed (Old Business, New Business, Presentation, etc.)
  2. The desired action to be taken (Information, Discussion, Approval, etc.)
  3. A description of the topic, which will adequately prepare other Board members and staff for the topic to be discussed.
- C. New Business and/or Old Business that remains open during a meeting should be carried forward as Old Business on the monthly agenda for the next meeting.
- D. The agenda shall be reviewed, adjusted, and approved at the beginning of the meeting by the Board.
- E. It is the general practice of the Board to review items, whenever possible, at a Work Session Meeting, and approve items at a Regular Meeting. Whenever possible, Work Session Meetings shall include presentation and discussion on topics, while Regular Meetings shall include the final vote on such items.
1. Items of time or other sensitivity shall be brought to the Board despite the meeting type, as to not delay decision making.

## VIII. Conducting Business

- A. **Vote Requirements.**  
The Board shall require the affirmative vote of a majority of the Board Members present and voting for all actions unless otherwise noted by policy or Roberts Rules of Order.
- B. **Abstention**  
Commissioners must vote on all issues unless they have a conflict of interest and file the appropriate documentation with the state of Florida as identified in statute



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112.3143, to abstain from voting. If a Commissioner has a voting conflict, pursuant to Florida Statute, they may still participate in the discussion of the issue before the Board of Commissioners.

## C. Order

The Board Chair, or designee, will maintain professionalism and order at meetings. Board, staff, and meeting attendees will allow each the ability to present information and generate respectful discussion without interruption of one's presentation and/or disorderly conduct.

## IX. Public Conduct at Meetings

Comments by members of the public shall be made only during the "Public Comment" portions of the meeting and shall be limited to three (3) minutes per individual and five (5) minutes per group spokesperson unless additional opportunity is given at the Board's discretion. Public comments do not require a response from the Board.

## SECTION 4: Commissioners

### A. Interference

No Commissioner shall interfere with the daily operation of the Fire Department, unless the Board as a whole agrees to bring to the attention of the Fire Chief an area of the daily operation in which the Board deems is not fit or proper.

### B. Administration

Board member's requests for administrative services and information shall be made through the Fire Chief. All information provided to one Board member shall be disseminated to all Board members.

### C. Commissioner Contact with Employees and Members of the District

1. Commissioners will adhere to labor contracts adopted by the District with regard to involvement with Department personnel.
2. Commissioners will schedule all meetings including, but not limited to; structured meetings, stop-ins, coffees, lunches, or formal gatherings with Department personnel through the Fire Chief.
3. Commissioners will receive approval and coordinate ride-alongs with the Fire Chief.
4. Events initiated by a Commissioner that represent the Department to the Community and that use Department facilities or equipment will be approved by the Board with the consent of the Fire Chief.





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Commissioners shall report any complaint against an employee of the District to the Fire Chief in a timely manner.

D. Fire Chief Evaluation Process

The Fire Chief shall be evaluated annually by the Board as determined by Florida Statute and relevant legal documents.

II. Commissioners Access to Materials

A. Materials to disseminate information to the public, except campaign or election information are at the expense of the District.

B. All Commissioner clothing may be ordered through the Fire Chief following organizational policies and procedures. All such material should use Department approved language and logos, and should properly use the title "Commissioner". All Commissioners will receive like clothing items in type and quantity.

C. The Board will not borrow Department equipment for personal or election use.

III. Commissioner Representation of the District and Representing an Official Board Position

A. Commissioners should only represent the District's opinion when the majority of the Board has determined a position on an issue or subject. At no time, will a Board Member represent the thoughts of the District through personal opinion without the authorization of a Board majority. This includes, but is not limited to, representation verbally, in written format, using electronic mediums and social media, the use of District logo, letterhead, uniform, business cards, State Commissioner Card, District identification card, and any other insignia, to include the verbal representation of oneself as a Fire Commissioner. All written and verbal communication shall include a clear disclosure such as; "The view, opinions, or positions expressed herein are those of my own and do not represent those of the Board of Commissioners."

1. Comments to the public should be factual.
2. A Commissioner should not make promises which would be binding on the District.
3. Once the Board takes a position on an issue, all official District correspondence regarding that issue will reflect the Board's adopted position.



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## B. Abuse of Title

1. Commissioners should only use their title when conducting official District business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed any delegated authority given by the Board to represent the District.
2. Commissioners may not represent the Board or the District at any meeting, discussion or otherwise without prior permission from the Board.
3. Commissioners may express their personal opinions and comments, but must clarify that they are not representing the Board and his or her statements represent personal opinions, and do not reflect the official position of the Board or the District.
4. When speaking to a reporter, Commissioners shall speak as an individual and not a representative of the District or the Board, and shall make that known to the reporter.
  - a. Commissioners are strongly encouraged to refer all media inquiries to the District's Public Information Officer and/or Fire Chief, as well as brief the Fire Chief on any comments made to a media outlet.

## IV. Commissioner Communication

- A. Commissioners will be provided with a District electronic mail account (email) for use while conducting District business. Should a Board Member use another server or media outlet to conduct District business, that Commissioners will copy the District issued account to confirm archival of the information.
- B. Commissioners will refrain from communication with each other in any format regarding matters that may ever come before the Board. See further information within the "Sunshine Law" section.

## V. Identification

The District will provide Commissioners with business cards, which conform to the District's business card template. Among, and in addition to customary information, business cards will include the title "Commissioner" rather than an officer position, the



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District's administrative office address and phone number, and the District assigned electronic mail account.

## VI. Officers

Commissioners shall elect from its membership a Chair, Vice Chair, and Secretary/Treasurer. Election will occur after each Commissioner election, and whenever added and acted upon on a meeting agenda.

### A. Chair

The Chair shall preside at all meetings to include maintaining order. The Chair is authorized to sign all contracts, deeds, notes, debentures, warrants and other instruments on behalf of the District.

### B. Vice Chair

The Vice Chair shall preside at meetings in the absence of the Chair.

### C. Secretary

The Secretary shall be responsible for the records of the District; may act as Secretary at meetings of the Board and record all votes; shall be responsible for composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be an official record of the Board; and shall perform all duties incident to that office. The Secretary shall be the designated election official of the District, unless otherwise determined by the Board.

### D. Treasurer

The Treasurer shall be authorized to invest or cause to be invested all surplus funds or other available funds of the District in permitted investments authorized by law or as specified by the Board.

### E. Recording Secretary

The Board shall have the authority to appoint a recording secretary who need not be a member of the Board, and who shall be responsible for recording all votes and composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be the official record of the Board. The recording secretary shall not be required to 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.



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## 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.

## 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.

### II. Sunshine Law Refresher

Commissioners are encouraged to receive annual refresher training of at least four (4) hours on subjects that pertain to applicable Sunshine Laws and/or Ethics.

## SECTION 6: Code of Conduct, Mission, Vision & Values

### I. General

The Board is tasked with using its best efforts to provide for the health, safety and welfare of the inhabitants and property owners of the District. The Board shall be guided by the principle of non-partisanship – all decisions and votes shall be made in the best interest of the public, on their merits, objectively and without regard to political party, region or ideological partisanship – and Commissioners shall conduct themselves in a highly professional manner.



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12. Taking responsibility for their own errors;
13. Assume best intentions, and consider the validity of the message;
14. During Board meetings, speak to each other, not to the audience;
15. Speak for yourself, don't speak for others;
16. Base decisions on your best judgment of the merits and substance of the matter at hand;
17. Keep Executive Session discussions confidential;
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## SECTION 8: Financial Administration

### I. Appropriating

At the time of budget adoption, the Board shall enact appropriations for the ensuing fiscal year as they relate to expenditures, compensation schedules, etc. The Board Appointed Fire Chief/Chief Executive Officer shall have the care and custody of the general funds of the District and shall deposit or cause to be deposited the same in the name of District in such banks or savings associations as the Board may select. The Fire Chief/Chief Executive Officer will approve or cause to be approved all vouchers, orders and checks for payment, and shall keep or cause to be kept regular books of account of all District transactions.

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Chairwoman Morris

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Vice-Chairman Schindler

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Secretary/Treasurer Raymond

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Commissioner Wood

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## Appendix A

### Fort Myers Beach Fire Control District Core Elements

#### *Mission, Vision, Values, and Slogan*

*Excerpts from FMBFD Policy & Procedure 1*

- I. The Mission of the Fort Myers Beach Fire Department is to honorably serve our community by providing caring, compassionate service through devoted professionals.
- II. The Vision of the Fort Myers Beach Fire Department is to be a best in class organization, shaping our community through excellence in service, changing lives in all that we do.
- III. The Values of the Fort Myers Beach Fire Department are:
  - A. Professionalism  
Professionalism for our team includes the actions of cooperation, responsibility, knowledge, maintaining health, patience, and advancement.
  - B. Loyalty  
Our team further identifies loyalty with security, social commitment, dedication, faith, success, and love.
  - C. Integrity  
FMBFD integrity includes honesty, power, wisdom, and justice.
- IV. The Slogan of the Fort Myers Beach Fire Department is: *Shaping our community through excellence.*



# FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD OF FIRE COMMISSIONERS MEETING

## “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** Old Business  
**AGENDA ITEM:** [Commissioners Attendance in Negotiations](#)  
**SUBJECT:** Collective Bargaining Session Attendance by Commissioners  
**OTHER:** Requested to be added at the October 17, 2017 by Commissioner Wood

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This item was added at the request of Commissioner Wood at the October 17, 2017 Meeting in anticipation of legal counsel feedback and information from the Florida Association of Special Districts October Meeting.