

# **FORT MYERS BEACH FIRE CONTROL DISTRICT**

**OCTOBER 2, 2018  
BOARD OF FIRE COMMISSIONERS  
WORK SESSION & MEETING**



# **MATERIALS**



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS WORK SESSION & MEETING

### AGENDA

OCTOBER 2, 2018

9:30 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 18, 2018 Work Session & Meeting Minutes [Discussion/Approval]
5. Restate Agenda Items [Information]
6. Public Input on Agenda Items
7. Old Business
  - A. Board of Commissioners Policy Updates [Discussion/Approval]
8. New Business
  - A. 2019 Board of Commissioner Meetings [Information/Discussion]
9. Reports from IAFF Union Representatives Districts 3 and 15 [Information]
10. Fire Chief Remarks [Information/Discussion]
11. Commissioners Remarks [Information]
12. Public Input
13. Adjournment

**DRAFT MINUTES**  
**WORK SESSION AND MEETING OF THE**  
**FORT MYERS BEACH FIRE CONTROL DISTRICT**  
**BOARD OF FIRE COMMISSIONERS**

TIME: 9:30 AM

DATE: September 18, 2018

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

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

Absent: Vice-Chairman Schindler

**1. Meeting Called to Order**

**2. Pledge of Allegiance**

**3. Adoption of Agenda**

Chairwoman Morris called for a motion to approve the agenda. Secretary/Treasurer Raymond made a motion to approve the agenda. Commissioner Fleming seconded. The motion was approved unanimously 4 – 0.

**4. August 21, 2018 Regular Monthly Meeting Minutes [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the August 21, 2018 meeting minutes. Secretary/Treasurer Raymond made a motion to approve the August 21, 2018 meeting minutes. Commissioner Fleming seconded.  
Motion approved unanimously 4 – 0.

**5. September 10, 2018 Special Meeting Minutes [Discussion/Approval]**

Chairwoman Morris called for a motion to approve the September 10, 2018 meeting minutes. Secretary/Treasurer Raymond made a motion to approve the September 10, 2018 meeting minutes. Commissioner Wood seconded.  
Motion approved unanimously 4 – 0.

**6. Restate Agenda Items**

**7. Public Input on Agenda Items**

*No input was provided*

**8. Old Business**

*No Old Business*

**9. New Business**

**A. Board of Commissioner Teleconferencing [Discussion]**

The Board discussed the option of teleconferencing for meetings. The Board agreed to have staff draft up language for discussion at the next work session meeting.

**B. Board of Commissioner Policy Violations [Discussion]**

The Board and Chief Love discussed the Attorney's response to policy violations. The Board discussed sections of the policy manual that may need sanctions for policy violations. The Board agreed to review the policy manual and bring recommendations to the next work session meeting.

**C. Long-Term District Sustainment and Progression [Discussion]**

The Board discussed the long-term progression of the department and Fort Myers Beach. The Board discussed the potential concept of working closer with other districts for long term planning and increasing of service capability. The Board agreed to have Chief Love meet with key individuals to discuss ideas.

**10. Reports from IAFF Union Representatives Districts 3 and 15 [Information]**

*No reports were provided*

**11. Fire Chief Remarks [Information/Discussion]**

Chief Love reminded the Commissioners of the upcoming meetings and the agenda items. Chief Love stated that we have continued to work on getting estimates on rebuilding on the current lot of Fire Station 31. Chief Love discussed his conversation with Attorney Salzman regarding an Executive Session to discuss property bid options. Chief Love stated that negotiations with District 15 will begin in the coming month and that there will be an Executive Session scheduled for negotiations discussion.

**12. Commissioner Remarks [Information]**

Chairwoman Morris asked about the upcoming awards event.

Secretary/Treasurer Raymond stated that the 9/11 Ceremony was very good.

**13. Public Input**

*No input was provided*

**14. Adjournment**

10:49 am

# **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 **ITEM 7A**  
**AGENDA ITEM:** Board of Commissioners Policy Updates  
**SUBJECT:** Discussion on updated policy verbiage  
**OTHER:** N/A

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#### **ACTION**

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

#### **PURPOSE**

Discuss verbiage changes to the Board of Commissioners Policies in regards to teleconferencing and policy violations.

#### **HISTORY**


At a previous meeting, the topic of teleconferencing was mentioned due to the timing of important decisions and the importance of all Commissioners being able to provide input. At the last work session and meeting, the Board agreed to have staff draft up language for discussion.

The Board also discussed at a previous meeting, the lack of violation enforcement in the policy and the Board agreed to review the policy manual and bring recommendations to the next work session meeting.

As the Board considers updates to the manual, staff has begun the process to separate policy, versus handbook level items for discussion by the Board.

#### **RECOMMENDATION**

Staff recommends Commissioners discuss updates, and provide staff with direction.

	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY</b>		
<b>Title</b>	Commissioner Handbook	<b>Number</b>	100
<b>Division</b>	General	<b>Revision Date</b>	<b>DRAFT</b>
		<b>Effective Date</b>	1/1/2018

IV. Special Meetings

Special meetings may be recommended by any member of the Board or the Fire Chief with seven (7) 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 excused 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 may 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 **regularly scheduled** meeting attendance must be in person.

- 1. **Commissioners may attend a non-regularly scheduled meeting (a meeting that was not posted as part of the annual list of regularly scheduled meetings) via an electronic medium supported by the District (Skype, Face Time, Conference Phone, etc.)**

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		<b>Effective Date</b>	1/1/2018


2. If a Commissioner attends a meeting under the above parameters of Section 3(VI(D)(1), that Commissioner may not count as the required Commissioners to constitute a quorum.
3. If an in-person quorum is present, a Commissioner attending via Section 3(VI(D)(1), may have all voting privileges as if attending in person.
4. If the electronic connection is lost from a Commissioner attending via Section 3(VI(D)(1), appropriate attempts will be made to regain the connection, however, those attempts may be discontinued at the discretion of the majority of in-person attending Commissioners should efforts represent an extended period of time or resources.
5. Commissioners attending via the parameters of Section 3(VI(D)(1) will be limited to two (2) electronically attended meetings per calendar year, unless specifically authorized by a majority of the Board.

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.



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		<b>Effective Date</b>	1/1/2018

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 majority vote, 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.

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.

# **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:** 2019 Board of Commissioner Meetings  
**SUBJECT:** Discussion regarding dates, times, and location options  
**OTHER:** N/A

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#### **ACTION**

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

#### **PURPOSE**

Provide Board members with optional dates, times, and locations for 2019 Board of Commissioner Meetings and Work Sessions, allowing staff to confirm location options and reserve venues.

#### **HISTORY**

The Board of Commissioner Meetings have been held on the first and third Tuesdays of the month for the last several years, with the exception of conflicting dates.

Staff would like to review the options for 2019, as well as consider the best weeks for meetings. Staff recommends the Board to consider the fourth week of the month for meetings rather than the third, to allow for additional completion and accuracy of financial and operational statements.

#### **RECOMMENDATION**

Discuss dates, times, and locations for the 2019 Board of Fire Commissioner Meeting Schedule.

**FMBFCD 2019 Board of Fire Commissioners Meeting Date Assessment**

*Tuesdays*

	<b>1st Notes</b>	<b>2nd Notes</b>	<b>3rd Notes</b>	<b>4th Notes</b>	<b>Month BOC Events</b>
<b>January</b>	1 New Years Day	8	15	22 MLK Day Proximity (21st)	
<b>February</b>	5	12	19 Presidents Day Proximity (16th)	26	
<b>March</b>	5	12		26	
<b>April</b>	2	9	16	23	Fire Chief Evaluation Process
<b>May</b>	7	14	21	28 Memorial Day Proximity (27th)	Fire Chief Evaluation Final, Mid-Year Budget Review
<b>June</b>	4	11	18	25	1st Capital Budget Presentation
<b>July</b>	2 Independence Day Proximity (4th)	9	16	23	1st Budget Presentation & Work Session, Set Budget Hearing Dates, Set TRIM
<b>August</b>	6	13	20	27	Budget Work Session & Finalize
<b>September</b>	3 Labor Day Proximity (2nd)	10	17	24	2 Public Budget Hearings
<b>October</b>	1	8	15	22	
<b>November</b>	5	12 Veterans Day Proximity (11th)	19	26 Thanksgiving Proximity (28th)	Previous Year Budget Amendments
<b>December</b>	3 Thanksgiving Proximity (5 days before, 28th)	10	17	24 Christmas Eve Day	Board Annual Election of Officers

**Considerations**

2nd Work Session, 4th Meeting

Every Other 2nd Work Session, Every 4th Meeting

Every 2nd Work Session, Every Other 4th Meeting

Off-Set: Every Other 2nd Work Session, Opposite Every Other 4th Meeting

Require Flex in "Presentation at W/S, Approve at Meet"

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