

MINUTES
WORK SESSION & MEETING OF THE
FORT MYERS BEACH FIRE CONTROL DISTRICT
BOARD OF COMMISSIONERS
TIME: 9:30 AM
DATE: February 10, 2021
Fort Myers Beach Public Library

IN ATTENDANCE: Chairman Wood, Vice-Chairman Fleming, Secretary/Treasurer Bennett, Commissioner Lyszak, Commissioner Knickle, Fire Chief Love, and District members.

1 Meeting Called to Order

2 Pledge of Allegiance

3 Adoption of the Agenda [Discussion/Approval]

Chairman Wood requested to add an item to the agenda, “New Business Item B” - Board of Commissioner Position Statement. Chairman Wood called for a motion to adopt the amended agenda. Commissioner Lyszak made the motion to adopt the agenda. Commissioner Knickle seconded.
Motion approved unanimously 5 – 0

4 Restate Agenda Items [Information]

5 Public Input on Non-Agenda Items [Information]

No public input provided

6 Consent Agenda Items [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 during the Adoption of the Agenda, and considered separately.

A. January 27, 2021 Regular Monthly Meeting Minutes

Chairman Wood called for a motion to approve the Consent Agenda. Vice-Chairman Fleming made a motion to approve the consent agenda. Secretary/Treasurer Bennett seconded.
Motion approved unanimously 5 – 0

7 Unfinished Business

No unfinished business

8 New Business

**A. Architect and Engineer/Site Development Services RFQ Process Update
[Introduction/Discussion]**

Director of Finance and Administrative Services Jane Thompson provided and update to the Architect and Engineer Request for Qualification (RFQ) process. Director Thompson stated that presentations by the top three (3) Architects will be on the March meeting agenda.

B. Board of Commissioner Position Statement

Chairman Wood provided each Board member, the Attorney, and the Fire Chief with a draft Board of Commissioner Position Statement for their review and then called for a recess to allow for review of the document.

Recess

Chairman Wood stated that it is necessary for the Board to put this statement on the record. Chairman Wood read the following Draft Board Position Statement for the record:

DRAFT POSITION STATEMENT CONTENT

ARBITRATION

We placed on our Board of Commissioners meeting agendas an invitation for our local Union District Vice Presidents' (DVPs) to share with us things that are happening within their employee group and the community. At the last meeting, the President of the Local 1826 Union asked to speak and told our Chairperson before the meeting that his comments would not be anything controversial. Unfortunately, we took him at his word. He then proceeded to discuss a recent arbitration case, portraying it as a mental health issue. He passed out literature to that effect. He then indicated that we need to check our policies concerning mental health. Our Commissioners are all aware of the details of the arbitration case, and clearly this case deals with an employee's insubordination, not mental health.

A Fire Department is a quasi-military group. As such, there exists a definite chain of command. Insubordination to commanding officers higher in the chain of command cannot be tolerated. During an emergency situation, everyone must follow orders and perform as a unit. Each member must do exactly what they have been trained to do. Insubordination, disrespect for superior officers, or refusal to follow orders creates unsafe conditions for our firefighters and our community. The vast majority of our Commissioners have served in the military or a quasi-military group. We represent the Navy, Army National Guard, Healthcare, Police and Fire. We understand the necessity of obeying the chain of command and following orders. If there are members of our Fire Department who choose not to do so or are insubordinate, they need to be treated accordingly which may include appropriate disciplinary action. This Board fully supports our Fire Chief and this administration as they investigate and deal with all instances of insubordination.

POLICIES

Our Board of Commissioners meetings are held to conduct business of the District and make decisions. In the past, we asked the local Union DVPs to

share with us things that are going on in our District and the community. Some representatives have used that time to grandstand or to inform us about our own policies. We review our policies annually and often make revisions. We have voted unanimously to adopt them in the past. We then work hard to make decisions and act based on the policies we have set. We resent being told that we need to check our documents or that we do not know our own policies. We are the governing body of this District and expect our meetings and operations to be respected, just as we respect our leaders and administrators tasked with ensuring our policies are followed. Further needs or concerns of the DVPs must be communicated through the District's chain of command. If an item relates to a certain group of employees or area of the organization, that information needs to be relayed to those administrators responsible for managing that area of the organization. Those administrators may choose to provide the report to this Board or may allow the DVP or other individuals to do so.

NEGOTIATIONS

We have been preparing for negotiations and trying to communicate with the District 3 Union since a letter was sent to them in mid-April of 2020. We sent the letter to them in April, the negotiation period began in May, and they did not agree to go to the table for the first time until mid-August. The current contract expired in October 2020. We will continue to work under the current contract until the Union and our representatives complete a new one. The Commissioners will then closely review the proposed contract and place it on the agenda at a public meeting for ratification. We were duly elected by the residents of the Fort Myers Beach Fire Control District and will only agree to a contract that best serves our community and our firefighters and is sustainable and appropriate under our current economic situation. We choose our negotiators from the District's administration to represent us at the table. That negotiation team speaks for us and works under the direction we have provided when negotiating. We encourage the Union to regularly meet with our representatives until a new contract has been agreed to by all parties and we have approved it.

Chairman Wood called for comments from Board members. Secretary/Treasurer Bennett stated that he completely agrees with the message and context of the position statement. Commissioner Bennet identified that the last several times the Union has presented to the Board it has been to "stone throw" at their Board regarding Board policies and he does not believe that is a constructive approach. Commissioner Bennet suggested moving any Local 1826 President comments, not to include DVPs, to the public input section. Commissioner Liszak stated that she fully supports the position statement, the Fire Chief, and the Administration of our Department. Vice-Chairman Fleming stated that he agrees with the position statement. He also identified his hesitance to limit the Union President's time to speak. Vice-Chairman Fleming also stated that he believes it is very important that the Board does not respond to situations like this at meetings. Vice-Chairman Fleming stated that he believes the position statement should be even more forceful and strongly state that the Board supports our Fire Chief and staff, and they are doing an outstanding job.

Commissioner Knickle stated that he agrees with the position statement as written and fully supports the Fire Chief and administration. Commissioner Knickle also agreed that he is hesitant about limiting the Local 1826 President's time to speak. The Board continued to discuss options to properly govern meetings and prevent inappropriate occurrences from the Union President. Commissioner Bennett described the desire not to prevent comments, but rather create a process for the Union to request addressing the Board to prevent from grandstanding and blindsiding with topics and preventing the types of tactics used in the past. After discussion, the Board agreed that the "Report from IAFF Union Representative District 3 and/or 15" will no longer automatically appear on future agendas. If one of our local DVPs would like to address the Board, that individual shall request to do so through the District's chain of command in advance of the Board agenda being set.

Commissioner Wood called for Public Input
No public input provided

Chairman Wood called for a motion to approve the Board of Commissioner Position Statement. Commissioner Knickle made the motion to approve the statement. Commissioner Liszak seconded. Motion approved unanimously 5 – 0.

Chairman Wood stated that he would like this position statement read into the record and it be distributed to IAFF Local 1826, our local DVP's, and all District employees. He would also like the video to be distributed to all employees in a training session if the video quality permits.

9. Report from IAFF Union Representative District 3 and/or 15 [Information]

No input was provided

10. Attorney Report [Information/Discussion]

District Attorney Andrew Salzman discussed the Board's policies and the issues arising from attendee's discussion of non-agenda items. Attorney Salzman provided the Board with general information regarding an upcoming arbitration case. The Board and Attorney Salzman continued to discuss this topic in more detail.

11. Fire Chief Remarks [Information/Discussion]

Chief Love discussed the following items:

- Recognized Colleen Brooks for completing the Florida Public Employer Labor Relations Association program to become a Certified Labor Relations Professional
- Update on ambulance committee
- Thank you email received from community for Deputy Fire Marshal Campbell

12. Commissioner Remarks [Information]

Vice-Chairman Fleming congratulated Human Resource Specialist Brooks on completing the FPELRA program.

Commissioner Knickle congratulated Human Resource Specialist Brooks on completing the FPELRA program

Secretary/Treasurer Bennett congratulated Human Resource Specialist Brooks on

completing the FPELRA program. Secretary/Treasurer Bennett stated that the position statement presented today is important and that the Board stand by our policies. Secretary/Treasurer Bennett stated that he stands behind our Fire Chief, Administration, and District.

Commissioner Lyszak congratulated Human Resource Specialist Brooks on completing the FPELRA program. Commissioner Lyszak stated that she supports our Fire Chief and administration and knows that we do all we can do in the best interest for our community. Commissioner Lyszak discussed the quality of leadership Chief Love brings to our department and how she has never seen, despite working in fortune 100 companies, a CEO as dynamic and thorough as our Fire Chief proving excellent services, as does our entire team.

Chairman Wood discussed his past experience in working with a previous Fire Chief at our department. Chairman Wood stated that before Chief Love arrived there was no consistency between the shifts and that it is very important to have consistency between all shifts. Chairman Wood stated that he applauds the changes we have made and understands it can be difficult.

13 Adjournment

10:28 AM