



**BOARD OF COMMISSIONERS
REGULAR BOARD MEETING**

February 10, 2009

MINUTES FROM JANUARY 13, 2009 REGULAR BOARD MEETING

Commissioner Schweers opened the meeting at 5:00 p.m.

Silent Prayer

Pledge of Allegiance

ROLL CALL

Commissioner Messina, Commissioner Sassano, Commissioner Schweers, Commissioner Levy and Commissioner Akins

AWARD PRESENTATION

Assistant Chief Wahlig presented a 10 year pin to Battalion Chief Dale Reisen.

PUBLIC COMMENT ON AGENDA ITEMS

No public comments were made.

ITEMS TO BE PULLED FOR DISCUSSION

No items to be pulled for discussion.

CONSENT AGENDA

Commissioner Messina made a motion to approve Consent Agenda items 1-5 as presented. Commissioner Levy seconded, all in favor, motion carried.

ADMINISTRATIVE AGENDA

- 1. APPROVE CONTRACT BETWEEN ESTERO FIRE RESCUE AND SOUTHWEST FLORIDA EMPLOYEE ASSISTANCE PROGRAMS.** Chief Vanderbrook provided a brief explanation. Commissioner Akins requested a record be kept as to usage of the program. *After discussion Commissioner Sassano made a motion to approve administrative agenda item 1 as presented. Commissioner Messina seconded, all were in favor, motion carried.*
- 2. DISCUSS SIP MATTER WITH GENERAL COUNSEL.** Commissioner Akins recommending tabling the matter until the final report is received. Commissioner Schweers asked for it to be made in a motion. *Commissioner Akins so moved, tabling indefinitely. Commissioner Messina seconded, all were in favor, motion carried.*

WALK ON ITEMS

No walk on items.

FIRE CHIEF'S REPORT

- Research options for other financial institutions for our investments. Chief Vanderbrook noted that our investment policy currently follows the state statutes. General Counsel provided an explanation of procuring government funds. Consensus among the Board that it would prudent to authorize staff to research other financial institutions and come back with recommendations.
- EFR web site – Chief Vanderbrook noted the new Q&A section.
- Battalion Chief and Lieutenant Assessment – noted that the assessment is underway; not new positions
- Quarterly report – Call volume has increased
- Annual Report – Please email your paragraph for the report to Ms. Poli
- False / Nuisance Alarms – \$2,500 in fees billed since nuisance alarm resolution went into effect.
- Annual Awards Banquet – Mark your calendar for March 28
- FASD Annual Conference – please notify Ms. Poli if you are interested in attending the annual conference on June 2-4 in St. Augustine
- Plans Review with Bonita Springs – training with the Fire Marshal from Bonita Springs; connected with Bonita's system; program up and running and working well
- Mentoring Program – beginning development of a mentoring program
- Met Life 401 & 457 – Met Life has been terminated by Florida League of Cities. Effective 2/1/09 Florida League of Cities will manage the plans

COMMISSIONER ITEMS

- Commissioner Levy inquired as to the date of the Open House for the administrative complex. Commissioner Schweers said the tentative date is March 21 and he is working with Public Relations Manager Lindenmuth.
- Commissioner Sassano read a statement with regard to rumors of her departure from the Board. Commissioner Sassano stated that she is not moving from the Estero community. When and if she decides to leave the district, proper notice will be given and the replacement process will begin, which is through an application and interview process by the Board of Commissioners for Estero Fire Rescue.
- Commissioner Messana noted his attendance at the Southwest Florida Women's Luncheon and the comments he received regarding the outstanding customer service provided by EFR
- Commissioner Messana noted that he would like to discuss impact fees in depth at the next meeting; he has some ideas and would like to discuss with the Board.

PUBLIC COMMENTS

John Goodrich of 20877 Pinehurst Greens Drive, Estero, Florida 33928, expressed his disappointment with the Board regarding their decision to postpone the SIP matter indefinitely. Mr. Goodrich also noted that the Board is not pursuing with due diligence to protect the taxpayers. Commissioner Akins responded that the SIP matter was prefaced with tabling the matter until the final report is received.

Commissioner Schweers called for a recess at 5:52 p.m. to hold the Town Hall Meeting. The meeting will be reconvened following the Town Hall Meeting.

Commissioner Schweers reconvened the regular Board Meeting at 7:05 p.m.

COMMISSIONER ITEMS (CONTINUED)

- Commissioner Schweers responded to a letter dated December 23, 2008 from the ECCL. Commissioner Schweers stated that the Board has sole responsibility as the elected representatives for the District.
- Commissioner Akins referenced some questioning the authority of the Fire Chief of Estero. Commissioner Akins referenced the position description for the Fire Chief which states that the Fire Chief is under the administrative direction from the Estero Fire Rescue Board of Commissioners. There is a clear understanding as to the duties and responsibilities of the Fire Chief.
- Commissioner Akins noted that a group in Estero had been unintentionally left out of the named groups to provide a representative for the Tri Data meetings. Commissioner Akins recommended that the Brooks Concerned Citizens be allowed a representative as part of the Tri Data group. ***Commissioner Akins made a motion that the Brooks Concerned Citizens be added to the list of groups represented at the Tri Data meetings. Commissioner Sassano seconded. Discussion was held wherein Commissioner Levy asked for the name of the representative for the Brooks Concerned Citizens. Commissioner Akins recommended Nick Batos and allow the BCC to chose an alternate if he is unable to attend the meetings. Commissioner Akins amended her motion to include the name of Nick Batos and allowing an alternate member of the BCC to serve if Mr. Batos is unable to represent the BCC. Commissioner Sassano seconded. Motion carried by a vote of 4-1, Commissioner Messina opposed.*** Brief discussion as to whether or not the stakeholder group is open to the Sunshine Law with regard to emails, etc. It was noted that if the stakeholder group is considered as a group making recommendations then they would fall under the Sunshine Law or if they stakeholders are only speaking as a fact finding committee which is not open to the Sunshine Law. It was agreed that this is a fact finding committee which is not open to public meetings; therefore, will not fall under the Sunshine Law.
- Commissioner Akins commented as to negative and demeaning emails being sent, however those sending the emails will not come to the meetings. Commissioner Akins expressed that this does not display professionalism.
- Commissioner Akins noted that questions from the stakeholders should be directed to the Fire Chief and/or the Assistant Chief.
- Commissioner Messina inquired as to allowing the other Commissioners to select another stakeholder for the Tri Data meetings. It was noted that the limit of 10 was set by Tri Data and the Board has added an additional person/group bringing the number of stakeholder to 11. Commissioner Sassano noted that she will remove her nominee to allow Nick Batos of the BCC to attend, if it is a problem.

PUBLIC COMMENTS

Meg Judge with the Estero Chamber of Commerce, PO Box 588, Estero, Florida, 33928, stated that all communities in Estero should be allowed a representative; this is unfair treatment by only allowing a representative from The Brooks.

Commissioner Levy made a motion to adjourn the meeting, all were in favor. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Gayle M. Sassano, Secretary