

**MINUTES**  
**EAST NAPLES FIRE CONTROL AND RESCUE DISTRICT**  
**BOARD OF FIRE COMMISSIONERS MEETING**  
**JANUARY 14, 2014**

**I. Meeting Opened**

Chairman Hemping called to order the regular meeting of the East Naples Fire Control and Rescue District's Board of Fire Commissioners at 5:34 PM on January 14, 2014 at the Fire Code Office, 2700 North Horseshoe Drive, Naples, FL 34104. Present were Chairman Hemping, Commissioner's Cross, Cottiers, Boyer and Page. In attendance were Fire Chief Schuldt, Assistant Chief Sapp, Director Bishop, Deputy Chief Biondo, FCO Riley, AA Packard, Craig Weinbaum, Tony McGee, Jeff Davenport, Eugene Bogert, Ray Kilmer, Rob Potteiger, Steve Liford, Domingo Chinaea, Nicole Chesser, Charlotte Johnson, Matt Nixon, Clay Wilroy, Shar Hingson, Scott Hogan, Mike Cruz, Chris Diaz, Steve Jenks, Scott MacQuarrie, Dave Davenport, Leo Davis, Manny Arroyo Steve Riley, George Danz, Commissioner Henning, Chief Kopka, Bill Burkhardt, Dr. Horner, Jim Burke, Robert McGowan, Dale VanDerPloeg, Greg Speers and Michael Ramsey. Others were in attendance but did not sign.

**A. Pledge of Allegiance and Invocation**

Chairman Hemping opened the meeting with the Pledge of Allegiance followed by the invocation.

**B. Line of Duty Deaths Reading and Moment of Silence**

Chief Schuldt stated that there were a total of 5 FF fatalities for the month of December, bringing the total for 2013 to 101 followed with a moment of silence.

**C. Additions and Deletions to the Agenda**

Director Bishop informed the Board that there were no additions or deletions to the agenda but inserts have been added to I. Meeting Opened- J, II. Old Business -E, III. New Business- D and III. New Business- E.

**D. Approval of the Agenda**

Commissioner Boyer moved to approve the agenda with the additional inserts. Commissioner Cross seconded the motion. Motion passed 5-0.

**E. Approval of the Board Minutes for Dec. 10, 2013 - Regular Meeting**

Commissioner Cross requested that there were some wording issues in the minutes.

Commissioner Boyer moved to approve tabling the approval of the minutes to the January meeting. Commissioner Cross seconded the motion. Motion passed 5-0.

**F. Consent Agenda**

Commissioner Page moved to approve the Consent Agenda. Commissioner Cross seconded the motion. Motion passed 5-0.

1. ENFD's Treasurer Report
2. FCO's Treasurer Report
3. Fire Prevention Report - Deputy Chief Biondo
4. Support Services Report - Director Bishop
5. Operations Report - Assistant Chief Sapp
6. Fire Code Officials Office - FCO Ed Riley

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7. At-A-Boys
  - a) Toy Drive Thank You – The Wright Family: Director Bishop and ENFD for helping to give their children a wonderful Christmas.

**G. Awards and Recognition**

1. Battalion Chief/Division Chief Reclassification- Chief Schuldt  
Chief Schuldt officially promoted and recognized Battalion Chiefs Davenport and Bogert to the rank of Battalion Chief from Captain. Each BC was presented with their badge and uniform brass.

**H. Fire Administration - Chief Schuldt**

1. Fire Chief's Board Update  
Chief Schuldt highlighted the following:
  - The ALS program is moving forward very quickly and is expected to be up and running in the next few months. A draft interlocal agreement for Golden Gate remains with the County for review.
  - The Joint District has formally merged the process for all policies and procedures. The union has worked cooperatively with staff on a transition plan that will facilitate the needs of both organizations.
  - Currently working with the union to come up with a part time program that will mesh with both organizations.
  - Working with the union on a joint promotional testing process but will keep two separate eligibility lists due to differences in the labor agreement. This joint testing will make for a smoother consolidation post merger.
  - Appreciation to DC Biondo and everyone who helped make the annual ENFD Toy Drive Command a success. Thanks also went to BC Krajewski for organizing the annual GGFDD Santa Candy Cane Give-A-Way. Each District is working hard to keep public outreach moving and expanding without losing the identities of individual organizations.
  - Out of District: Jan. 9-11; SEAFD Board Meeting in Birmingham, AL  
Jan. 22-25 FFCA Fire Rescue East in Daytona Beach, FL.
  - FCO Riley, representing his office and FFMIA, will be heading to Tallahassee to meet with the industry to discuss the controversial bill on fireworks that is being proposed.

**I. Chapter 175 Firefighters' Pension Plan – Chairman Arroyo**

Chairman Arroyo highlighted the following:

- New Trustee George Danz was officially sworn in at the November 15, 2013 quarterly Pension Plan meeting.
- The Board of Trustees approved payment to former employee Nick Varro for his 1% contributions which he is entitled to.

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- An analysis was requested to clarify the current buyback provisions for credited service with members having prior service at other agencies. An opinion letter was provided outlining the procedures and requirements.
- An opinion letter was issued relating to the retention of rehired employee, Robert Hofstetter's previous employment towards credited service for retirement. Since Mr. Hofstetter did not request a refund of his 1% contribution and was rehired in the stipulated five year reemployment period, he retains his right to credited service.
- Chairman Arroyo and Trustee Sims will be attending the FPPTA Trustees' School in Jacksonville. This will complete the Certified Public Pension Plan Trustee program.
- The next quarterly meeting will be held on Friday, February 14, 2014 at 9 AM in the Fire Code Official's Training Room.

**J. Local 2396 – District President Weinbaum**

President Weinbaum began by reading the letter in regard to post employment healthcare benefits into the record. In summary, the letter stated that this affects all current employees and retirees. The union recognizes a need for change due to the liability on the District's finances and hopes to work together and properly negotiate any changes since this is a term of employment.

President Weinbaum went on to say that this is a big issue due to the fact that every retiree was promised this benefit as well as the current employees. Changes or ending of this benefit will bring pushback. Regardless of the name on the truck, ENFD has a long history of taking care of its current and retired employees and it should continue.

Members of the union will be attending a conference at the end of the month.

**II. OLD BUSINESS**

**A. Isles of Capri Consolidation - Commissioner Page/Chief Schuldt**

Commissioner Page informed the Board that the Isles Fire Advisory Board did not have a meeting last month so there was nothing to report.

**B. GGFD/ENFD Merger - Chairman Hemping/Chief Schuldt**

Chairman Hemping started by informing everyone of the upcoming Merger Team meeting to be held Thursday, January 16<sup>th</sup>. He also mentioned that the February 27<sup>th</sup> meeting would need to be rescheduled due to a conflict with the Greater Naples Chamber Breakfast meeting.

Chief Schuldt added that with season here, he has been out making many public presentations. The reception from these presentations has been very supportive and positive. Also, staff is putting together the components to move forward with a strategic plan and is working on a transitional task assignment chart.

**1. Cost Savings Worksheet**

Chairman Hemping stated that for the period ending December 31<sup>st</sup>, there has been a combined cost savings of \$339,441.72 realized. The savings are still a positive exercise. Chairman Hemping went on to thank the firefighters

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and staff with both fire districts for working diligently toward making this a positive experience for all concerned.

Chief Schuldt thanked every member of the organization for picking it up a notch. Everyone is acting very professional and representing the organizations well.

**C. CFAS Update - Commissioner Hemping**

NTSR

**D. Market Analysis for District Owned Properties - Commissioner Cross**

1. Village Falls 4981 & 4977 Counter Offer

2. 951 and Sable Road Proposal/Counter Offer

Commissioner Cross stated that it has been difficult to get an appraisal because it is a unique piece of property. There may be one or two that might do it but he suggested tabling this until the next joint meeting. Even though ENFD will make the decision, GGFD should be able to provide input since this could affect GGFD in the future. At that time, an appraisal should be ready. Chief Schuldt reminded the Board that there are potential purchasers for Sable Palm and Village Falls which might go away. With property values going up by 30 % in Collier County last year and no sign that they are going to stop, he doesn't think that ENFD will end up with less money on the table if the offers go away. Commissioner Cross is hopeful by the next meeting to have a counteroffer.

Commissioner Page would hate to lose the Sable offer without looking into the opportunity that was offered.

After much discussion, it was decided that Commissioner Cross would try to bring back the numbers at the next meeting and Chief Schuldt would bring back a forecast of future needs, with consolidation and without, to better determine the decision to be made.

Commissioner Boyer did mention that there might be some legal issues involved in the selling of the aforementioned properties due to the property being purchased with impact fee dollars.

**E. AIW- Post Employment Healthcare Benefits- Director Bishop**

Chairman Hemping started off by stating that this topic has been discussed behind the scenes and it is time to bring it out into the open to discuss the alternatives. He went on to say he did not think a final decision would be made tonight. With the potential merger, this issue needs to be taken into consideration. No one wants to be unfair but there is a financial liability that is growing.

Chief Schuldt stated that staff was directed at the last Board meeting to prepare a report on the current post employment healthcare benefits program. Staff has included information regarding current and future plan participants, associated cost and potential strategies for future consideration. The information has been grouped into three categories; retired employees, current employees and future employees. He emphasized that no recommendations will be made tonight.

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Director Bishop began her presentation laying out the expenses for the current and retired employees for healthcare benefits. Also presented were recovery costs that the District receives from employee contribution rates. The retirees do not contribute. Included on the report are the retirement subsidy provisions. FRS provides a HIS subsidy which is calculated by multiplying \$5 for every year of creditable service, with a minimum of \$30 and a max of \$150 per month. The OPEB is also provided. As of 9/30/2012 audit, the booked Other Post Employment Benefit obligation is \$2,299,000. Director Bishop went on to provide the healthcare program considerations broken down into three categories; retired employees, current employees and future employees. Also included is an attorney opinion on the changing of retiree benefits from 2011 when this topic was brought up by the previous board. The last item included is the current Retiree's Insurance Benefits policy for review. Article 18 from the current CBA has been added for review, along with President Tobin's letter.

After a lengthy and lively discussion among the Commissioners, staff, union and public, the Board directed staff to work on a strategy on updating this policy to meet the needs of the District and its current and former members.

Chairman Hemping called for a 5 minute recess at 7:35 PM. At that time, Commissioner Cross left the meeting.

Chairman Hemping reconvened the meeting at 7:50 PM.

### **III. NEW BUSINESS**

#### **A. Disposition of Fixed Asset 14-0001; Smoke Machine - DC Biondo**

Chief Biondo presented the Disposition of Fixed Assets for the smoke machine which hasn't worked in years.

Commissioner Boyer moved to approve the Disposition of Fixed Assets 14-001; smoke machine. Commissioner Cottiers seconded the motion. Motion passed 4-0.

#### **B. Request to Install Monitoring Well on Outer Drive property – Director Bishop**

Director Bishop explained that Applied Hydrogeologic Solutions is requesting permission to install a groundwater monitoring well on ENFD's Outer Drive property as part of a site assessment.

Commissioner Page moved to approve giving permission to Applied Hydrogeologic Solutions to install a groundwater monitoring well on the Outer Drive property. Commissioner Cottiers seconded the motion. Motion passed 4-0.

#### **C. MOU-9-11 Freedom Memorial- Director Bishop**

Director Bishop presented the 9-11 Freedom Memorial MOU to the Board. This MOU allows employees to voluntarily contribute \$9.11/month towards the completion of the Freedom Memorial. The District will annually present these contributions to the Freedom Memorial Fund.

Commissioner Cottiers moved to approve the 9-11 MOU. Commissioner Page seconded the motion. Motion passed 4-0.

#### **D. AIW- Interlocal Agreement for FCO- FCO Riley**

FCO Riley informed the Board that in January of 2013 when the BCC voted to transfer

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the collection of fire review and inspection fees to the "responsible district" the Board gave County staff direction to amend the interlocal agreement.

The Board directed staff to move forward as recommended to inform the other districts and to work with the County to draft a new interlocal agreement.

There was further discussion from the Board on a previously drafted MOU received from Collier County where new fee collection and plan review processes had been outlined. The document had apparently been drafted by County administrative staff but not executed by the BCC.

The Board directed FCO staff to work in cooperation with County staff to draft a new document that will address their concerns regarding proper administrative and policy procedures.

**E. AIW- Fire Code Office Fee Adjustments - FCO Riley**

FCO Riley explained that after an audit of the fee collection process by the Clerk of Courts some preliminary recommendations were provided of which the Fire Code Office supports. They relate to the fees the Fire Code Office receives for Early Work Authorizations, Phased Permits, Simultaneous and Overtime reviews. The current fee structure does not specifically list these review types. Additionally, the Fire Code Office would like to address a couple of planning review and meeting fees. These new fees will be presented to the other districts.

Commissioner Page moved to approve and adopt amending the fee schedule as proposed. Commissioner Boyer seconded the motion. Motion passed 4-0.

**F. FCO Workshop reminder: January 29th @3pm FCO office**

**G. Public Comment**

None

**H. Topics Initiated by the Board of Fire Commissioners**

1. Commissioner Page requested information from DC Biondo on a broken hydrant in Kings Lake that has been lying on its side for two weeks. DC Biondo responded by saying that he was aware of the hydrant and the process for getting it repaired has begun.
2. Commissioner Boyer stated that he had gone on a ride-along with DC Biondo and was amazed at the growth in East Naples.


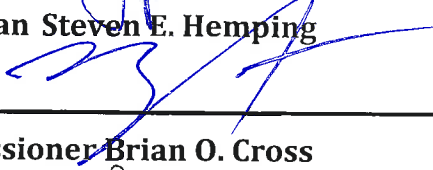
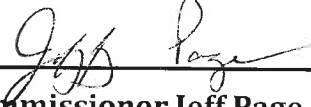
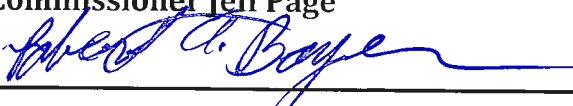

**IV. SIGNATURE OF BOARD APPROVED ITEMS**

1. Disposition of Fixed Asset 14-001: Smoke Machine

**V. ADJOURNMENT**

Commissioner Boyer moved to adjourn the meeting at 8:20 PM. Chairman Hemping seconded the motion. Motion passed 4-0.

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 Chairman Steven E. Hemping	Date 2/11/14
 Commissioner Brian O. Cross	Date
 Commissioner Jeff Page	Date 2/11/14
 Commissioner Robert A. Boyer	Date 2-11-14
 Commissioner Charles P. Cottiers	Date 2-11-14
Commissioner Charles P. Cottiers	Date