Meeting called to order by Commissioner Collis at 6:03 P.M. Others present were Chief Kuhn, Commissioners Shearer, Roper and Thompson along with three District Fire Fighters, eleven District Volunteers and two District citizens. Commissioner Murphy was not in attendance.

Commissioner Shearer made a motion to approve the minutes of the December meeting. Seconded by Commissioner Roper and passed unanimously.

Commissioner Roper made a motion to accept the December financial data. The motion was seconded by Commissioner Shearer and passed unanimously.

Chief Kuhn informed the Board that Commissioner Murphy has resigned from Seat #3, for personal reasons, effective January 9, 2019. Commissioner Collis stated that Adam Crittenden has attended several Commission Meetings and has shown a true interest in the Fire Department. He stated that he did not have an issue with appointing him for this vacant seat. Commissioner Thompson stated that whoever is considered for this position needs to show a true interest in the community and they should have their “heart” in the position. He felt that Adam Crittenden has displayed this commitment and would be an asset to the Board. Commissioner Shearer inquired with Chief Kuhn if any other individuals have shown interest in this position and Kuhn stated not to his knowledge.

Commissioner Thompson made a motion to appoint Adam Crittenden to fill vacated Seat #3 of the Alva Fire Control & Rescue Service District Board of Commissioners effective immediately. This motion was seconded by Commissioner Shearer and approved.

Administrative Assistant, Sonya R. Sipes, informed the Board that they needed to hold an election of officers.

Commissioner Roper made a motion to appoint Commissioner Collis as Chairman, Commissioner Shearer as Vice Chairman and Commissioner Thompson as Secretary/Treasurer. This motion was seconded by Commissioner Shearer and unanimously passed.
Chief Kuhn made the Board aware he attended the District’s Volunteer meeting on the second Tuesday of the month, hydraulic training was provided for employees on site, he attended the monthly Lee County Chief’s Meeting and was the Strike Team Leader for a local brush fire. He also informed the Board that blood pressure checks were preformed at Oak Park Village and that District Fire Fighters participated in the Christmas parade in the Charleston Park Community.

Chief Kuhn notified the Board that due to Lee County updating their Motorola Emergency Notification System the District must begin to do so as well. He stated that the equipment within the Station must be updated first. He also stated that he would like to go ahead and begin this update immediately and not wait until the last minute. He informed the Board that the new Motorola equipment will be priced at approximately $4,300 plus possible minor fees. Commissioner’s Shearer and Thompson inquired if this pricing seemed reasonable? Kuhn replied that Motorola donated some of this equipment in order to reduce costs for the District. Volunteer Bobby Ruis stated that this seemed to be fair pricing based on expenditures that were made for similar equipment by the Fort Myers Shores Fire Department. Kuhn stated that this expenditure was not included within the Budget due to its unexpected timing. However, we expect to perform a Budget Amendment to move the funds from Health Care Insurance due to the surplus of funds available within this line item.

Commissioner Roper made a motion to approve the expenditure of $5,000 for the updated Motorola equipment on the list provided to the Board (copy attached hereto). This motion was seconded by Commissioner Thompson and approved.

Chief Kuhn informed the Board that the Station mower is no longer functional due to age. He stated that it has been repaired to its limit and the disintegrating deck is no longer fabricated for the Kubota mower. He stated that he received pricing from John Deer, East Coast Rental and an additional provider. He asked the Board to consider approving $8,000 for a new John Deer commercial mower that he expects will provide a 10-15 year life expectancy. He also reminded the Board that this purchase was expected for FY end 09/30/19 and has been computed within the Capital Outlay budget line item. Commissioner Collis inquired if the old mower had any part value? Kuhn stated there is a possibility, however, the mower is not of value in whole due to unavailability of the deck. Collis continued to state that he would like to put this purchase on hold until he views the mower and also his concerned with fund expenditures. Commissioner Thompson voiced that he would like to phone John Deer to see if they would consider giving the District a reduced price. Commissioner Collis stated that he would like to table the purchase and re-address at the February meeting.

Chief Kuhn asked the Board to discuss his Working Agreement originally provided to them in November. Commissioner Shearer stated the he is still not comfortable with the Agreement and that it is not necessary. Commissioner Thompson asked the Board to go ahead and review the proposal now so that it can be addressed and
remedied at tonight’s meeting. Commissioner Roper stated that he would not be voting on the Agreement as he is considering resigning his seat in the near future. Previous District Fire Fighter, Ed Campbell, stated that Chief Kuhn should be entitled to an Employment Agreement as are all Chief’s within Lee County. Sonya Sipes also reminded the Board that this has been discussed at three previous Board Meetings and the Board should consider getting this resolved immediately. Newly appointed Commissioner Crittenden voiced his concern that should the Board decide to terminate Kuhn at any point he would more than likely have to relocate in order to find a position similar to his existing position. He felt as though he needed a contract to protect himself and his family. Thompson stated that he was a bit concerned with two specific items within the Contract. Section 2.4 provides a 30-day investigation period for possible allegations against the Chief. Kuhn stated that this time frame is customary within Chief Contract’s in surrounding Districts. Thompson also stated that he was concerned with the 20-week severance pay upon termination that is stated in Section 2.5. Chief Kuhn stated that he had a Family to protect and provide for and would need severance pay in order to do so should the Board unexpectedly ask him to step down. Thompson asked Kuhn if he would consider reducing this time frame to 8 weeks? Kuhn stated that he would consider this proposal. Volunteer Bobby Ruis made a comment that he felt the Chief’s Contract was important. He stated that the Board will possibly change within the next two years and that many unexpected events could happen. He felt that Kuhn deserved protection for himself and his family. Volunteer President, Steve Fair, spoke of the responsibility and important decisions made within the Chief’s position. He stated that in order to preform his job to the fullest Kuhn needs a piece of mind that he is protected. He reminded the Board that the Volunteers are very active within the District, they donate time and equipment to the Fire Department and they fully support Chief Kuhn within this position. Commissioner Shearer voiced that he felt as though this was a “one-way” contract to protect the Chief and he still had issues with several topics. Commissioner Thompson stated that previous Chief Tiner had a Working Agreement so he felt as though Kuhn deserved one as well. Shearer began to read through the contract line items and suggested that a Board member meet with Kuhn to go over it in detail. Kuhn reminded the Board that he had provided this contract to them weeks ago and they have had many opportunities to speak with him. He stated that no one has requested to do so at this point. Commissioner Thompson asked the Board to consider approving this contract after modifying Section 2.5 to reflect 8 weeks of severance pay. Roper stated that he did not plan to render an opinion. Shearer voiced his concern with Section 6 and the detailed Bereavement Leave. He stated that he would like to modify wording within Section 2.4 that would allow the Board to terminate Kuhn “at will” rather than for “just cause”. Kuhn stated that he would not agree to this modification and Thompson agreed with Kuhn. Collis asked Kuhn if he would consider going back to the original contract similar to Chief Tiner’s approved contract should they add 8-weeks severance pay. Kuhn reminded the Board that this proposal was not signed and he asked the Board to consider the latest proposal provided.
Commissioner Collis made a motion to table a decision on Chief Kuhn’s Working Agreement until the February gathering. He motioned that Commissioner Shearer meet with Kuhn to address his concerns and come up with an agreed upon modification to the contract. Shearer agreed to do so. The motion was seconded by Commissioner Thompson and passed.

Commissioner Collis asked Chief Kuhn on progress made to address the out-of-service tanker? Kuhn stated that Gene’s Auto Body confirmed that the rust on the tanker is just surface issues. He stated that pump repairs would be approximately $8,000 and in light of this new information he now feels they may be able to bring the tanker “back to life”.

Chief Kuhn asked the Board to address the Union Bargaining Agreement. Commissioner Shearer stated that he would approve the contract but did not like that the 2% pay increase for existing personnel was listed in paragraph 30.1. Sipes stated that this was a “one-time” event and was documented for formality. Commissioner Roper stated that he would agree to the contract as written but still has issues with Section 21.1 that adds a BLS Instructor incentive. Collis inquired what is entailed in meeting the BLS Instructor qualifications? Kuhn explained in detail.

Commissioner Roper made a motion to approve the Union Collective Bargaining Agreement for FY 2018-19. This motion was seconded by Commissioner Thompson and unanimously passed.

Motion to adjourn was made by Commissioner Shearer and seconded by Commissioner Thompson. Motion passed unanimously.

Respectfully submitted,

Sonya R. Sipes
Administrative Assistant