

**WEST MANATEE FIRE & RESCUE DISTRICT COMMISSION
REGULAR MEETING**

*Minutes of March 19, 2024
Administration Building*

The meeting was called to order at 6:00 p.m. with the following members present: Robert Bennett, Larry Jennis, David Bishop, Derrick Warner, and Billy Burke. The Pledge of Allegiance was followed by a moment of silence and the oath.

2022/2023 AUDIT PRESENTATION: Randy Dillingham, CPA, presented the 2022/2023 Audit. Mr. Dillingham had no difficulties in communication with District staff, no disagreements, and no deficiencies. Mr. Dillingham expressed that the District was compliant, and it was a clean report.

CHANGES TO AGENDA: Chief Rigney noted that a revised agenda was posted and provided at the meeting including "Grants" in the Consent Agenda.

PUBLIC COMMENTS: None

CONSENT AGENDA: Commissioner Jennis motioned to approve the Revised Consent Agenda as presented; seconded by Commissioner Bennett; motion passed unanimously.

COMMUNICATIONS: Administrative Assistant (AA) Wright explained that Training Chief (TC) Tuttle assisted a resident in need that was stuck with her broken down vehicle on Manatee Avenue and 59th St. AA Wright explained that TC Tuttle helped her get her vehicle to an auto repair shop. The Resident left a voice message expressing her sincere gratitude for his selfless efforts.

CARRIED FROM CONSENT AGENDA: None

OLD BUSINESS:

- A. Transient Public Lodging Establishments (TPLE): Fire Marshal (FM) Kwiatkowski stated that Granicus sent letters out to TPLE owners. FM Kwiatkowski stated that few have called with questions and to schedule TPLE Inspections.
- B. Banking and Investments: Chief Rigney stated that Staff was directed to reach out to our auditor and council regarding internal controls as they pertain to moving monies in and out of FLClass and other accounts. Chief Rigney stated that after speaking to both, he was advised to create a new policy that would outline the process of how the monies are transferred. Chief Rigney noted that the policy would include a two-step process as well as an additional report that would be added to the monthly consent agenda. The Board discussed the topic and agreed that this policy is logical and responsible. Commissioner Jennis asked what the two steps would be. Commissioner Bennett verified the current process to which Chief Rigney has sole ability to move monies, however he does it after a request from the Finance Clerk. Commissioner Bishop stated this policy will be a good policy for the future checks and balances and keeps the Board in the loop to be able to question if needed. The Board agreed that the Finance Clerk would upload the request and the Chief could approve. Commissioner Jennis asked our Auditor and General Council if this type of policy would suffice to which they both agreed that it does. The Board directed Staff to draft the policy.

NEW BUSINESS:

- A. General Council: The District's Legal Council, Maggie Mooney, explained that the District was served with a lawsuit and has 20 days to respond via filing a responsive pleading. Mrs. Mooney stated the deadline is April 1st and recommends the District obtain litigation council as the goal is to protect the District's interests. Mrs. Mooney stated the lawsuit arises out of the District's imposition of assessments on Transient Public Lodging Establishments (TPLE). Mrs. Mooney stated the goal of this meeting is to assure the District is protected in Circuit Court. Mrs. Mooney then explained that she has been in correspondence with Bryant, Miller, and Olive P.A., a local government firm, who have an excellent assessment lawyer and litigation lawyer. Mrs. Mooney then stated that an engagement letter has been presented including hourly rates and terms. Mrs. Mooney explained that the District did reach out to their insurer who informed the District they will deny coverage in this case, however they will reimburse the District up to \$100k in legal fees if the

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District prevails. Mrs. Mooney summarized the engagement agreement and recommended the Board approve the Bryant, Miller, and Olive Engagement Agreement and authorize the Fire Chief to sign the agreement on behalf of the District. Mrs. Mooney explained that once engaged, Bryant, Miller, and Olive will prepare and submit a responsive pleading by the April 1st deadline. Commissioner Bishop motioned to approve the Bryant, Miller, and Olive Engagement Agreement and authorize the Fire Chief to execute the agreement on behalf of the District. Seconded by Commissioner Burke. Motion passed unanimously. Mrs. Mooney stated that there will most likely be a Shade Meeting to come which would be requested by legal counsel to the Board to privately converse about litigation strategies in accordance with Florida Statutes.

- B. Bureau Administrator Job Description: Chief Rigney spoke on Jalex Leissler's current title as Finance Clerk, however he has fully transitioned over to working under the Bureau of Fire and Life Safety. Chief Rigney stated this is a new job description created that outlines what he is doing now. Chief Rigney also noted that this position still includes completing Finance Clerk tasks as secondary duties to ensure they are getting completed and that there is no change in pay from the Finance Clerk position. Commissioner Bennett motioned to adopt the Bureau Administrator Job Description as presented. Seconded by Commissioner Burke. Motion passed unanimously.
- C. Apparatus Committee: Battalion Chief (BC) MacDonald thanked the Board for allowing the Apparatus Committee to utilize their experience in the field to design a vehicle that is best suited for the District. BC MacDonald explained that a fire apparatus needs to be reliable, adequately equipped, and organized. BC MacDonald then went through the current apparatus inventory. BC MacDonald explained the 20-year lifespan of each apparatus. BC MacDonald then noted that due to the current fleet ages and increased production time upwards of three years, we are behind schedule. BC MacDonald then explained the necessities list that the committee compiled for the prospective apparatus. BC MacDonald compared pricing and lead times of different engine builds between Pierce and E-ONE. The committee agreed that a custom build would be the only option to fulfill the necessities list. BC MacDonald then explained that both manufactures offer fire apparatus with the same engines, tools, and quality, however, E-ONE is less expensive, and the lead time is shorter at 28-months versus 36-months for Pierce. BC MacDonald then spoke on catching up the fleet and considering a purchase of two engines in which case E-ONE offered to knock approximately \$50k off each vehicle price. BC MacDonald also noted that E-ONE does not have a price index so the agreed upon price will not increase in the duration of the build. BC MacDonald recommended the Board approve the purchase of two E-ONE sister engines. Chief Rigney thanked the Apparatus Committee and recognized it's members. Chief Rigney then stated that the Budget was approved for \$1M for a new engine then also stated that the engines, if approved to purchase, would be paid for at the time of delivery. Chief Rigney explained how the District would start to budget for two. FLClass is gaining 5.4% which could bring in an extra \$130k per \$1M in the account per year. Chief Rigney also investigated CDs with multiple banks. Hancock Whitney responded with the best rate of 4.25% for a 12-month CD. Commissioner Jennis motioned to approve the purchase of two E-ONE fire engines. Seconded by Commissioner Burke. Board discussion ensued. Commissioner Bishop commented on how Pierce's price doubled. Commissioner Jennis spoke on the advantage of paying at delivery and his positive experience during the tour of the E-ONE plant. Commissioner Bennett and Chairman Warner commended the committee for their work. Motion passed unanimously.

CHIEF'S REPORT: Chief Rigney gave kudos to TC Tuttle for assisting a King Middle student in preparation for the Health Occupations Students of America (HOSA) Competition focusing on active shooter, controlled bleeding, and CPR in which she placed first and will move forward to the State competition. Chief Rigney then invited the Board to the Annual Manatee County Fire Chief's Association Awards Ceremony at the East Manatee Administration Building on March 21st at 9 a.m. Chief Rigney informed the Board that WMFR personnel are receiving awards for their deployments during Hurricane Idalia as well as Manatee County Chief Officer of the Year – TC Tuttle; Manatee County Officer of the Year – Lieutenant Frazier; Manatee County Fire Inspector of the Year – Inspector Nick Riffe; and Manatee County Firefighter of the Year – Firefighter/Paramedic David Miller. Deputy Chief (DC) Johnson thanked BC MacDonald for his presentation and reiterated TC Tuttle's consistent passion to serve the public. DC Johnson informed the Board that on April

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10th at 10 a.m. at Station 2, the District will be holding a memorial in honor of the Reed family in remembrance of WMFR fallen Firefighter Brian Reed. DC Johnson then read a bio about Firefighter Brian Reed in the words of his wife, Pam Reed and their family. FM Kwiatkowski spoke on the very successful Mock Board of Appeals event last month. FM Kwiatkowski stated the Board of Appeals commended the Bureau for their professionalism and planning of this event. FM Kwiatkowski also informed the Board that District Staff will be sign waving on Manatee Ave and Gulf Dr to promote water safety and drowning prevention awareness. TC Tuttle let the Board know that he has been out in the public teaching Hands-Only CPR to communities across the District.

OTHER REPORTS: Administrative Assistant (AA) Wright reminded the Board that Form 1 Financial Disclosures will now be sent via email from the Electronic Financial Disclosure Management System and still due by July 1st. AA Wright also reminded the Board that each member is required to complete a 4-hour ethics course annually, the deadline is December 31. AA Wright stated she signed up all Commissioners for the course and sent each an email on March 18th including a link to complete it. AA Wright stated each Commissioner has 45 days to complete the online course after they begin.

COMMISSIONER'S COMMENTS: The Board thanked Staff, Legal Counsel, the Auditor and the Apparatus Committee for all of their hard work.

NEXT MEETING: Tuesday, April 16, Budget Workshop at 5:00 p.m. followed by a regular meeting at 6:00 p.m. at the Administration building.

ADJOURNMENT: Chairman Warner adjourned the meeting at 6:59 p.m.


Chairman


Secretary

