

SPECIAL MEETING MINUTES

ALVA FIRE CONTROL & RESCUE SERVICE DISTRICT

2660 STYLES ROAD, ALVA, FLORIDA 33920

DATE: AUGUST 01, 2024

Call to Order

Chairman Crittenden convened the special meeting of the Alva Fire Control & Rescue Service District at 6:32 PM, August 01, 2024. There were sufficient Board members present to establish a quorum.

Commissioners in Attendance

Adam Crittenden
Henry Grant Fichter
Richard “Dick” Spence
Darren Watkins
Paul F. Meloy, Jr.

Also in Attendance

Jean P. Etcheverry, Chief
Sunny Sipes, Finance Manager
Bobby Rewis, FMFSD Chief
Richard Pringle, PA
Angela Young, Local 1826 Field Rep
1- Lee County EMS

Pledge of Allegiance / Moment of Silence

Prayer Performed by Commissioner Fichter

Public Input on Business

None

New Business

- Discussion Various Operational & Personnel Matters (Chief Etcheverry’s Performance Review)
 - ✓ Mr. Richard Pringle informed all attendees that this gathering was a Special Meeting of the Alva Fire Control & Rescue Service District Board of Commissioners that was properly noticed as required by law. Stated that there was one topic listed for discussion and wanted to clarify that he was out of the country when his legal assistant prepared the published notice. He stated that the true and actual topic was strictly the completion of the Performance Evaluation of Chief Etcheverry.
 - ✓ Mr. Pringle clarified the parameters of the meeting, stating that the Board took official action to “trigger” Section VII of Chief Etcheverry’s Employment Agreement which provides for an annual Performance Evaluation and stated that the Board Chairman reached out to him and gave guidance and direction for the preparation of the evaluation form including the allowance of any public individuals to submit an evaluation of his performance. Reminded the Board that this topic was on the Agenda for the June 1, 2024 regular monthly meeting. Pringle had provided the nine reviews as well as a prepared chart that summarized the review results. At this meeting, the Board received public input as well as responses from the Chief and Board members. Upon conclusion of this meeting, the decision was made to continue this discussion at the July 08, 2024 regular monthly meeting and for Mr. Pringle to provide all Commissioners with the individual evaluation comments. Stated that Commissioners were also provided with Chief Etcheverry’s job description as well as his response to the Evaluation findings. At the deadline, nine evaluations were submitted including a written statement of performance from Commissioner Spence. Pringle reminded the Board that there was no

discussion of this topic at the July meeting, due to his absence, and the motion was made then to convene for this Special Meeting. He relayed that he believed the ultimate goal of this meeting was to conclude the Performance Evaluation process.

- ✓ Commissioner Crittenden inquired if the Board wanted to speak first or should they ask Chief Etcheverry to speak prior?
- ✓ Commissioner Spence stated that he felt the purpose of this evaluation was to speak with the employees, consider any concerns, then discuss their findings with the Chief in order to find remedies to their feedback. He felt that this evaluation should be used as a tool to set guidelines not to establish his employment. He spoke to Chief Etcheverry about his findings, Chief responded to him and he believes that Etcheverry has been following through with his suggestions. He stated that he doesn't understand why the Board has spent three meetings, as well as a Special Meeting, to discuss an evaluation.
- ✓ Commissioner Watkins stated that they were not provided with the individual evaluations until after the June meeting, they could not discuss the findings at the July meeting and therefore scheduled a Special Meeting in order to discuss the results as a group.
- ✓ Commissioner Spence responded to Watkins stating that he has had 30-60 days to discuss the findings with the Chief. He inquired if he had spoken with the Chief or with Finance Manager, Sunny Sipes?
- ✓ Commissioner Watkins stated, "no".
- ✓ Commissioner Fichter stated that this process was meant to be constructive. He did find in the results that there is some room for improvement but does see progress with the facilities, the equipment and the ISO reduction process. The areas of concern that came to fruition were the teamwork, morale and communication. He stated that the security of the community is the Board's number one concern and that all of these items are important as a group. His advice to Chief Etcheverry was to build his team, build morale and reminded him of its importance.
- ✓ Chief Etcheverry agreed.
- ✓ Commissioner Watkins inquired of the status of the three Firefighters that are on paid leave? Stated that they have been on leave for one month. Inquired if the leave was caused by something that was in the presented documents? Inquired how much this leave has cost the District?
- ✓ Chief Etcheverry stated that he was following the direction of the District's labor counsel as to the imposed leave with pay.
- ✓ Mr. Richard Pringle clarified to Commissioner Watkins that he has reviewed discussions between Chief Etcheverry and Nik Joshi, District Labor Counsel. He stated that Attorney Joshi outlined with Chief the steps that are required in order to implement an investigation of personnel actions that may be in violation of rules, regulations and procedures. He stated that unfortunately, this process takes times and does impact the smaller Districts more substantially. He clarified that Chief Etcheverry was following Mr. Joshi's direction.
- ✓ Commissioner Watkins stated that his concern is the morale and that a majority of the Firefighters are not eager to come to work because of the leadership. He believed that something needed to change. His other concern is that three individuals are on paid leave and he was concerned that two Firefighters were reprimanded for walking out of a meeting and slamming the office door.
- ✓ Chief Etcheverry inquired with Mr. Watkins if he believed it was acceptable for an employee to act that way while on duty, in uniform and while members of the public were present?

- ✓ Watkins stated that he wouldn't have any employees if he reprimanded everyone that slammed his office door.
- ✓ Chief Etcheverry stated that "they must have different standards".
- ✓ Watkins also stated his concern with the length of time for this process.
- ✓ Chief stated that the Grievance process is afforded to employees who may have violated policy and that this process takes time.
- ✓ Commissioner Watkins asked to view the District Policy that was violated.
- ✓ Sipes' provided the Employee Disciplinary Policy that includes the Disciplinary Matrix.
- ✓ Discussion ensued with Commissioner Crittenden on a previous comment that was made by Chief Etcheverry during the previous public meeting.
- ✓ Sipes' stated that comment was not in the recording of the meeting.
- ✓ Etcheverry clarified the process of using the District's Disciplinary Matrix.
- ✓ Mr. Pringle also informed the Board that there should be no discussion on the particulars of a pending disciplinary action. He stated that general policy guideline questions, and how the Chief would handle those, are suited for discussion.
- ✓ Watkins voiced his concern that these reprimands were handed down because of the Chief's viewing of the Performance Review.
- ✓ Discussion of the Performance Review submittal timeline was discussed.
- ✓ Chief stated that the reprimands were dated eight days prior to his receipt of the Review responses.
- ✓ Commissioner Meloy voiced his concern that the reviews were "bogus" and that it appeared multiple reviews were written by the same individual. He also voiced his concern that one individual delivered multiple reviews to the attorney stating that there could have been tampering. He stated that he respects the Chief's decision to reprimand these employees.
- ✓ Commissioner Spence stated his belief that the Board is to oversee spending by the Chief, not "micro-mange" his actions. He believes Board members were "overstepping their boundaries" by speaking to the members and "undermining" the Chief's decisions. Spence made the statement that he is ready to "put the Evaluation to bed".
- ✓ Commissioner Fichter stated that we need our community and staff "in harmony" and that the Board is depending on the Chief to do that. He stated that he feels the staff's comments are important and they needed to be shared and discussed.

Commissioner Fichter made a motion to close Chief Etcheverry's Performance Evaluation discussions. This motion was seconded by Commissioner Spence and approved by Commissioner Meloy.

- ✓ Commissioner Fichter inquired if he could motion to add a topic to the September regular meeting Agenda?
- ✓ Attorney Pringle stated, "yes".
- ✓ Fichter continued that he would like to add the topic of discussion of a possible competitive selection process for the Chief's position.

Commissioner Fichter made a motion to withdrawal his previous motion.

- ✓ Commissioner Spence stated that he would also like to talk about Chief Etcheverry's contract terms and/or renewal along with the related budget items.

Commissioner Fichter made a motion to open the discussion of a competitive selection process as well as the future Employment Agreement the Chief's position including salary and benefits. Commissioner Spence seconded the motion. This motion was unanimously approved.

- ✓ Commissioner Watkins voiced his thoughts that he does not want any retaliation implemented against the employees for "giving a bad review".
- ✓ Chief Etcheverry inquired if Commissioner Watkins read his response to the review.
- ✓ Watkins stated, "yes".
- ✓ Etcheverry stated that he was following the direction of the District's attorney and that he would definitely be amicable to all employees.
- ✓ Watkins inquired on the suspension of three employees.
- ✓ Attorney Pringle clarified that the Chief has responsibility and authority over the employees under him and the Board has authority over the Chief. Any concerns of wrongful acts by the Chief are to be addressed by the Board.

Commissioner Spence made a motion to close the discussion of the Chief's Evaluation Report. This motion was seconded by Commissioner Fichter and passed. Commissioner Watkins stated, "nay".

Public Comments

- ✓ Lee County EMS employee, John Rochelle, stated that the reviews may be similar because the employees have experienced similar situations.
- ✓ Commissioner Meloy stated that some of the review responses were "written exactly the same".
- ✓ Commissioner Spence responded that discussion of the Chief's Review was closed.

Commissioner Comments

- ✓ Commissioner Fichter stated that the Board was going to need Chief Etcheverry's help.
- ✓ Commissioner Watkins asked Sipes to distribute the District's approved Chief's Job Description to all Commissioners.
- ✓ Mr. Pringle asked Sipes to also distribute a copy of Chief Etcheverry's Employment Agreement to attorney's and Commissioners.

Adjournment

Commissioner Fichter moved to adjourn the meeting at 7:41 PM. This was seconded by Commissioner Meloy, and the vote was unanimous. Chairman Crittenden closed the meeting.

Respectfully submitted,

Sunny Sipes, Finance Manager / Administrative Specialist

Minutes Distributed Electronically to Board Members