

Regular Meeting
January 20, 2009

The Regular Meeting was called to order by Trustee Klage at 7:30 p.m.

The Pledge of Allegiance was recited by all in attendance.

Members Present: President Mark Klage, Trustee Gary Muehlfelt, and Trustee William Thar and Treasurer Beeson (via telephone). Absent: Secretary Thomas Duhig.

Also Present: Chief Phillip A. DiMenza, Attorney Bernie K. Weiler.

Minutes: The minutes of the Public Hearing and the Regular Meeting of 11/18/08 were distributed prior to the meeting. There being no questions or corrections, Trustee Thar made a motion to approve the Public Hearing minutes as presented, seconded by Trustee Muehlfelt. All in favor. Trustee Muehlfelt made a motion to approve the Regular Meeting minutes, seconded by Trustee Thar. All in favor.

Remarks From Floor: None.

Treasurer's Report: Treasurer Beeson reviewed the Treasurer's Report for December. As of 12/31/08, the beginning balance in the checking account and general money market account was \$1,134,883.88. After deposits of \$71,264.07, disbursements of \$160,166.67, and an operating CD for \$50,000.00, the ending balance for those accounts was \$1,095,981.28. The combined balance of the Capital Projects and Equipment Fund Money Markets was \$132,725.46, and the balance for the Capital Projects and Equipment Fund CD's was \$1,388,884.86. There being no questions, Trustee Thar made a motion to accept the Treasurer's Report, seconded by Trustee Muehlfelt. All in favor.

Chief's Report: Chief DiMenza deferred his report to Old Business.

Deputy Chief's Report: Deputy Chief Lewis reviewed his memorandum regarding the TIF district, stating that since the formation of the TIF district in 2004, there have been no meetings or financial reporting by the joint review board as required by law. A copy of that law was attached to his memorandum. Despite numerous requests, no taxing body involved in the TIF has received any information to date. After much discussion, the Board asked Attorney Weiler to draft a letter to the Village of Winfield addressing the issue of non-compliance.

Deputy Chief Lewis was contacted by B & F Company regarding the Village of Winfield's Ordinance 08-5-22 adopting the International Fire Code 2006 Edition and no longer recognizing the Fire District's Fire Prevention Code Ordinance #113. The Chiefs purchase a copy of the International Fire Code in order to compare the two codes, and while there are many things in the International Fire Code that are more stringent than Ordinance #113, there are other discrepancies that need to be addressed. Chief DiMenza and Deputy Chief Lewis will be reviewing both codes, updating the District's Fire Prevention Ordinance and presenting the Board with a new Fire Prevention Ordinance to adopt.

Attorney's Report: Attorney Weiler distributed some material for review in Executive Session that would pertain to the litigation that the District is currently involved in.

In addition, Attorney Weiler prepared a memorandum regarding electronic attendance based on the Open Meetings Act. He explained what the requirements are for electronic participation. He further stated that electronic participation should not be allowed in instances where, although that Trustee may not be voting on the topic, he/she has a vested interest in the outcome and could sway the vote by participating in the conversation. Attorney Weiler did not see a reason to prohibit electronic participation in general, stating that if there is a conflict of interest, the absent Trustee would not be able to vote either in person or on the telephone. If an absent Trustee is wanting to be able to vote on an issue by telephone, the reason for that Trustee's absence will have to fall within the requirements that allow electronic voting. Otherwise, Attorney Weiler felt that if a Trustee is diligent enough to make accommodations to electronically attend a meeting while unable to attend in person, it would be in the public's best interest for the District to be as liberal as possible in allowing that practice. President Klage asked that the rules prepared by Attorney Weiler be put on the agenda for the next meeting.

Old Business: Andy Jasek from FGM Architects gave a presentation on the cost of remodeling Fire Station #2 in order for it to be usable as a manned station. FGM prepared the budget costs in an itemized fashion so that, if the District chose to move forward with this project, the Board could pick and choose those things that needed to be completed, versus what would be considered unnecessary, reducing the final cost. After discussion, the Board thanked Mr. Jasek for all of his assistance with this matter and indicated their preference to review the material prior to making a decision.

With regard to an update on a new tanker, Chief DiMenza and Deputy Chief Lewis have been working on the specifications, which are about 90% complete. Once finished, Requests for Proposals will go out for about 30 days. At Chief DiMenza's request, the Board agreed to table further discussion on the tanker until next month when the specifications will be complete.

Consent Agenda: The consent agenda consisted of the Monthly Run Reports for November and December as well as comment cards and thank-you letters. The Board acknowledged Mike Eckler and Kevin Palazzola for their fine level of service which prompted a thank-you letter as well as a write-up in the newspaper. Trustee Thar made a motion to approve the consent agenda, seconded by Trustee Muehlfelt. All in favor.

New Business: The Tentative Budget for 2009/2010 was presented to the Board. Attorney Weiler stated that passing the Budget in Tentative Form does not preclude changes from being made before it is adopted in final form. With that information and after some discussion, Trustee Thar made a motion to adopt the 2009/2010 Tentative Budget, second by Trustee Muehlfelt. All in favor.

Deputy Chief Lewis next reviewed a memorandum regarding the hiring of three (3) new full-time firefighter/paramedics May 1, 2009, reducing the PSI contract staff by three (3) and promoting one our current firefighters from the promotional list to the position of Lieutenant and assigning that Lieutenant the duties of Paramedic Coordinator as well. In addition, the goal would be to eliminate the remaining three (3) contract paramedics and replace that one position per shift with a part-time firefighter/paramedic. Exhibit One to his memorandum showed the

cost versus savings for the year 2009/2010, and Exhibit Two shows the same information for 2010/2011. Deputy Chief Lewis wanted to make it perfectly clear that these recommendations are not because of any dissatisfaction with the paramedic contract or its employees. It was just felt by the administration that having District employees rather than contract employees fill these positions allows the District to maximize their use of those employees, educating them further and disseminating responsibilities more effectively. After much discussion, Trustee Muehlfelt made a motion to move forward with the recommendation shown in Exhibit One contingent on P.S.I. re-negotiating their contract and to give the Board of Fire Commissioners authorization to hire three individuals off of the eligibility roster currently in place and promote one firefighter from the promotional list to the position of Lieutenant. That motion was seconded by Trustee Thar. All in favor.

Chief DiMenza then spoke about the FEMA Grant that was recently awarded to the District in the amount of \$68,050.00 for the purchase of 12 air packs, of which the District's portion would be \$6,805.00. Chief DiMenza secured three competitive quotes for this purchase and at his recommendation, Trustee Muehlfelt made a motion to authorize the purchase from MES for a total of \$67,894.25, seconded by Trustee Thar. All in favor by roll call vote.

The disposition of the 1980 Mack Fire Engine was discussed next. Deputy Chief Lewis contacted Fire-Tech, the company used to sell the American LaFrance, in an effort to obtain an asking price for the Mack. It was suggested that the District could ask for \$10,000.00 but be willing to accept less. In the meantime, Elgin Fire Academy had called Deputy Chief Lewis to let him know that their Fire Apparatus Engineer classes will be cancelled in the next session because the engine they have been using is broken is no longer pumps water and they have nothing to replace it with. As a way to assist the Elgin Fire Academy as well as the Fire District, Deputy Chief Lewis asked if the Elgin Fire Academy would like to purchase the Mack for their academy. Although the Academy has no extra funds, they offered to give the District two full student scholarships at \$3,400.00 each as payment, totaling \$6,800.00. Given the consignment fee we would have paid to Fire-Tech as well as the probably negotiated price reduction and time waiting to sell it, Trustee Thar made a motion to adopt a resolution authorizing Deputy Chief Lewis to sell the 1980 Mack Fire Engine to the Elgin Fire Academy in exchange for not less than two full academy tuition scholarships, seconded by Trustee Muehlfelt. All in favor.

Deputy Chief Lewis informed the Board that the agreements with Central DuPage Hospital will be expiring soon, and with the Hospital in the planning phase of the next fiscal year budget, he requested that one or two Board Members be appointed to the committee to meet with Chief DiMenza, Deputy Chief Lewis and representatives of Central DuPage Hospital. The Board agreed that President Klage and Trustee Thar will serve on that committee. Attorney Weiler reminded the Board that if two trustees attend the meeting with Central DuPage Hospital, there are to be no deliberations of District business, as that would be a violation of the Open Meetings Act. They can, however, receive information and bring it back to the full Board for action.

Attorney Weiler revised the original hydrant agreement between the District and the Village of Winfield. Deputy Chief Lewis had not yet brought it over to the Village because he wanted the Board to be aware of the new language and, up until a few days ago, the Village did not have a Village Manager and he was concerned about the agreement getting lost during the transition. They now have an interim Village Manager, so he will deliver the new agreement for signature

in the morning. Attorney Weiler stated that the only new language was the reference authorizing the public body to enter into such an agreement.

Payment of Bills: The Bill Lists for December and January were presented reflecting a total of \$89,185.24 for December and \$150,958.74 for January. After discussion, Trustee Thar made a motion to pay the bills for both months as listed, seconded by Trustee Muehlfelt. All in favor.

Other Business: None.

There being nothing further for open session, Trustee Thar made a motion to move into Executive Session for purposes of discussing pending litigation, 5 ILCS 120/2(c)(11), seconded by Trustee Muehlfelt. All in favor. The meeting was adjourned to Executive Session at 9:05 p.m.

Mark Klage, President

Robin K. Youngberg, Recording Secretary