



**DISTRICT MEETING
APRIL 1, 2013**

1. AGENDA

1.A. Call to Order

Chairman Miller called the meeting to order at 6:00 p.m.

1.B. Pledge of Allegiance

Commissioner Thomas led the Pledge of Allegiance.

1.C. Roll Call

Vicky Fay called the roll. The following Commissioners were present: Tony Allen, Marilyn Beyer, Jennifer Miller, George Mirabella, and Bob Thomas. There was a quorum. The meeting was held at Station 24.

Also present were: Don Bock, Frank Conklin, Vicky Fay, Matt Francis, Sergio Garcia, Scott Robinson, Peter Rosasco, and Dirk Smits.

2. APPROVAL OF AGENDA

2.A. Approval of the April 1, 2013 Agenda

Motion: Commissioner Beyer made a motion to ***approve the April 1, 2013 Agenda.***
Commissioner Mirabella seconded the motion, and the Board unanimously passed the motion.

PUBLIC COMMENT

The following individuals addressed the Board during Public Comment: Russ Yagel, Sue Heim, and Frank Conklin.

3. NEW BUSINESS (ACTION)

3.A. Mediation Negotiation Points

Matt Francis reported a Closed Meeting needs to be scheduled to discuss the attorney fees regarding the Freeman lawsuit. In attendance will be the attorneys for the District, District Clerk and a Court Reporter. This is just a discussion. The Closed Meeting will be scheduled for April 8, 2013 at 6:00 p.m. preceding the District Meeting.

A tentative date for mediation has been set for April 15, 2013. This needs to be confirmed. Mediation needs to be completed within 30 days (April 24, 2013).

Commissioner Thomas suggested to Frank Conklin and Sergio Garcia the Training Officer and Scheduling Officer would be independent and report to the KLVFD Board, the Fire Department Board appoint a new chief, and add two outside board members. Don Bock has volunteered to be chief.

Tom Tharp recommended the Board should appoint the Chief, the Board should be composed of volunteers vested in the community, and should not be composed of paid personnel.



3.A. Mediation Negotiation Points (Continued)

Commissioner Beyer recommended Operations be split from Administration (with a chief for each section), the Chief needs to be responsible to the Board. This is a managerial change, and the Corps will handle the management side.

Commissioner Miller agreed with a lot of the things presented. Ms. Miller will be upset if taxes are increased, and she has concerns with insurance issues (ISO rating), and not enough staffing (approximately 1/3 of the Corps staff are certified firefighters). Ms. Miller would like to do the right thing – it should be a business decision. The District needs to move forward to make it work.

Commissioner Mirabella has been a certified firefighter with the department for over eight years. He understands what has been going on in the department. He would like more stability for the volunteers, and wants them to be trained and happy. The intimidation and the threatening have to stop and come to an end – it happened to him, and he wants it to stop. The department needs a new board. It is time to make a change. The volunteers are not being paid on time. The Corps is always paid the second Tuesday of every month. Commissioner Mirabella recommended terminating the contract with “No Cause”. He wants it to be good for everybody, and they need to start over.

Commissioner Allen did not vote for termination, and thanked Tom Tharp for speaking to the Board. The District is supposed to negotiate. Commissioner Allen was concerned this is a conflict between two people. The firefighters need to come to the next meeting. Commissioner Allen felt the problems could be fixed.

Commissioner Thomas addressed the 2007 audit. The District should not micro manage, but should set the level of service, etc.

Commissioner Beyer pointed out each department was audited. The Fire Department did not address the audit results, and Corps did address the audit results. The Fire Department was asked to make changes; however, they have refused to do anything. The Senior Advisory Council agreed there were good ideas, but not one thing was done. Mediation is to try to get these items done, and not have them constantly ignored.

Rob Blessner, one of the Senior Advisory Council members, addressed the Board, and provided some history. The department works like a fraternity, and unfortunately the department decided not to go by recommendations. There are a lot of good people in the department, and he would like to see the department continue. The department should readdress the recommendations. It doesn't mean Chief Garcia would be gone because the Board would appoint the Chief like the Corps Board appoints their chief.

Ike Beal, one of the Senior Advisory Council members, indicated things are fine with the Operations side, and the department was 15th in the world in extrication. He is confused as to what needs to be done – is it the corporation side or combat issues? Policies are in place to handle complaints. Commissioner Beyer indicated it is the corporate and management side.

Matt Francis indicated the Board would need to direct staff to mediate to address issues. Chairman Miller asked if Bob Thomas would be the liaison for mediation, and he accepted. Chairman Miller requested the Commissioners come to the April 8th meeting with items to mediate, and send mediation points to Legal.



3.A. Mediation Negotiation Points (Continued)

Jackie Harder indicated the audit might be a good place to start mediation.

Commissioner Miller requested the Commissioners come back with mediation points from the audits, the Senior Advisory Group and the District Board suggestions for mediation.

Chief Garcia came to the meeting in good faith and cooperation, and hopes for a consensus of items to change. The Board of Director's meeting is on Wednesday.

Russ Yagel pointed out the By-Laws need to be approved by the department, and that the Board might remain the same and select the same chief. Would that be acceptable? Commissioner Beyer's response was that it would not be acceptable.

Frank Conklin indicated the Board had three sets of people on the board. He is looking forward to help the department. The Board will meet on Wednesday, April 17th.

3.B. Report on fact finding for other options should mediation fail.

Commissioner Thomas reported Monroe County would support the District, if requested. The Corps voted unanimously (with exception of one absent board member) to provide service if asked to do so by the District. Commissioner Thomas has received numerous phone calls from Plantation Key, Key Largo and Islamorada firefighters that are willing to help if the District puts out a call for help.

4. ADJOURN

Commissioner Thomas made a Motion to adjourn at 7:05 p.m., which was seconded by Commissioner Allen.

Next Scheduled Meeting:

April 8, 2013

DOCUMENTS:

Resolution #2013-002