



***DISTRICT MEETING
JANUARY 25 2010 - FINAL***

Attendees: Chairman, William Andersen, Commissioners: Marilyn Beyer, Mark Wheaton and Tom Tharp were present.

Also present were: Brenda Beckmann, Vicky Fay, Sergio Garcia, Joshua Hauserman, Dirk Smits, Robert Stoky, and Jennifer Zimmer. The meeting was held at Station #24.

1. AGENDA

1.A. Call to Order

Chairman Andersen called the meeting to order at 6:04 p.m.

1.B. Pledge of Allegiance

Commissioner Beyer led the Pledge of Allegiance.

1.C. Roll Call

Vicky Fay called the roll. The following Commissioners were present: William Andersen, Marilyn Beyer, Tom Tharp and Mark Wheaton. There was a quorum.

2. APPROVAL OF AGENDA & MINUTES

2.A. Approval of Agenda

Motion: Commissioner Beyer made a motion to ***approve the agenda***. This motion was seconded by Commissioner Wheaton and the motion was passed unanimously by the Board.

2.B Approval of Minutes

2.B.1 Approval of January 11, 2010 Meeting Minutes

Motion: Commissioner Beyer made a motion to ***approve the January 11, 2010 Meeting Minutes***. This motion was seconded by Commissioner Wheaton and the motion was unanimously passed by the Board.

3. CHAIRMAN'S REPORT

None

4. SECRETARY'S REPORT

None

5. OLD BUSINESS

None



6. NEW BUSINESS (ACTION)

6.A. Discussion: Interim Commissioners

The Chairman asked each of the candidates for the Gubernatorial Interim Commissioner position to speak. David Bickford has been with the KLVFD for over 12 years. Mr. Bickford has significant credentials in volunteerism in the community. Rob Bleser has been a resident for over 32 years. He has been with the KLVFD for 30 years, and is offering his services as a taxpayer and volunteer. Mr. Bleser does have a question concerning conflict of interest, and will contact Joshua Hauserman. Jennifer Miller has been a resident for over 16 years, and her background and experience is in finance and banking. Ms. Miller is an active member of community, and feels she brings a new vision, a fresh look to the board and will be unbiased. Kent Van Winkle ran for initial seat at the first district election. He was an airline pilot, and his background includes experience with first aid, training and apparatus. He has lived in Key Largo since 1973; and would like to serve the community. He will be a crew leader for the 2010 census. Michael Blondin's family has been in the Keys for over 100 years, and has been a member of the KLVAC for five and a half years. Mr. Blondin is also a firefighter 1 and worked as a firefighter and EMS at Ocean Reef. He has a desire to serve the community and use his expertise on a higher level.

The Commissioners will send their recommendations to the governor.

6.B. Discussion/Approval/Motion: (Cancellation of Contract KLFR&EMS District/KLVFD)

Ike Beal read a prepared statement to the Commissioners. The checks and balances were in the forms of bylaws, policies and procedures. In the recent past, the effectiveness of those checks and balances has been diminished. The time has come to review those existing controls, re-establish those we deem effective and weed out those that are obsolete and add new controls as necessary. The KLVFD Board of Directors has approved the establishment of a Senior Advisory Group to conduct an investigation as a result of the audit. The group consists of Ike Beal, Rob Bleser and Chris Fleming. They have over 82 years fire department experience, and are offering their services voluntarily without reimbursement.

The Senior Advisory Group is requesting 60 days to perform the task, make recommendations, and take those recommendations to the KLVFD Board to be acted upon. If they are stonewalled during their investigation, they will relinquish their authority and notify the District Commissioners. Rob Bleser said "the department is off track and the direction is to put it back on track. The group does not have any pre-disposed opinions." Commissioner Beyer expressed appreciation to the group.

Jack Bridges addressed the District Board concerning Frank Moc.

Commissioner Tharp made a motion to instruct legal staff to start to prepare the paperwork to terminate the contract. There was not a second to the motion.

Commissioner Tharp explained the District Board does not have the right to terminate the KLVFD contract in 60 days. There are only two options for the District to terminate the contract. One is immediate termination of the contract and the other is 30 days with cause. The intent of the item on the agenda was to have the department start to take action. At the time of the KLVFD audit, there was an internal ongoing investigation from August, and no results have yet been reported to the District. It seems the investigations are not moving very fast in the department.



6.B. Discussion/Approval/Motion: (Cancellation of Contract KLFR&EMS District/KLVFD)

Commissioners Tharp and Wheaton each stated, “They do not want to destroy the department.” There is no item in the audit that has not been corroborated by numerous sources. Not one source, but numerous sources. The investigators further shared that many allegations were made that were not included in the report because they did not have more than one source.

Commissioner Beyer addressed Mr. Bridges concern that the Senior Advisory Board will not be discussing items in the open. Nothing can be done behind closed doors. Dirk Smits clarified that when the Senior Advisory Board will make the presentation to the KLVFD Board, that meeting will have to be noticed.

Commissioner Beyer asked Mike Jenkins as President of the Department, “Your Board has agreed to work fully and completely with this Advisory Board in the best interest of the department, correct? And Commissioner Beyer asked Chief Garcia a question “You have agreed to work with this Advisory Board and take under advisement everything they recommend to your Board?” Both Mike Jenkins and Chief Garcia responded “Yes”.

Motion: Commissioner Wheaton made a motion for the ***District Board to postpone any action for 30 days.*** This motion was seconded by Commissioner Beyer and the motion was passed unanimously by the Board.

7. FINANCIAL REPORT

7.A. Financial Report (December, 2009)

Jennifer Zimmer presented the December 2009 Financial Reports. This District is one quarter through the budget year, and the year-to-date totals are in the report.

One of the recommendations from Marcum Rachlin was that the District should only pay the legal and accounting fees that pertain to the District (not corporate board expenses). The Board directed Jennifer Zimmer to go back to the first of the fiscal year for both the KLVFD and the KLVAC to ensure only legal and accounting fees related to the District were submitted to the District.

8. LEGAL COUNSEL REPORT

Dirk Smits reported the auditors have not received any comments from the Fire Department as of this meeting. The auditors completed their final forensic work on the computer, and will send the information to the Commissioners.

9. EMS DEPARTMENT REPORT

No Report.

10. FIRE DEPARTMENT REPORT

Mike Jenkins discussed the Awards Banquet.

11. COMMISSIONER'S ITEMS

Commissioner Beyer commented it was a very nice dinner, and she was disappointed in some of the firefighters not clapping for everyone from their department receiving awards.

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12. ADJOURN

Commissioner Tharp made a motion to adjourn at 7:00 p.m., which was seconded by Commissioner Wheaton.

Next Scheduled Meeting:

February 8, 2009 and February 22, 2009 (*if required*)

March 8, 2009 and March 22, 2009 (*if required*)

DOCUMENTS

100111 KLFR&EMS Meeting Minutes

091231 KLFR&EMS Finance Report