



**DISTRICT MEETING MINUTES  
NOVEMBER 19, 2012 – FINAL**

**1. AGENDA**

**1.A. Call to Order**

Chairman Andersen called the meeting to order at 6:09 p.m.

**1.B. Pledge of Allegiance**

Chairman Andersen led the Pledge of Allegiance.

**1.C. Roll Call**

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

Also present were: Don Bock, Frank Conklin, Vicky Fay, Sergio Garcia, Ronnie Fell, Scott Robinson, Theron Simmons, and Jennifer Zimmer. The meeting was held at Station 24.

**1.D. APPROVAL OF AGENDA & MINUTES**

**1.D.1. Approval of Agenda**

Items 1.D., 1F.1, 2.A. and 2.B. were moved prior to Adjourn and Reconvene, and Item 6.D. was added.

**MOTION:** Commissioner Miller *made a motion to approve the changes to the Agenda as discussed.* Commissioner Tharp seconded the motion, which was unanimously passed by the Board.

**1.D.2. Approval of October 29, 2012 Meeting Minutes**

**MOTION:** Commissioner Tharp *made a motion to approve the October 29, 2012 Meeting Minutes.* Commissioner Beyer seconded the motion. The Board unanimously passed the motion.

**ADJOURN**

Commissioner Beyer made a Motion to Adjourn at 6:15 p.m., which was seconded by Commissioner Wheaton.

**OATH OF OFFICE**

Theron Simmons administered the Oath of Office to Tony Allen, Marilyn Beyer, George Mirabella and Bob Thomas.

**RECONVENE**

**1.E. Call to Order**

Commissioner Beyer called the meeting to order at 6:25 p.m.



## KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

Seat 1: William A. Andersen; Seat 2: Michael Cavagnaro; Seat 3: Mark Wheaton; Seat 4: Tom Tharp; Seat 5: Marilyn Beyer

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### **1.F. Roll Call**

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

Also present were: Don Bock, Frank Conklin, Vicky Fay, Sergio Garcia, Ronnie Fell, Scott Robinson, Theron Simmons, and Jennifer Zimmer.

### **1.F. Election of Officers**

Commissioner Beyer asked for nominations for Chairman. Commissioner Beyer nominated Bob Thomas and Commissioner Mirabella nominated Jennifer Miller. The majority vote was as follows: Allen (Miller), Beyer (Thomas), Mirabella (Miller), Miller (Miller) and Thomas (Thomas).

Commissioner Miller was elected as Chairman.

Chairman Miller asked for nominations for Vice-Chairman. Jennifer Miller nominated Tony Allen, and George Mirabella nominated Bob Thomas. The majority vote was as follows: Allen (Allen), Beyer (Thomas), Mirabella (Thomas), Miller (Allen) and Thomas (Thomas).

Commissioner Thomas was elected as Vice-Chairman.

Chairman Miller asked for nominations for Secretary/Treasurer. Jennifer Miller nominated Marilyn Beyer, and there were no other nominations. Commissioner Beyer was unanimously re-elected as Secretary/Treasurer.

Commissioner Beyer was elected as Secretary/Treasurer.

### **1.G. Commissioner Recognition**

Chairman Miller presented plaques to Commissioners Andersen, Wheaton and Tharp in appreciation of their service to the Board and the community.

## **3. CHAIRMAN'S REPORT**

Chairman Miller had no items to report to the Board.

## **4. SECRETARY'S REPORT**

### **4.A. March VCOS Seminar in The Villages "You & ISO"**

Commissioner Beyer wanted to let the Commissioners know there will be a presentation from ISO in March 2013. It will be a one-day seminar, and recommended that Commissioners may want to attend this event. Ms. Beyer will bring additional information to the Board when available.

## **5. OLD BUSINESS**

### **5.A. Discussion: KLFR&EMS District Response to Governor's Executive Order for Special Districts**

Tom Tharp reviewed the Response to the Governor's Survey. Theron Simmons recommended the comments be incorporated into the final version. He also requested the Achievements and Accomplishments 2005-2012 prepared by Vicky Fay be included in the Response to the Governor. Theron will distribute a final report.



## KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

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### **5.B. Discussion: Circuit Court Opinion Corey Freeman Lawsuit**

The Southern District upheld the Corey-Freeman lawsuit. The District did seek reimbursement at the Southern District level, and it may be more cost effective to roll the fees for the 11<sup>th</sup> Circuit into the Southern District. Legal will review and advise.

### **5.C. Discussion: Reimbursement from FEMA for Hurricane Isaac Expenses**

A preliminary meeting was conducted with the State of Florida Emergency Management Public Assistance Coordinator. A meeting will be held on Tuesday, November 20<sup>th</sup> with FEMA. At this time, it is believed that Vicky, Jennifer and Linda have compiled 95% of the documentation required to file the claim. The Board directed the Clerk to proceed, and to update them with the project status.

## **6. NEW BUSINESS (ACTION)**

### **6.A. Discussion: KLVFD Election Issue**

Commissioner Thomas reviewed the District's Board Fiduciary taxpayer responsibilities, and he read excerpts from the 2007 KLVFD Evaluation, which indicated the District Board needed to be more involved with Department issues. Commissioners Beyer, Mirabella and Thomas attended a KLVFD Meeting regarding elections. There are two issues: 1) How the election process was handled, and 2) What are the Fire Chief Job Description/Qualifications? The District and Departments will check with other departments for Fire Chief job descriptions/qualifications. Commissioner Thomas recommended that someone else (the Monroe County State Attorney's Office) look at the election issues to confirm everything was handled appropriately. Andy Tobin indicated the KLVFD would welcome qualifications from District for the Chief. The KLVFD scheduled a follow-up meeting on November 28th.

**MOTION:** Commissioner Thomas *made a motion to contact the Monroe County State Attorney General's Office to request their review of the KLVFD electoral process.* Commissioner Beyer seconded the motion, which was passed with a majority as follows: Allen (No), Beyer (Yes), Mirabella (No), Miller (Yes), and Thomas (Yes).

Chief Garcia was willing to have the KLVFD Board of Directors make a decision on how to resolve the issue. George Mirabella will be assigned as a liaison with the Department at Tobin's request.

### **6.B. Approval/Motion: 2013 Meeting Schedule**

The Proposed 2013 Meeting Schedule was presented and discussed. Before the meeting is finalized, Vicky Fay will distribute to the departments to ensure dates for their budget hearings do not conflict with travel.

### **6.C. Discussion: District Website**

The 1<sup>st</sup> phase of the website was completed. The front page of the website needs to be updated. Tom Tharp proposed a front page, similar to the Ft. Myer's Beach Fire District. Vicky would like to discuss the proposed changes with each commissioner, and Paul Messina will provide a proposal in December for the home page changes.



## KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

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### 6.D. **Approval/Motion: KLVFD Burt Budde (\$12,679.20 for Copier)**

This lease agreement for the KLVFD was for three (3) years at \$4,226.40 per year, and included maintenance and supplies. It copies documents up to 11 x 17, and scans documents for the Department. This lease agreement is a piggy-back on the Sheriff's Office contract. There were two other bids, and which will be submitted to the District. The contract expires November 26, 2012.

**MOTION:** Commissioner Thomas *made a motion to table approval of the purchase of the copier/scanner for the KLVFD.* Commissioner Beyer seconded the motion. The Board unanimously passed the motion.

## 7. **FINANCIAL REPORT**

### 7.A. **Budget vs. Actual (September, 2012)**

The District revenue is at 104.7% of the budgeted FY 2011/2012 Fiscal Year. The District is 1.1% above the 96% collection rate. The District Board is at 81% of budget, the KLVFD is at 73.8% of their budget without the purchase of the vehicle, and the KLVAC is at 88.6% of the budget

The District is currently \$370,174 under budget as of 9/30/12.

Finance distributed the 2012 Statement of District Net Assets Report.

## 8. **LEGAL COUNSEL REPORT**

No new Legal items were presented to the Board.

## 9. **EMS DEPARTMENT REPORT**

The second Stryker unit has been installed, and the cabinets have been fixed. The Corps had a visit from the Department of Homeland Security to audit the I-9's, and no items of deficiencies were noted. The garage sale netted \$1,000, and the balance of the items was donated to other local charities. The Corps reviewed and tweaked the By-Laws, and when they are completed a copy will be forwarded to the District.

Commissioner Thomas discussed an audit for the Corps. It would not be a forensic audit, just a financial audit. The District audit is approximately \$10,000 - \$11,000 annually. Perhaps a review, Commissioner Thomas will conduct further review.

## 10. **FIRE DEPARTMENT REPORT**

### 10.A.-10.E. **KLVFD Meeting Minutes (June – October, 2012)**

A reimbursement plan for Monroe County volunteers had been prepared, and it helped with the lawsuit. Things were on the up and up. The firefighters did an excellent job when fighting the fire behind Ballyhoo's. Command was transferred to Chief Wagner as both the Key Largo Chief and Asst. Chief were unavailable. The commissioners were encouraged to visit the Stations. Commissioner Thomas noted a problem with a door grate at Station #25.



## KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

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### 11. COMMISSIONER ITEMS

Commissioner Thomas researched the policy for the public to speak at meetings, and felt people should not have to sign up to speak at the District Meetings. This would help encourage an even flow of information from the public to the chair.

### 12. ADJOURN

Commissioner Mirabella made a Motion to Adjourn at 7:37 p.m., which was seconded by Commissioner Allen.

### Next Scheduled Meeting:

December 17, 2012

January 15 and January 28, 2013

February 11 and February 25, 2013

March 11 and March 25, 2013

### DOCUMENTS

121029 KLFR&EMS District Meeting Minutes

121120 District Response to Governor's Executive Order for Special Districts

121114 2013 Meeting Schedule

Sample of Ft. Myers Beach District Website

120930 Budget vs. Actual (September, 2012)

120930 Statement of Net Assets (September, 2012)

Various KLVFD Meeting Minutes (June – October, 2012)