



DISTRICT MEETING MINUTES - FINAL
APRIL 22, 2013

1. AGENDA

1.A. Call to Order

Chairman Miller called the meeting to order at 6:00 p.m., and requested a Moment of Silence for Boston Marathon runners affected by the bombing.

1.B. Pledge of Allegiance: Commissioner Mirabella 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.

Also present were: Don Bock, Frank Conklin, Vicky Fay, Matt Francis, Scott Robinson, Theron Simmons, Dirk Smits and Jennifer Zimmer. The meeting was held at Station 24.

2. APPROVAL OF AGENDA & MINUTES

2.A. Approval of April 22, 2013 Agenda

Motion: Commissioner Beyer made a motion to ***approve the April 22, 2013 Agenda.*** Commissioner Thomas seconded the motion, and the Board unanimously passed the motion.

2.B. Approval of Minutes

2.B.1. Approval of April 1, 2013 Minutes

Motion: Commissioner Mirabella made a motion to ***approve the April 1, 2013 Meeting Minutes,*** which was seconded by Commissioner Beyer. The motion was unanimously passed by the Board.

2.B.2. Approval of April 8, 2013 Minutes

Motion: Commissioner Thomas made a motion to ***approve the April 8, 2013 Meeting Minutes.*** Commissioner Beyer seconded the motion, and the Board unanimously passed the motion.

3. PUBLIC COMMENT

The following individuals addressed the Board: Fred Nickerson, Ron Miller and Kay Thacker opposed the District terminating the Contract with the department. Jack Bridges addressed the Addendum to the KLVAC Contract. Sue Heim addressed cost analysis, ability to respond to drills. Eric Neitzer addressed leadership and issues.



4. NEW BUSINESS (ACTION)

4.A. Department inventory

Jennifer Zimmer reported the Inventory was conducted at both stations. We are working on locating the missing items, which are the items highlighted in yellow on the inventory. Unaccounted for are two sets of bunker gear. However, Lt Fundora noted to Jennifer before the meeting that there is a set of bunker gear in each of the two Chief's vehicles that are in service. The two turbo drafts belong to the department. Islamorada has some of the inventory items, and they will be returned. Commissioner Mirabella requested Jennifer to verify these items for the physical inventory once they are returned by Islamorada.

4.B. Emergency and mutual aid contracts for fire rescue services with County and Village

There is an unsigned Mutual Aid Agreement with the County, Islamorada and Ocean Reef, which was drafted by the department. The Mutual Aid agreement should be between the District and the entities. The District received a letter from James Callahan stating Monroe County will aid the District with County personnel and equipment, if required.

4.C. Addendum to KLVAC contract stating that KLVAC is prepared to accept the responsibilities of the KLVFD contract, effective 12:00 AM, Monday, May 27

The Corps submitted two signed original Addendums to the Corps contract. The Addendum allows assumption of all of the fire department obligations under the 501(c)(3) of the Ambulance Corp and references all contractual obligations with the KLVFD. There is no specific end date. Dirk Smits read the Addendum to the Contract into record.

Motion: Commissioner Thomas made a motion ***to adopt the Addendum to the Contract as written and enter the addendum as read.*** This was seconded by Commissioner Mirabella. The motion was passed as follows: Allen (No), Beyer (Yes), Mirabella (Yes), Thomas (Yes), and Miller (No).

The effective date of Addendum of the Contract is May 27th 2013 at 10:00 a.m. Commissioners Allen and Miller requested to postpone until the next meeting. There are two more meetings for the department to bring something up. Chairman Miller passed the gavel to Commissioner Thomas.

Motion: Commissioner Allen made a motion ***to postpone action until the next meeting, which was seconded by Commissioner Miller.*** The motion failed as follows: Allen (Yes), Beyer (No), Mirabella (No), Thomas (No), and Miller (Yes).

Chairman Miller indicated she would not sign the Addendum, and Legal Counsel responded that was not the way it is done.

4.D. Meeting with Don Bock, KLVAC counsel, and board rep re: transfer of fire rescue services

Jack Bridges, from the floor, discussed the meeting with the District Legal Counsel and the Addendum.

4.E. Public notice (advertisement) of accepting applications for volunteer firefighter positions and designating EMS to receive all such calls for new fire service arrangement with EMS.

The District Clerk reported a draft advertisement had been prepared by HR and Legal to advertise for firefighters. The Corps should advertise the Notice to Hire for Fire Department personnel as they will conduct the hiring. All personnel would include the station manager. The new corporation would need to have their own corporate secretary.



KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

Seat 1: Tony Allen; Seat 2: Jennifer Miller; Seat 3: George Mirabella; Seat 4: Bob Thomas; Seat 5: Marilyn Beyer

4.F. Approval/Motion: KLVFD Travel Request to Inspect Vehicle (\$1,898.45)

The Final Inspection is part of the Ferrara Contract. Either Chief Garcia or Ike Beal will inspect the new pumper. Travel is approximately \$1000 and Hotel/Per Diem is approximately \$900.00. Phil Lincoln reported the pumper is not part of any bid. It is a completely new design. Holden, Louisiana is approximately 46.7 miles from New Orleans. Mr. Lincoln would prefer more than one person inspect the pumper.

Motion: Commissioner Thomas made a motion **to approve the KLVFD Travel Request in the amount of \$1,898.45.** Commissioner Mirabella seconded the motion, and the Board unanimously passed the motion.

It was discussed that perhaps Mark Wheaton should inspect the pumper as he was instrumental in the specification process; however, not at a District cost of \$1,898.00. Last Wednesday night Engine 25 had both rear wheels, on the same axle, fall off of the frame when making a turn. All American towed the Engine to Wheaton's Service Center, and the engine was back in service on Saturday.

4.G. Discussion: Direct legal on public records requests and recovery of same

Dirk Smits expressed a concern there are two more meetings in 30 days, and the District has not received the items requested from the Department. A portion of Chief Garcia's emails are ready, and Ike Beal deleted his. It is an inappropriate practice to delete emails. Commissioner Miller asked if they were needed now? Dirk Smits responded they were needed before the mediation meeting. Compliance is by law to get whatever he needs to do to get the records within a reasonable amount of time. The District has completed all record requests.

4.H. Approval/Motion: KLFR&EMS District Contract with Ferrara for the Tanker (\$297,156.00)

Phil Lincoln worked with Chief Garcia and James Griffeth. The tanker started at \$404,000, then \$356,000 and is down to \$297,000. Ferrara's owner gave an extended discount. It is a pump and roll tanker. Freightliner had a price increase last month, and extended the pricing for the District to April 25th. The M2-106 is being discontinued. The tanker is piggybacked off the Sheriff's Office Contract for the MT-108. This is an extruded aluminum starting at \$249,000 for severe duty. The plumbing, plumbing controls and connectors are stainless steel. Theron reported the tanker is about \$8,000 over budget due to the performance bond. Griffeth moved forward with the specification. Phil Lincoln will let the District know what the value might be for the tanker and squad.

Motion: Commissioner Mirabella made a motion **to approve the KLFR&EMS District Contract with Ferrara in the amount of \$297,156.00,** which was seconded by Commissioner Allen. The motion was unanimously passed by the Board.

Russ Yagel, from the floor, reported the district terminated the contract no future discussions.

Commissioner Allen requested an item be added to the Agenda regarding mediation rights. Chairman Miller passed the gavel to Commissioner Thomas.

Motion: Commissioner Allen made a motion to **Waiver mediation rights by the Department, the District and the Mediator.** Commissioner Miller seconded the motion. The motion failed as follows: Allen (Yes), Beyer (No), Mirabella (No), Thomas (No), and Miller (Yes).



KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

Seat 1: Tony Allen; Seat 2: Jennifer Miller; Seat 3: George Mirabella; Seat 4: Bob Thomas; Seat 5: Marilyn Beyer

The fire department may bring another offer to the District Board.

5. **ADJOURN**

Commissioner Miller made a Motion to adjourn at 7:18 p.m., which was seconded by Commissioner Thomas.

Next Scheduled Meeting:

May 13, 2013

May 20, 2013

DOCUMENTS

130401 District Meeting Minutes for April 1, 2012

130408 District Meeting Minutes for April 8, 2012

130422 Inventory: District Assets (2013)

130422 Inventory: Bunker Gear/Mobile Radios/Portable Radios

130422 Inventory: Bunker Gear/Portable Radios (Station 24)

13___ District/KLVAC Contract Addendum

13___ Public Advertisement for Firefighters

130422 District Contract with Ferrara for Tanker

11-10-1202 Sheriff's Office Specifications for Tanker

130319 KLVFD/Ferrara Specifications for Tanker

130319 Ferrara Tanker Proposal