



## DISTRICT MEETING MAY 8, 2013 – FINAL

### 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 Allen 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: Scott Black, Don Bock, Frank Conklin, Vicky Fay, Ronnie Fell, Sergio Garcia, James Griffeth, Scott Robinson, and Peter Rosasco.

### 2. APPROVAL OF AGENDA & MINUTES

#### 2.A. Approval of May 8, 2013 Agenda

Commissioner Thomas requested that Item 4.B. removed from the agenda.

***Motion:*** Commissioner Thomas made a motion to ***approve the May 8, 2013 Agenda with the deletion of Item 4.B.*** Commissioner Beyer seconded the motion, and the Board unanimously passed the motion.

Commissioner Miller requested Agenda Item 5 be added to the Agenda for a KLVFR Department report.

***Motion:*** Commissioner Beyer made a motion to ***approve the amended May 8, 2013 Agenda with the addition of Item 5.*** Commissioner Thomas seconded the motion, and the Board unanimously passed the motion.

#### 2.B. Approval of Minutes

##### 2.B.1 Approval of April 22, 2013 Meeting Minutes

***Motion:*** Commissioner Beyer made a motion to ***approve the April 22, 2013 Meeting Minutes*** that was seconded by Commissioner Mirabella. The motion was unanimously passed by the Board.

### 3. PUBLIC COMMENT

The following individuals addressed the District Board: Glenn Patton supported the District Board decision to terminate the contract with "No Cause"; John Forrer indicated the department is here for the community and recognized changes need to be made; Frank Conklin would like the opportunity for the Fire Department to speak to the community; and Jack Bridges reported on the status of the new 501.(C).3. Key Largo Volunteer Fire Department; and Fred Nickerson wanted mediation to work for the department, and expressed a concern of lower services and higher taxes.



#### 4. NEW BUSINESS (ACTION)

##### 4.A. Discuss KLVFR Potential Solutions to Resolve Contract Issues:

Commissioner Miller met with the Fire Department. These are the suggestions presented to the District Board from the department to solve the problems:

1. KLVFR Board of Directors will appoint the Chief.
2. KLVFR Board of Directors will appoint the Chief with the option that the District Board can veto the of KLVFR Department Directors decision with a 4-1 super majority vote.
3. The KLVFR Board of Directors will allow 2 outside members of this department to become a part of the KLVFR Board. We will allow those 2 members to be chosen by the District.
4. KLVFR Board of Directors will work with the District Board to establish a grievance board/program.

Russ Yagel, spoke from the floor. He tried to seek a compromise and balanced solution for the District and the department. If the number of KLVFR Board members should be seven instead of nine, Mr. Yagel felt he could find a solution. If given an opportunity, the department is more than willing to establish a grievance/program. These items were approved by the majority of the KLVFR Board, and Yagel felt the items would be approved by the membership.

**Motion:** Commissioner Allen made a ***motion to approve the proposed changes to the Fire Department By-Laws.*** There was not a second. Commissioner Miller passed the gavel to Commissioner Thomas and then Miller seconded the motion. Commissioner Thomas returned the gavel to Commissioner Miller.

Commissioner Mirabella stated this is a "promise". It has not been done. It is too little to late. Scott Black indicated the department could hire a chief. Commissioner Thomas indicated the department has not done this. The KLVFR Board is making an offer to take this to the membership for a vote. Commissioner Allen felt this offer provided more "control" over the fire department because of the 4 to 1 super majority vote. Commissioner Thomas indicated the power the District has over the department has been negotiated down. These are changes from a department where the membership approves the KLVFR Board's changes. The Ambulance Corporation Board elected the chief. The District Board has the approval to defund the chief. Ronnie Fell stated the Corps has stepped up to help, and the department has been bashed. Jack Bridges speaking from the floor indicated this problem has been ongoing on for over five years. Yagel speaking from the floor was not aware of any negative comments about EMS. Commissioner Allen did not feel the District Board would be voting on a "promise", but on an action based upon the Fire Department BOD recommendations. Commissioner Thomas referred to the promises made in 2010 that were never done, and indicated if the KLVFR Board accepts this proposal, there will be no change. The Corps has a seven member board with two outside people. Frank Conklin indicated the department would like to resolve the problems. Commissioner Beyer explained that mediation was an opportunity for the people to speak openly and in confidence to identify items to be done. Commissioner Miller indicated this is a proposal not a promise. The majority of comments Commissioner Miller received by residents did not want this to happen. This is a proposal. It is not too late and would like the District Board to consider these four items. Commissioner Beyer reported the Fire Department Board tried several times to make changes, and it has not been done. Last year, the Fire Department did not have a quorum at eight meetings, and Beyer did not think the membership would vote for the changes. Commissioner Mirabella said there were only 14 people at the last meeting. Terminating the contract with "No Cause" is the only solution to the problem.



**4.A. Discuss KLVFR Potential Solutions to Resolve Contract Issues (Continued):**

Russ Yagel speaking from the floor indicated it could be done through written consent, they can have it done in 48 hours. Commissioner Thomas indicated that he has heard from numerous people in the community that support the District's action.

The motion was amended as follows:

**Motion:** Commissioner Allen made a ***motion to accept a conditional offer contingent upon the department's membership approving the changes.*** Commissioner Miller passed the gavel to Commissioner Thomas, and Commissioner Miller seconded the motion. Commissioner Thomas returned the gavel to Miller. The vote was as follows: Allen (Yes), Beyer (No), Mirabella (No), Thomas (N) and Miller (Y). The motion failed.

4.B. This item was removed from the agenda.

**4.C. Motion/Approval: Spending Limits Non-Essential Items**

Scott Black indicated the Board has authority to limit discretionary spending during the transition phase. Commissioner Thomas said "this would protect the District". The current policy may be amended with a motion to rescind the current policy. An amendment would not affect legal, payroll or insurance. Limiting purchases and discretionary spending is a good thing, and it makes sense to do it. Peter Rosasco indicated from a legal standpoint it is true. It will be business as usual, within the approved limitations. Commissioner Beyer indicated there have been problems with some items. Frank Conklin indicated the District will need to reimburse the department for some expenses.

**Motion:** Commissioner Thomas made a motion ***to limit KLVFR spending of non-essential items that are not used for day-to-day operation. The non-essential items will require District Board approval until the transition is complete.*** This motion was seconded by Commissioner Beyer. The vote was as follows: Beyer (Y), Mirabella (Y), Thomas (Y), Allen (Y) and Commissioner Miller abstained.

**4.D. Discussion: Advise Ferrara Regarding Pumper Lettering & Logo**

The pumper is currently being inspected, and several items for the pumper were clarified in a motion.

**Motion:** Commissioner Mirabella made a motion ***to approve the following for the new pumper: The name to use on the vehicle will be the Key Largo Volunteer Fire Department, the District logo will be on the vehicle doors, Station # and the Vehicle # will remain the same, the font will be Bookman Old Style, and the logo will have a yellow border.*** Commissioner Beyer seconded the motion, and the Board unanimously passed the motion.

**5. KLVFR Department Report**

Chief Garcia spoke about the department volunteerism, which has changed over the decades. The level of service has improved. The department will continue to provide service to the community. Garcia spoke about the department changes since the ESCI 2007 evaluation. The firefighters are 100% certified. The goal is to have four fire fighters per station, 24-7. Firefighters must work 212 hours in 28 days before receiving overtime. The volunteer department will continue to provide services to the community. James Griffeth, Battalion Chief indicated the fire on Narraganzett was difficult to fight due to the high winds, and there was a potential to lose the whole block. Leslie



**5. KLFR Department Report (Continued)**

Lazo speaking from the floor would like to know what can be done to improve the hydrants from George Street at the paint store to Narraganzett. Commissioner's Thomas and Beyer commended Chief Griffeth and the firefighters for the fantastic job fighting the fires.

**Motion:** Commissioner Thomas made a motion ***to approve canceling the meeting for May 13, 2013.*** Commissioner Beyer seconded the motion. The Board unanimously passed the motion.

Commissioner Thomas made a Motion to adjourn the meeting at 7:38 p.m., which was seconded by Commissioner Beyer. The motion passed unanimously.

**Next Scheduled Meetings:**

May 13, 2013 (cancelled) & May 20, 2013

**DOCUMENTS**

130422 District Meeting Minutes