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**DISTRICT MEETING  
NOVEMBER 22, 2010 – FINAL**

**1. AGENDA**

**1.A. Call to Order**

Chairman Andersen called the meeting to order at 6:02 p.m.

Also present were: Scott Black, Donald Bock, Vicky Fay, Ronnie Fell, Sergio Garcia, Joshua Hauserman, Mike Jenkins, Asst. Chief Ogden and Peter Rosasco. The meeting was held at Station #24.

**1.B. Pledge of Allegiance**

Commissioner Tharp 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. OATH OF OFFICE & ELECTION OF OFFICERS**

**2.A. Oath of Office**

The Clerk administered the Oath of Office for Mike Edgerton and Jennifer Miller.

**ADJOURN**

The meeting was adjourned at 6:07 p.m.

**RECONVENE**

The meeting was reconvened at 6:20 p.m. Commissioners Edgerton and Miller joined the Board.

**2.B. Election of Officers**

**Motion:** Commissioner Wheaton made a motion to *nominate Bill Andersen as Chairman*. This motion was seconded by Commissioner Beyer, and the motion was passed unanimously by the Board.

**Motion:** Commissioner Edgerton made a motion to *nominate Mark Wheaton as Vice-Chairman*. This motion was seconded by Commissioner Beyer, and the Board unanimously passed the motion.

**Motion:** Commissioner Miller made a motion to *nominate Marilyn Beyer as Secretary/Treasurer*. This motion was seconded by Commissioner Wheaton, and the motion was passed unanimously by the Board.

**3. APPROVAL OF AGENDA & MINUTES**

**3.A. Approval of Agenda**

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

**3.B. Approval of Minutes**

**3.B.1 District Meeting Minutes October 25, 2010**



**3.B.1 District Meeting Minutes October 25, 2010 (Continued)**

**Motion:** Commissioner Wheaton made a motion to ***approve the October 25, 2010 District Meeting Minutes.*** This motion was seconded by Commissioner Beyer, and the motion was passed unanimously by the Board.

**3.C. Sunshine Law**

Scott Black presented an overview of the Sunshine Law regarding meetings, communications among staff, committee communications, violations, and penalties and fines for violations.

**4. CHAIRMAN'S REPORT**

The Chairman did not have any new items to report to the Board.

**5. SECRETARY'S REPORT**

There were no new items presented to the Board by the Secretary.

**6. OLD BUSINESS**

**6.A. Discussion/Status: Department Staff Contracts**

**6.A.1 Discussion/Status: KLVAC Contract**

Joshua Hauserman discussed the KLVAC Contract extension.

**Motion:** Commissioner Wheaton made a motion to ***approve the KLVAC Contract Extension through January 31, 2011.*** This motion was seconded by Commissioner Beyer, and the motion was passed unanimously by the Board.

**6.A.2 Discussion/Status: KLVFD Contract**

Mike Jenkins reported the Fire Department extended the contract through January 31, 2011.

**Motion:** Commissioner Beyer made a motion to ***approve the KLVFD Contract Extension through January 31, 2011.*** This motion was seconded by Commissioner Edgerton, and Board unanimously passed the motion.

**6.B. Pre-Selection Committee Update**

Commissioner Tharp provided an overview of the project. There were 24 applications received, and 15 resumes will be reviewed by the Committee. After the Board selection, Legal and Finance will work to establish the contract. Commissioner Tharp recommended that the Board continue with the process.

Commissioner Edgerton requested the process be postponed and asked for the opportunity to resolve the problems. It was pointed out the Senior Advisory Group was unsuccessful working with the department. Mike Jenkins said, "The department is willing to work to resolve the issues". Commissioner Andersen said, "The District does not have any control over the KLVFD". The District and the Fire Department have a disconnect because neither has control over the Chief. Neither board has control over the Chief. Mike Jenkins reported there was a By-Laws meeting, and a second By-Laws meeting has been scheduled. Mike Jenkins and Chief Garcia each requested an opportunity to postpone the process. Commissioner Beyer questioned if the membership would be open to change; and Mike Jenkins reported there has been a change in the membership and felt the department is heading in the right direction. Commissioner Tharp recommended Commissioner Edgerton could work with department while the process is ongoing.



**6.B. Pre-Selection Committee Update (Continued)**

On December 1<sup>st</sup>, the committee will meet to review the 15 resumes and narrow it down to five applicants. The applicants will meet with the Committee on December 13<sup>th</sup> and then meet with the Commissioners individually on December 14<sup>th</sup>. The majority of the candidates live within the State of Florida.

Commissioner Edgerton felt that by postponing the process and working with the department, the District could come to a positive resolution for the Board, community and residents. Chief Garcia felt the By-Laws Committee will present a good product to the District Board. Commissioner Andersen hopes Commissioner Edgerton can work to resolve the issues. Bill Meehan is working with the Department Board and the membership. Commissioner Beyer encouraged Commissioner Edgerton to work with the department.

**Motion:** Commissioner Edgerton made a motion to *postpone the process until January 31, 2011*, and the motion was seconded by Commissioner Beyer for discussion. The motion did not pass: Andersen (No); Beyer (No); Miller (No); Wheaton (No); and Edgerton (Yes).

**6.C. Discuss/Evaluate/Approve: \$40.00 per shift for KLVFD Drivers**

KLVFD looked at this, and had an opinion from their attorney. Chief Garcia said, "this is an incentive for the drivers." The home shift and station shift increases are budgetary items that were never formally approved by the District Board.

Peter Rosasco reported the rule is that volunteers cannot make more than 20% of the market-rate for the position. This is an IRS issue, and the volunteers may be subject to overtime if they are considered employees. Individuals can lose their volunteer status. KLVFD volunteers do not receive a stipend until their six-month probation is complete.

If they are paid more than 20%, they would need to receive minimum wage and overtime. Commissioner Wheaton expressed concern. Joshua Hauserman recommended Mike Jenkins work with Linda to establish the market rate. The fire department brings the reimbursement schedule to the District Board for approval. Peter Rosasco reported the concern is not whether a 1099 or W2 is issued. No matter what the compensation is – the limit is 20%. Commissioner Wheaton suggested that Joshua Hauserman get with Andy Tobin to discuss this issue.

**Motion:** Commissioner Beyer made a motion to *table the issue of the \$40.00 per shift for the drivers*. This motion was seconded by Commissioner Miller, and the motion was passed unanimously by the Board.

**7. NEW BUSINESS**

**7.A. Special Presentation**

Commissioner Andersen made a Special Presentation to Commissioner Tharp commending him for his efforts to establish the Key Largo Fire Rescue & Emergency Medical Services District and his contributions as a District Commissioner.

**7.B. Medical Director's Contract**

The contract expires on December 31, 2011. Last year, Dr. Steed was paid \$18,000.00. The KLVAC is required to have a Medical Director to establish the protocols for the Corps. Dr. Steed also worked with the KLVFD so they may administer oxygen when necessary. Joshua Hauserman will contact Dr. Steed to negotiate a new contract.



**8. FINANCIAL REPORT**

Peter Rosasco presented the first new fiscal year financial report. Everything is well within the budget. The expenditures are as follows: The fire department at 4.2%, the Corps is at 6.2% for the Corps, and the District is at 5.5%.

**9. LEGAL COUNSEL REPORT**

There were no new items reported by the Legal.

**10. EMS DEPARTMENT REPORT**

Ronnie Fell reported the Life Pak 15's were placed into service, and the Life Pak 12 's are remaining in service. One of the ambulances is being repaired. The new outside members elected to the KLVAC Board are Russell Cullen and Jackie Harder. The Corps requested clarification regarding the Corps secretaries. The District Board will not pay for the corporate secretary; it should be a corporate expense. The AED's will be swapped out in stages to resolve any problems that may exist. Commissioner Beyer requested the AED's not held by the departments be checked. Commissioner Wheaton suggested an AED be placed at the meeting center at Tradewinds Plaza. Commissioner Andersen requested that a policy be established. Monroe County Mayor Sylvia Murphy would like to purchase one additional AED (not with District funds) for the Nelson Government Center. The AED Committee is trying to place AED's in Key Largo's high-traffic areas. The Corps Christmas party will be December 14<sup>th</sup>. Ronnie Fell would like to meet with Commissioners to discuss the Corps.

**11. FIRE DEPARTMENT REPORT**

The KLVFD will check the fire hydrants to replace the reflective tape, clean the area, and add pickle sticks to help improve visibility. Asst. Chief Ogden reported DBF is working with the fire department for the new hydrants. New grinders were purchased. This will allow the firefighters to cut into the new hurricane impact glass. Chief Garcia thanked the Board for allowing firefighters to attend the Great American Fire School. The new training facility in Miami-Dade is excellent. Life-Net (Air Methods) left Tamiami, and they are no longer available; however, they are still in Key West. Call volume is increasing. A By-Laws Meeting is scheduled for November 30<sup>th</sup> at 7:00 p.m. The Christmas Party will be on December 16, 2010. Commissioner Andersen questioned the Incident Report Medical Assists. Sometimes the department is automatically dispatched; and the Corps requested assistance. Commissioner Miller felt there is redundancy in responding. Commissioner Beyer questioned the Eagle Drive incident, and the response time for the Engine to arrive. The department cutting down a tree was discussed. Commissioner Beyer recommended the reports be reviewed for accuracy. These should be reviewed by the department. Commissioner Wheaton suggested that sometime in the future an ambulance should be placed at the North Station. Approximately 15 firefighters are paramedics.

**12. COMMISSIONER'S ITEMS**

There were no new Commissioner items.

**13. ADJOURN**

Commissioner Beyer made a motion to adjourn at 8:24 p.m., which was seconded by Commissioner Wheaton.

**Next Scheduled Meeting:**

December 20, 2010

*(See Next Page)*



## KEY LARGO FIRE RESCUE & EMERGENCY MEDICAL SERVICES DISTRICT

Seat 1: William A. Andersen; Seat 2: Jennifer Miller; Seat 3: Mark Wheaton; Seat 4: Mike Edgerton; Seat 5: Marilyn Beyer

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### **Documents:**

KLFR&EMS Annual Report (2009-2010)  
101025 KLFR&EMS District Meeting Minutes  
101122 Vernis & Bowling Government in Sunshine Handout  
101109 KLVAC Attorney Letter & Contract Extension  
101122 KLVFD Contract Extension  
101031 District Financial Report  
101031 KLVAC Performance Report  
101031 KLVFD Performance Report