



MEETING MINUTES OF A SPECIAL
SESSION OF THE FOREST LAKES FIRE
DISTRICT BOARD OF DIRECTORS
DRAFT



- 1 Call To Order. Chairman Tom Cummiskey called the special session to order at 10:00 am on November 15, 2022. The session was held telephonically. Members of the public were advised on the posted agenda to contact the District office for call-in information if they wished to attend.
- 2 Roll Call of Fire Board Members. Board members Tom Cummiskey, John Hennessey, Dennis Massion and Pete Batschelet attended telephonically. Member Israel Torres was unable to attend. We had a quorum. Also in attendance telephonically were Chief Dave Rodriquez, Admin Asst Julie Mattila and newly elected board member, but not yet seated, Julie Swanson.
- 3 Chairman's Welcome and Activity Report. Chairman Cummiskey reported there has been a lot of behind-the-scenes activity with DB Trucks attempting to negotiate a settlement to our dispute. We also discussed the Water Tender issue at the October 31st Finance Committee meeting to add context and background, with no decisions being made at that time.
- 4 Call To the Public/Audience Comments. There were no members of the public on the call.
- 5 Business.
 - a) Discussion and possible action re: Water Tender Activities and Next Steps. Chairman Cummiskey reported there have been negotiations over the last four months between FLFD, DB Trucks and FLFD's attorneys of record. The most recent activity occurred with FLFD presenting a proposal to DB Trucks in an attempt to finally resolve the dispute, with FLFD requesting a counterproposal from DB Trucks to our offer if they were not satisfied with our approach. DB Trucks took exception to our latest proposal, providing their supporting rationale, but with no counteroffer. For the record, Chief has identified some 18 different shortcomings the DB Trucks unit has that he feels could be addressed over time, if we were in possession of the truck, that could be self-performed, as funds allow, by one of our newest POC members, to bring the unit up to acceptable standards. In the meantime, the unit could be put into service as needed. With the work being self-performed, the cost to perform the upgrades would be much less than the original estimates of \$40 to \$45K, making this an acceptable approach to the district. In order to bring this to a final resolution, in the most recent telecon with our attorneys within the last day or so, Tom suggested that subject to board approval, we work through our attorneys to communicate with DB Trucks via a written letter that we would take possession of the truck with the understanding that spray bars would be attached, the water turret would be operable and that we would sign over the T1211 title to them, thus bringing an end to the dispute and completing the procurement transaction. Following additional discussion during the special meeting Chairman Cummiskey asked for a motion as outlined above. Member Batschelet made a motion that the board approve FLFD take possession of the DB Truck, providing the spray bars are attached and the water turret is operational, and turn over to DB Trucks the signed title to T1211. The motion was seconded by Member Massion, and passed unanimously. Chairman Cummiskey took the action to contact Bill Whittington to advise him of the outcome of the special meeting, that Bill call DB Trucks to advise them as such and follow up with them in writing so as to close out the issue.
- 6 Call To the Public/Audience Comments. There were no members of the public on the call.
- 7 Fire Board Comments. Member Batschelet made the comment he is glad the water tender issue has been resolved and that we learned some valuable lessons on how to avoid procurement problems in the future. In that regard, Member Massion said he has a draft revision to Policy 0018 that, subject to review and approval by Dave, will be ready for submittal to the board for approval at Saturday's meeting.
- 8 Adjournment. There being no further business before the board, the meeting was adjourned at 10:19 am.



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