

FY 2002-2003
AGREEMENT

This agreement made and entered into this 1st day of October 2002, by and between Nassau County, a political subdivision of the State of Florida, hereinafter referred to as COUNTY, and Station Number 7, Nassauville Volunteer Fire Department hereinafter referred to as DEPARTMENT.

WITNESSETH, that in consideration of the sum of TEN and NO/100 dollars (\$10.00), and other good and valuable considerations, as hereinafter enumerated, the parties hereto agree as follows:

That the Board of County Commissioners, being legally bound by F.A.C., Florida Statutes, and local ordinances, as it pertains to fire protection and emergency medical services within the boundaries of Nassau County, hereby initiate this agreement under the following conditions:

All Volunteer Fire Departments shall function under the auspices and authority of the Chief of Fire/Rescue, Nassau County Fire/Rescue Department as defined by the Nassau County Board of County Commissioners and shall operate under the stipulations contained herein.

1. The COUNTY hereby agrees to provide the DEPARTMENT with funding (as stated in Paragraph 19) to maintain its station and equipment and to purchase certain apparatus and additional equipment. Said purchases shall be through coordination with the Board of County Commissioners. The apparatus and equipment should meet National Fire Protection Association standards.

2. It shall be the responsibility of the DEPARTMENT to provide Volunteer Fire Protection and First Responder Level emergency medical services in their

assigned area of responsibility within the jurisdictional boundaries of Nassau County, Florida. Each DEPARTMENT'S area shall be defined in Appendix "A", and shall not be changed unless agreed to by both departments and approved by the Board of County Commissioners.

3. Volunteer Fire Protection and First Responder level medical services shall be provided on a twenty-four (24) hour basis, seven (7) days a week.

4. The DEPARTMENT shall pay all regular maintenance costs, including repairs, gas, oil, and other fluids necessary to maintain all fire protection apparatus and equipment. The DEPARTMENT may request additional funding from the Board of County Commissioners for any major expenditures due to failure or loss of equipment.

5. All fire protection apparatus and equipment shall be housed at the DEPARTMENT'S station(s).

6. The DEPARTMENT operated apparatus and equipment shall be subject to Mutual Aid established by the Board of County Commissioners for other areas within unincorporated and incorporated areas of Nassau County and in surrounding areas as requested (dispatched) on a recall basis. The DEPARTMENT shall strive to maintain the required equipment as listed under the Fire Suppression Rating Schedule of the Insurance Service Organization (ISO), as approved by the Nassau County Board of County Commissioners.

7. The COUNTY shall provide Worker's Compensation Insurance for volunteers responding to or assisting with fire or medical emergencies. ~~personnel who are members of the DEPARTMENT and properly registered with the COUNTY Risk Management Office~~ Each volunteer or member of the DEPARTMENT must be properly registered with the COUNTY Risk Management Office. Each Department is subject

to the requirements of Florida Statutes regarding the volunteer fire departments and the requirements set forth therein at all **DEPARTMENT** activities and functions.

8. It shall be the responsibility of the **DEPARTMENT** to ensure that any **DEPARTMENT** personnel that respond to an alarm be properly equipped with the necessary personal protective equipment/clothing according to the type of incident. Prior to initiating tactics involving fire suppression, salvage, and overhaul, or entrance into any toxic or oxygen deficient atmosphere, each **Volunteer** Chief or his designee shall ensure that all personnel must be protected by the donning of a full fire protective ensemble, a Positive Pressure Self Contained Breathing Apparatus (P.P.S.C.B.A.), and a Personal Alert Safety System (P.A.S.S.).

9. Pursuant to the **COUNTY'S** Workers' Compensation insurance policy, each **DEPARTMENT** shall provide the **COUNTY** with a current roster of their volunteer personnel, (updated as needed) and shall include the following information:

- A. Name
- B. Address
- C. Social Security Number
- D. Date of Birth
- E. Place of Employment
- F. Phone Number - Home
- G. Driver's License Number and Type - i.e. - Class - A, B, C, D.
- H. Any other information requested by the Nassau County Human Resource Department or required by the county's workers compensation carrier.
- I. Personal Radio Call Number

Each VOLUNTEER DEPARTMENT shall be subject to the COUNTY'S Drug Free Workplace Policy. All new volunteer fire fighters shall be required to undergo a drug test and the COUNTY shall pay for said test.

10. Pursuant to the Department of Labor, Occupational Safety and Health Administration, the DEPARTMENT shall comply with 29 CFR 1910.120(E) for Hazardous Waste and Emergency Response. It will be the responsibility of each Volunteer DEPARTMENT to ensure that each of their personnel has completed Level I - First Responder Certification prior to providing any assistance at a hazardous materials incident. The COUNTY shall provide the DEPARTMENT with the required training and provide a certificate upon completion. An annual refresher course shall be also provided by the COUNTY at each station, on their designated training night. The COUNTY shall, pursuant to 29 CFR 1910.120 Hazard Communication, provide the DEPARTMENT with all chemical information which they have on file as it relates to chemicals stored or used in the workplace. The Chief or ranking officer of each department shall notify the Chief of Nassau County Fire/Rescue Department upon confirmation of any hazardous release, pursuant to Title III of the Superfund Amendment and Re-authorization Act of 1986 (SARA). The DEPARTMENT shall also adhere to all other requirements set forth in 29 CFR 1910 that are related to fire protection. The DEPARTMENT shall also comply with Florida Statutes, F.A.C. 38 I-20 regarding the requirements for volunteer fire departments.

11. Each DEPARTMENT shall, after each alarm/response, using the Local Area Computer Network complete the appropriate Fire Program reporting section. COUNTY shall provide DEPARTMENT with training for the proper operation of the Local Area Computer Network system. Each DEPARTMENT shall also file the appropriate form(s) for any injury and/or fatality which occurs during an

alarm/response. This includes civilians and DEPARTMENT personnel. These forms shall also be filed with the Florida Fire Incident Reporting System with notification made to the Nassau County Fire/Rescue Department and Risk Management Department. All forms shall be sent to the State by way of manual reporting if system should be down.

12. The DEPARTMENT shall keep a record (LOG) of each response. All records are to be open for inspection by the COUNTY at mutually agreed upon times and are subject to audit through the Clerk under internal audit procedures.

13. It shall be the responsibility of the DEPARTMENT to ensure that all personnel who operate standard emergency vehicles possess a valid Class "D" license with an "E" endorsement, pursuant to Florida Statutes 322.54. Personnel who are expected to operate specialized apparatus/vehicles, i.e., tractor drawn tankers, are to have the appropriate license.

14. The COUNTY shall require the DEPARTMENT to ensure that all new members will attend the 40 hour Basic Volunteer Firefighting Minimum Standards Course and 40 hour First Responder Course before participating in interior firefighting operations unless they possess proper documentation of firefighting that meets or exceeds the minimum standards. The current volunteer firefighters with three years experience shall not be required to meet the minimum standards. All new volunteer personnel may, at their discretion, Ride Along with Nassau County Fire/Rescue. In all training provided by Nassau County, it shall be the responsibility of the instructor to file all appropriate certifications with the Nassau County Fire/Rescue Department.

15. All members of the DEPARTMENT shall work under an Incident Command System

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(ICS) at all emergency incidents. Said Incident Command System (ICS) operations standards shall be developed and approved by the Board of County Commissioners in coordination with the chiefs association.

16. All members of the **DEPARTMENT** shall abide by the FCC Rules & Regulations regarding radio communications and file the correct number of portable and mobile radios operated by the **DEPARTMENT** with the **COUNTY**. The **COUNTY** shall provide the **DEPARTMENT** with a copy of the FCC rules and regulations as they pertain to this operation. Any changes in radio or dispatch procedures shall be the responsibility of the Sheriff and 911 Coordinator and coordinated with the Chiefs Association.

17. The Nassau County Fire/Rescue Department shall, on a monthly basis, transmit to the Chief of each volunteer fire department any change in Standard Operating Procedures (SOP's) each month in writing. Any changes in SOP's that affect the Volunteer Fire Department will be ~~communicated~~ ^{COORDINATED} with the Chiefs Association prior to being implemented.

18. The use of any funding from the **COUNTY** to pay salary/wages of any **DEPARTMENT** member is strictly prohibited.

19. The **COUNTY** shall appropriate to the **DEPARTMENT** annual funding in the amount of \$44,348 for providing efficient and effective **Volunteer Fire and First Responder Level Emergency Medical** operations. Said annual funding shall be established by the submission of an annual budget request which shall be received by the Clerk of the Court prior to but no later than June 15th. Upon approval of the submitted budget by the Board of County Commissioners, said funds shall be allocated on a quarterly basis with payments to be made by the 15th day of November, February, May and August. The **COUNTY** shall require each respective **DEPARTMENT** to account for all funds allocated and maintain proper

25. All facilities, programs and services shall be compliant with the Florida Accessibility Code and the federal Americans with Disabilities Act (ADA). Failure to provide facilities, programs or services that are compliant with the Florida Accessibility Code and the federal Americans with Disabilities Act (ADA) shall be considered a breach of the contract.

This agreement shall be in full force and effect for a period of October 1st, 2002 to September 30th, 2003. However it may be terminated by either party within thirty (30) days after notice having been given by registered mail, one party to the other. Any cancellation by either party shall require the refund of all unexpended Volunteer Fire Department funds appropriated by the COUNTY.

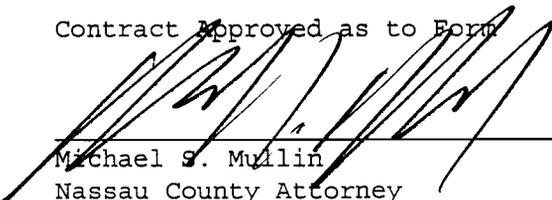
Board of County Commissioners
Nassau County, Florida

By: 
~~Nick D. Deonas~~ Vickie Samus
Chairman

ATTEST:

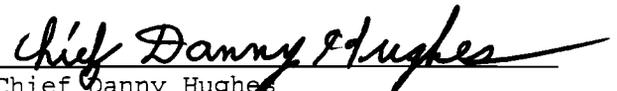


J. M. "Chip" Oxley, Jr.
Its: Ex-Officio Clerk

Contract Approved as to Form


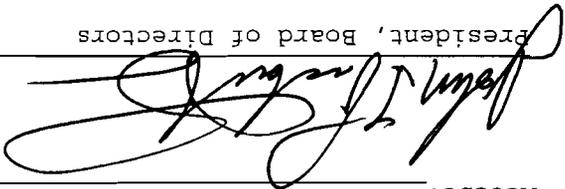
Michael S. Mullin
Nassau County Attorney

NASSAUVILLE VOLUNTEER
FIRE DEPARTMENT



Chief Danny Hughes

President, Board of Directors

A handwritten signature in black ink, appearing to read "John J. ...", written over a horizontal line.

Attest:

AFFIDAVIT

I, Chief Danny Hughes, certify that our programs, services and facilities are in compliance with the Federal Americans with Disabilities Act (ADA) and the Florida Accessibility Code.

Chief Danny Hughes
SIGNATURE
Title: Chief

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 6th day of March, 2002, by CHIEF DANNY HUGHES, as _____, of the _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

CONNIE H. ARTHUR
Connie H. Arthur
NOTARY PUBLIC
State of Florida at large
My Commission expires:



CONNIE H. ARTHUR
Notary Public, State of Florida
My comm. expires Dec. 19, 2003
Comm. No. CC 896505

THE STATE OF FLORIDA
COUNTY OF ALBANY

STATE BOUNDARY LINE
COUNTY BOUNDARY LINE

ACCESS

GENERAL LEGEND

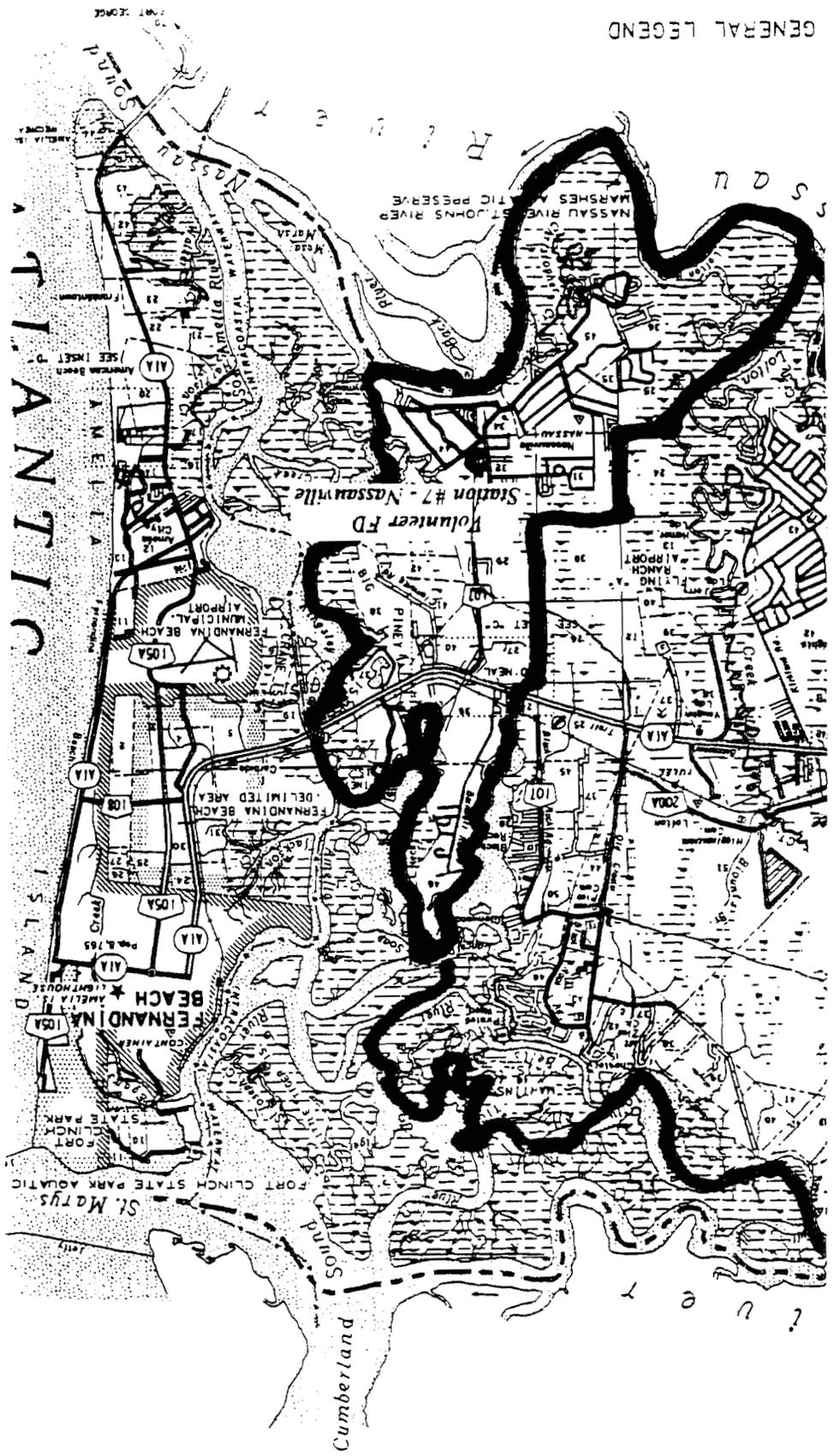


EXHIBIT "A"



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
David C. Howard
Vickie Samus
Floyd L. Vanzant
Marianne Marshall

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

November 18, 2002

JOSEPH M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

WALTER D. GOSSETT
County Coordinator

Chief Danny Hughes
Nassauville Volunteer Fire Department
1426 Nassauville Road
Fernandina Beach, FL 32034

Second Request

Dear Chief Hughes:

Please execute the revised enclosed Agreement between your department and the Board of County Commissioners for budget funds for FY 02-03. You will note that there was one revision to the contract language regarding workers compensation coverage and that is to change the language to reflect that the county shall provide workers compensation insurance for volunteers while they are responding to or assisting with fire or medical emergencies. This requirement is consistent with Florida Statutes, Section 440.02(17)(a)3. A copy of the Statute is enclosed.

I hope this clarifies for you the change in the language.

I am also enclosing the affidavit certifying that the requirements of the Americans with Disabilities (ADA) are being met and that your facility, programs and services are in compliance with the Florida Accessibility Code.

Upon receipt of your executed agreement, I will have the Board of County Commissioners execute same and my office will provide you with a fully executed certified copy. A self-addressed envelope is enclosed for your convenience in returning the Agreement.

I appreciate your continued service and dedication to Nassau County.

Any questions you have regarding the contract, please feel free to contact me.

I plan to attend the Chiefs' meeting on December 11, 2002.

Sincerely yours,

J. M. "Chip" Oxley, Jr.
Ex-Officio Clerk

JMOjr:jb

Enclosures

(904) 225-2610 Board Room; 321-5782, (800) 789-6673

An Affirmative Action / Equal Opportunity Employer