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MAR 30 2020

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March 27, 2020

Mr. Howard Brown
Village Manager
Village of Indiantown
Post Office Box 398
Indiantown, FL 34956

Dear Mr. Brown:

Howard

This letter responds to your letter dated February 7, 2020. We understand that the Village of Indiantown (Village) is actively pursuing termination of our Interlocal Agreement concerning Fire Rescue Services as well as the repeal of the related ordinance, in order to contract for private Fire and EMS services to the Village. You reference that the Village impetus for examining options is directly related to the nearly \$6 million in costs that your taxpayers are charged for the services they receive. Your taxable value for the County that I received from the Property Appraiser's office as of October 2019 was \$2,021,308,441. The adopted millage for the FY20 Fire MSTU is 2.7889. At the required 95% ad valorem collection rate, the County is estimating the Fire MSTU will receive roughly \$5.4 million from the taxable value of the Village.

Your letter goes on to request six additional items that you would like to "explore" and to discuss further. I would like to address each one of those which I have para-phrased:

1. The request to deviate from the current May 1st notification requirement for terminating services and institute an alternative timeline.

The County cannot deviate from the May 1 deadline set forth in our Interlocal Agreement. Our special assessment legal counsel has advised that the May 1st deadline is necessary to stay on track with various deadlines for compliance with Chapter 197, Fla. Stat. which ensures that adequate due process is followed by the County and for the efficient collection of the assessment on the property tax bill.

2. The ability to continue to receive fire prevention, fire code enforcement and fire investigations services.

The County cannot provide those services as “cafeteria plan” services. Fire Prevention is an integral part of our Fire Rescue Department, directed by our Martin County Fire Chief, and a member of the Fire Chief’s leadership team. These services are dependent on adherence to the protocols of our Fire Rescue Department. It is not possible nor advisable for the County to assume the significant potential liability posed by this request to provide these services to another Fire Rescue service.

3. The ability to purchase Fire and EMS dispatching services.

The County is not interested in providing those services as a stand-alone outsourced service. If the Village is going to contract for Fire and EMS services with another company, the County would have no control over their response and medical protocols. The County is unable and unwilling to assume potential liability for the Village’s outsourced fire rescue services. Dispatch is an integral part of the Fire Rescue Department and managed by the County’s Fire Chief and thus cannot be provided to another fire rescue service.

4. The ability to enter into a mutual aid and/or an automatic response agreement once the Village service is operational.

The County is unable to enter into such an agreement, by definition such agreements are only available when both parties provide assistance. Your proposal appears to describe supplemental services which are not mutual. If the Village decides to go forward, and the County is no longer providing services to the residents in the Village, the County will be assessing options for a possible relocation of the station to an area more conducive to serving the unincorporated area of western Martin County.

5. The ability to explore alternative pricing models that allows for the County service at a reduced cost.

As I have stated before, the County provides Fire Rescue and Advanced life support services to more than 83% of the residents in Martin County. My Commissioners are very concerned about giving the Village a ‘discount’ which would shift that monetary burden to the many unincorporated area residents. Please note the residents of the Town of Ocean Breeze have a similar interlocal and ordinance to allow the Fire Rescue MSTU within Town boundaries in order to receive Fire Rescue services. It is difficult, if not impossible, to justify a ‘discount’ to the Village while requiring the Town and unincorporated residents to pay more.

6. Other mutually agreeable consideration that are deemed possible regarding Fire/Rescue.

Martin County Fire Rescue is a large department under one umbrella, managed by a large team of professionals. The County has no interest in dissecting this department to allow portions of our Fire Rescue divisions and services to be ‘farmed out’ as an outsourced service. Our Fire Rescue Department is a comprehensive service provider of superior quality to the citizens of unincorporated Martin County and the Town of Ocean Breeze. As discussed above, the liability of such a proposal far outweighs any potential benefit.

Martin County's Fire Chief recently listened to the audio from the Village's March 12, 2020 meeting. There are a few statements made by the Village Council that should be clarified and/or corrected. This letter will serve as the County's mechanism to address those comments and provide the County's response for the record.

There was a promise by the Village Council that going with a for-profit company would actually increase the level of service since Martin County will continue to respond thus doubling the apparatus and the number of fire rescue personnel. This statement is incorrect, if the Village terminates the Interlocal and repeals the Ordinance, Martin County Fire Rescue will only be responsible for responding to the Indiantown residents in the unincorporated area. That means if the Village units are all busy and another emergency call within the Village boundary is needing a response, the Village would have to make a request for mutual aid from neighboring agencies. This process would dramatically increase response time and is contingent upon the availability of resources, so a response is not guaranteed. As a point of reference for potential impact, over a 17-month period from 2018 to 2019 there were 430-unit responses to emergency calls in Indiantown from surrounding Martin County stations covering the Indiantown units that were unavailable due to utilization. The level of service will only increase for Village residents if the Village's department does so.

Village Council member stated that there are more 911 calls outside the Village than inside the Village boundaries. This is incorrect. This Council member further elaborated the rumors of a volunteer fire department. The Village's released RFP provides on page 8 (E.) that the Village encourages the use of part-time, reserve, paid-on call, volunteers or other employment status' that provide qualified personnel in delivering these services.

There was a statement by a Council member that obtaining fire rescue services is similar to that of buying a car, and since the City of Stuart residents have their own department, it must be cheaper for them. The City has a special fire assessment fee that all property owners must pay in addition to paying ad valorem taxes for their fire service. The reason that the fee was initiated was because many of their property owners were paying very little or no ad valorem taxes for the City's fire rescue services. Due to the property valuation exemptions the City residents along the waterfront and the commercial and industrial businesses were paying most of the ad valorem taxes for fire rescue services.

The Village ISO rating is currently based upon Martin County's ability to respond with the full complement of apparatus and personnel and demonstrated ability to maintain water supply in those areas that don't have hydrants. Chief Schobel has raised concerns on how the Village's rating will be impacted when a for-profit company is providing Fire Rescue services. This change in ISO rating may impact FP&L's requirements (that Martin County currently meets) for specialized training.

The County has been in contact with FP&L and has reviewed its Tangible Personal Property (TPP) Agreement with FP&L. The County believes our Agreement is clear that if the County is not collecting the monies within the Village as a part of the Fire Rescue MSTU, then the County will not owe any rebate to FP&L for the Fire Rescue MSTU. The County has no obligation nor interest in amending its TPP Agreement with FP&L to increase its economic incentive because of the Village's termination of County Fire Rescue services.

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We also recently learned by listening to the Village's meeting audio, rather than by being advised by you, that the Village is taking steps to terminate the Interlocal Agreement and related ordinance concerning Solid Waste and Recycling Services within the Village. As you know, we are in the midst of a request for proposals for a new franchise agreement for such services. We have notified the proposers of your intent to procure your own service provider. Please be aware contrary to your public comments concerning the Village's ability to collect "franchise fees" for such service, the County does not and will not receive income or franchise fees in connection with its solid waste franchise agreement.

Health, safety and welfare of the residents should be of paramount concern as the Village proceeds. I consider the residents within the Village boundary as County residents too. It is my hope that the Village Council and Village residents understand the Martin County Fire Rescue MSTU is an ad valorem assessment on the taxable value of real property and improvements. In the Village of Indiantown, the majority of the MSTU is paid by commercial/industrial property owners (for example FP&L) not by the residential property owners, many of whom receive the homestead exemption, assessment cap, and other exemptions provided by law. This is an important statement because I cannot expect the residents in the unincorporated area of the County and the Town of Ocean Breeze to shoulder the burden of a tax shift that would have to occur to cover the 'discount' the Village is trying to obtain. The taxes that are paid by the residents and businesses receiving Martin County Fire Rescue services are based upon taxable value and provides funding for the entire system including all apparatus and personnel resources. Only those individuals that have similar valued property pay the same annually, the others will vary, yet they receive the same service.

In conclusion, for the reasons outlined above coupled with the pending impacts of our current pandemic from COVID-19 and the resources we have to mitigate this crisis, I have extreme concerns with the Village pursuing an alternative fire rescue and EMS service other than continuing to participate in Martin County's emergency response system and the level of service the residents have come to expect.

Respectfully,



Taryn G. Kryzda, CPM
County Administrator

cc: Board of County Commissioners
William Schobel, Fire Chief
Sarah Woods, County Attorney
Samuel Amerson, Utilities & Solid Waste Dir
Village of Indiantown Council Members
Village Clerk
Village Attorney