

**Upper Captiva Fire & Rescue District**  
4511 Hodgepodge Lane  
P.O. Box 322 Pineland, FL 33945



**Serving the Community with Pride**  
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## **SPECIAL EXECUTIVE MEETING MINUTES**

Tuesday January 16, 2024

2:30PM

Location: Fire Station

### **COMMISSIONERS & STAFF PRESENT:**

Room:

Commissioners: Duncan Rosen, Van Hammond, Bill Fry, Mike Filipczak.  
Chief Jesse Cottrell  
Melanie Everett (Attorney Cole, Scott & Kissane P.A.)  
Kristy Cole (Court Reporter)

Via Zoom:

Maggie Mooney (UCFRD Attorney)  
Steve Holt

### **MINUTES:**

#### **1) Call to Order:** Commissioner Rosen

Chairman Rosen called the meeting to order at 2:30PM. Attorney Mooney opened the meeting and explained the purpose of the Executive Session, to discuss the pending lawsuits by Jason Martin and Brian Dubrasky. Fry moved, seconded by Hammond, to move into Executive Session, **approved 4-0 at 2:35PM**

#### **2) PUBLIC MEETING SUSPENDED:**

Chairman Rosen read from a prepared script that stated:

“The subject of the meeting shall be confined to the topics allowed by Florida Statutes. It is anticipated that the session will last approximately 1-2 hour. Those who will attend the session in person or through electronic means include the following:

Fire Commissioners:

Duncan Rosen  
Van Hammond  
William Fry  
Michael Filipczak

Captain Jessie Cottrell

The district’s legal counsel:

Maggie D. Mooney,  
Melanie H. Everett

A certified court reporter will also be in attendance during the entire Attorney-Client Session. A transcript of the meeting will be made and will become available as a public record upon conclusion of the pending litigation. At the conclusion of the Attorney-Client Session, this special meeting will be reconvened in an open, public session. If formal Fire Commission action is needed relative to either of the pending lawsuits, such action will be taken at the re-opened, public portion of the special meeting.

It is **2:40 PM** and we will recess for 2 minutes and reconvene at **2:50PM** to allow members of the public and staff to exit from the room and exit the public meeting zoom log-in before we move into the Attorney-Client Session. For those individuals participating in the Attorney-Client Session proceedings via zoom, we have circulated a separate zoom log in for the Attorney-Client portion of the Session. After the Attorney-Client Session is completed, the public portion of the Board meeting will be reconvened and reopened with the original public meeting zoom log-in.”

- 3) **EXECUTIVE SESSION** (No Public Attendance): A verbatim transcript was created and will be a public record after each lawsuit is completed.
- 4) **PUBLIC MEETING RESTART:** Chairman Rosen stated “We are reconvening, and I am reopening the special meeting in the District’s Fire Station at **4:10**.
  - Board authorized Chairman Rosen to approve the mediated settlement recommended by Counsel for the Dubrasky case. (4-0 vote).
- 5) **MEETING ADJOURNED:** 4:15PM, approved 4-0.