



New business embraces art, page 25

KEY PENINSULA NEWS

The voice of the Key Peninsula



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INSIDE

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AUTUMN CELEBRATIONS, SPECIAL INSERT INSIDE



Summer fun photo wrap-up, page 12

News

Fire levy falls.....	2
Guest columnists	4
Fire district criticized	8
Future parks for KPMPD	9
KPCC elections	11
Fire stats	14
Volunteer spotlight.....	19
Genuine ARTicle	29
Out & About	36

Sections

Peninsula Views	4
Off the Key	10
Schools	15
Community Works	18
People & Lifestyles	21
Business	25
Arts & Recreation	29
History	32



Former chief Nelsen settles

By Chris Fitzgerald, KP News

After a short executive meeting on Aug. 22, Fire District 16 commissioners ended a two-year legal dispute with former fire chief Eric Livingood-Nelsen by voting to approve a settlement with him. Commissioners Rick Stout and Allen Yarity voted in favor and Commissioner Jim Bosch voted against. FD-16 attorney Joe Quinn said in a KP News article in 2006 that Nelsen was fired in 2005 after an internal investigation that followed his medical leave to receive treatment for alcohol abuse.

According to Nelsen's attorney, Daniel Johnson of Breskin, Townsend and Johnson, the terms of settlement included payment of a little over \$200,000, and contributions to Nelsen's state retirement account that he did not receive over the last two years as a result of his termination. Speaking for Nelsen, Johnson said, "We felt the district's actions were unlawful, and they were certainly hard on Eric and his family. Now it is resolved, he plans to move forward and not look back." Johnson indicated the settlement resolves the entire

dispute between his client and the fire district involving his termination.

Quinn said of the settlement agreement, "That is all there is... It's over... When you settle a case like this, you get a release of all claims from the settling party." Quinn said there is no admission of liability in such a case: "It's a disputed matter that is resolved but you don't admit fault."

In a phone interview with the KP News, Christina Bosch, administrative manager for the fire district, said although the actual settlement document was a public record and would be available through a written public records request, it would not have been released until after the KP News press deadline. According to Bosch, the district's liability for the cash settlement is \$100,671.71, including the retirement fund payments. Two vouchers approved at the Aug. 22 meeting totaled that amount. The remainder of settlement funds will come from district insurance. The district had been anticipating a settlement, she said, and has been putting funds in reserve. "The operating budget will not be affected," she said.