

**Spring Hill Fire Rescue District
Board of Commissioners
By-Laws**

ARTICLE I. NAME

The name of this organization is the Spring Hill Fire Rescue District.

ARTICLE II. AUTHORITY

Section 1. Constituting Authority: The Constituting Authority for the District is the Hernando County Code of Ordinances Chapter 12-116, Ordinance 73-12 and Florida Statute 189.4041.

Section 2. Operating Authority: The Board of Commissioners is the governing board of the Spring Hill Fire Rescue District. The Board has the power to supervise, control, regulate and manage the Fire Department that provides services to the District and to promulgate and enforce all necessary and desirable rules and regulations. The Board is authorized to undertake any action required to accomplish this directive including, without limitation, to: make contracts, build necessary facilities, acquire firefighting equipment, hire a Fire Chief and other such personnel as are required; to inspect property, provide administrative support; establish, maintain and operate fire protection and emergency services. The Board shall adopt a Fire Code and adopt ordinances for the District and such rules and regulations as it deems necessary to transact its business and carry out the provisions of the District's authority.

ARTICLE III. LOCATION

Headquarters for the Commission shall be in the offices of the administrative headquarters of the Spring Hill Fire Rescue District, located at 3445 Bob Hartung Court, Spring Hill, Florida.

ARTICLE IV. ELECTIONS

The Board of Commissioners shall be comprised of five individuals who have been elected by registered voters from the Spring Hill voting districts.

Section 1. Seats: The Board of Commissioners shall be divided into two (2) classes of seats for election purposes to be identified as class "A" and as class "B". Class "A" seats shall be those seats existing as of July 8, 1975. Class "B" seats shall be those two (2) additional seats created on July 8, 1975.

Section 2. Term of Office: Each Commissioner shall hold office until his successor is elected and qualified, unless he ceases to be qualified, resigns, or is removed from office.

Section 3. Elections:

(a) Each candidate, at the time of qualifying for a seat, shall declare which class of seat he is running for, either class "A" or class "B". A vote of the District at large shall determine the candidate to be elected as a commissioner in each class of seats. The three (3) candidates receiving the greatest number of votes for the class "A" seats shall be elected and become members of the Board of Commissioners. The two (2) candidates receiving the greatest number of votes for the class "B" seats shall be elected and become members of the Board of Commissioners. In all events, election of both class "A" and of class "B" seats, in all subsequent elections, shall be by an at-large ballot with those persons who are qualified electors and residents in such district on the day of such election, and who were so qualified prior to the closing of the voter registration books by the county supervisor of elections, having the right to vote for three (3) class "A" candidates and two (2) class "B" candidates.

(b) Class "A" members of the Board shall be elected for a term of four (4) years each by a vote of the District at large, at an election to be held to coincide with the general election in the county every fourth year from 1976.

(c) Class "B" members of the Board shall be elected for a term of four (4) years each by a vote of the District at large, at an election to be held to coincide with the general election in the county every fourth year from 1978.

(d) Members of the Board shall be residents and registered electors of the District. Candidates or incumbents of the office shall qualify by filing with the clerk of the circuit court between the dates established by law during each year in which an election is to be held. The qualifying and election of commissioners shall be conducted in accordance with the existing election laws of the state.

Section 4. Residency Requirement: All Commissioners must reside within the boundaries of the District. If any Commissioner ceases to reside within the District, his office shall be declared vacant as of the date he ceases to reside in the District and he shall be disqualified from further service.

Section 5. Filling of Vacancies: The Board of Hernando County Commissioners shall have the power to remove a member of the Commission for nonfeasance, misfeasance, malfeasance or change of residence from within the District. Vacancies created by the resignation, death or removal from such Board of Commissioners shall be filled by the Board of County Commissioners to fill the balance of the term of office of such member.

ARTICLE V. PURPOSE

The purpose of this organization is to provide residents of the Spring Hill Fire Rescue District with high quality, cost-effective fire prevention, fire suppression, and emergency medical service possible in a manner commensurate with Fair Labor practices and as set forth in the Ordinances of Hernando County and to manage the assets of the District in the best interest of the residents of Spring Hill.

ARTICLE VI. COMMISSIONERS

The Board of Commissioners shall have the overall responsibility and authority for the operation of the District, and for ensuring that its purposes as set forth in the Ordinances of Hernando County are properly carried out. The Board shall employ a Fire Chief who is directly responsible to the Board, and who has responsibility for and authority over all departmental personnel, property and activities of the District.

Section 1. Oath of Office: All Commissioners shall be required to take an Oath of Office prior to assuming their duties on the Board.

Section 2. Bonding: Each Commissioner, before he enters upon his duties as Commissioner, shall execute with a qualified corporate surety, a good and sufficient bond to be approved by the Clerk of the Circuit Court of Hernando County, in the sum of \$5,000.00. All premiums for such surety on all such bond shall be paid from the funds of the District.

Section 3. Duty of Loyalty: Board members have an obligation to act only on what is believed to be in the best interest of the District. Board members shall abide by decisions made by the Board. Board members must disclose any conflicts of interest to ensure that the Board's results are fair and accomplished in good faith. No Commissioner can be hired as a paid employee of the District until one (1) year from the date of the last day of their term of office.

Section 4. Performance of Duties: Each Board member shall discharge his duties with the care of a prudent person, in a similar position, would exercise in similar circumstances. Board members shall manage District funds wisely and in accordance with the purposes of the District.

ARTICLE VII. OFFICERS

At the January regular meeting, the Commission shall elect a Chairman, First Vice-Chairman, and a Second Vice-Chairman, all of whom shall serve for a period of one (1) year or until replaced.

The CHAIRMAN shall preside at all meetings of the Commission, and shall serve as coordinator of the Commission's general activities. He has the authority to call special and emergency meetings and is authorized by the Board to sign all documents approved by the Board in the absence of other Commissioners. He shall maintain liaison with the Fire Chief and keep other members of the Board advised of items of general concern. The Chairman presides at all other functions and speaks for the Board when so authorized and may fulfill any other assignment the Board deems necessary.

The FIRST VICE-CHAIRMAN shall preside at all meetings in place of the Chairman, and perform such other of his duties that may arise in the Chairman's absence.

The SECOND VICE-CHAIRMAN shall preside at all meetings in place of the Chairman and First Vice-Chairman, and perform such other of his duties that may arise in the Chairman and First Vice-Chairman's absence.

ARTICLE VIII. MEETINGS

Section 1. Regular monthly meetings of the Board shall be held on the fourth Wednesday of each month at 7:00 p.m. except that said date may be changed by agreement of a majority of the Commissioners.

Section 2. Special meetings of the Board may be held at any time agreeable to the Board to resolve issues that must be resolved prior to the next regular meeting, provided that adequate notice is given of such meetings. Minutes will be kept of special meetings, and all actions taken will have the same force and effect as those of regular meetings.

Section 3. Emergency meetings may be called to consider matters of such urgency that they must be resolved before a regular meeting may be called. The agenda for such meetings must be restricted solely to the item or items considered to be of an emergency nature. An emergency meeting must be called if two or more Commissioners so request.

Section 4. Work sessions of the Board shall be held on the second Wednesday of each month at 9:00 a.m. except that said date and time may be changed by agreement of a majority of the Commissioners. These are informal meetings held for the purpose of discussion only, and no official action may be taken.

Section 5. Open Meeting Policy: Meetings and work sessions of the Board shall be held in accordance with the provision of the Florida Open Government Laws (Sunshine Law Section 286.011 and Chapter 119, "Public Records Law") and accordingly, are open to the public.

Section 6. Notification: A schedule of the Board's regular and workshop meetings shall be filed annually with the Board of County Commissioners. The schedule shall include the date, time, and location of each scheduled meeting. Notice of regular and special meetings will be advertised in a local publication of general circulation. Emergency meetings must also be posted with advance notice given to the press by telephone or fax.

Section 7. Place of Meetings: All meetings of the Board shall be held in a place that is available to the public. Meetings shall be held in a space provided for meetings in the Fire District building at 3445 Bob Hartung Court, Spring Hill, Florida, but at the direction of the Board or the Fire Chief, may be held in any other suitable location provided that all Board members and the public are properly notified.

Section 8. Quorum: A majority of the Commission members shall constitute a quorum for the purpose of transacting business at any duly called regular, special or emergency meeting.

Section 9. Voting: All Commission members must vote on each issue unless a conflict of interest exists under Florida state laws. All voting shall be done by voice or ballot.

Section 10. Minutes: All meetings of the Board of Commissioners shall be recorded on audio tape; decisions, motions and resolutions adopted shall be prepared in written form and presented to the Board

at the next regularly scheduled meeting for their review and acceptance. Audio tapes will be kept on file for a period of five (5) years; after this date they will be erased or destroyed.

Section 11. Procedures: All meetings shall be conducted in accordance with the latest edition of Roberts Rules of Order.

ARTICLE IX. COMMITTEES

Committees may be appointed by the Chairman from time to time to do research and report on special projects or problems. Only one (1) Commissioner may serve on a committee and if the committee is to propose action for the Board to consider, those meeting must be advertised and open to the public according to the Sunshine law.

ARTICLE X. RULES OF CONDUCT

Section 1. Interference: No individual Commissioner, or the Board as a whole, shall interfere with the daily operation of the Fire Department or the Emergency Medical Service Department, except that the Board as a whole may bring to the attention to the Fire Chief areas of the daily operation in which the Board deems fit and proper.

Section 2. Labor Negotiations: All labor negotiations shall be conducted through established procedures as from time to time may be amended, and no individual Commissioner shall negotiate with any employee of the District or his representative.

Section 3. Administration: All orders for personnel will only be issued on the authority of the Fire Chief who is solely responsible to the Commission for his actions and decisions. Requests by Board members for administrative services and information shall be made through the Fire Chief or his designee.

Section 4. Complaints: All complaints of any nature made by a Commissioner against an employee of the District shall be made to the Chief in a timely manner, and the Chief shall decide whether or not to present said complaint in writing to the Board for action.

Section 5. Actions: Commissioners shall not represent their private positions as positions of the entire Board and may not make binding agreements with any individual or organization unless authorized by the Board to do so.

Section 6. Meeting Attendance: Commissioners shall attend all regular meetings unless excused. Such absences shall be excused by vote or consensus of the Board. Acceptable reasons for missing a meeting include, but are not limited to: personal injury or illness; illness of a member of the Commissioner's household which requires the personal care and attention of the Commissioner; death of a member of the Commissioner's household or immediate family; religious holiday; out-of-town travel as defined as more than 50 miles away from the location of the meeting; business commitments that preclude the Commissioner

from attending the meeting. Commissioners missing three (3) consecutive meetings will be removed from office by the Board.

Section 7. Conflict of Interest: Board members must abstain from voting on any contract, action or decision that may be presented to the Board from a Commissioner's family member or business associate for consideration. No Board member shall personally benefit from any action or decision made by the Board of Commissioners. Any opportunity, benefit or advantage shall accrue only to the District and not to any individual Commissioner.

Section 8. Violations: Any Commissioner violating any of these rules of conduct shall be subject to the Board, who shall take the appropriate action:

| | |
|-----------------|---------------------------|
| First Offense: | Public reprimand. |
| Second Offense: | Publicly asked to resign. |

Section 9. Rights of Commissioners: Notwithstanding these by-laws, nothing contained herein is intended or should be construed to interfere with the discharge of Commissioner responsibilities under state election or other applicable state or county laws or regulations.

ARTICLE XI. COMPENSATION

Commissioners are to receive no salary for services on the Board.

ARTICLE XII. FIRE CHIEF

The Board shall hire a Fire Chief to serve as the Administrative head of the District's Fire Department. As such, the Chief reports to the Board as a body, and is responsible for all personnel, property, and the operation of the Department. He shall conduct his administration in accordance with a specific set of Rules and Regulations approved by the Board and within the policy framework established by the Board. He shall keep the Board advised of all non-routine matters that may arise, and maintain close liaison with its members. He shall prepare the preliminary annual budget for the approval of the Board, and provide such counsel and assistance as it may require from time to time.

ARTICLE XIII. STAFF

The Board shall provide for a staff which will serve both the Board of Commissioners and the Administration, and which will include the following:

Section 1. Secretarial personnel shall be hired and serve under the policies of the Board of Commissioners but shall be under the supervision of the Fire Chief.

Section 2. Legal counsel shall be retained to ensure the District's compliance with all applicable state laws, authenticate documents as required, provide legal counsel to the Board upon request, represent the District

and the Board in civil actions as appropriate, and attend regular Commission meetings and such other meetings as the Board may see fit.

Section 3. Accounting firm shall be retained to audit the District's funds on an annual basis.

ARTICLE XIV. REPORTS

The Board shall ascertain that all required reports on the District's finances and activities are filed with the County Board of Commissioners and other cognizant agencies as required.

ARTICLE XV. FISCAL YEAR

The Spring Hill Fire Rescue District's fiscal year shall run from October 1 through September 30.

ARTICLE XVI. AMENDMENTS

These By-Laws may be amended by a vote of four Board members at any regular or special meeting thereof, provided there is no conflict with existing pertinent law.

ARTICLE XVII. DURATION

The Spring Hill Fire Rescue District and its Board of Commissioners shall remain in operation until replaced by legislative process.

ARTICLE XVIII. EFFECTIVE DATE

These By-Laws shall become effective upon adoption by the Board of Commissioners.

BOARD OF COMMISSIONERS

Jeffrey Hollander

Gene Panozzo

Darryl Hamilton

Tommy Marasciullo

Date