

Spring Hill Fire Rescue and Emergency Medical Services District

Board of Fire Commissioners

Regular Business Meeting

July 14, 2010 – 9:00 a.m.

CALL TO ORDER

Chairperson Brosnan called the meeting to order at 9:00 a.m. on July 14, 2010 at Headquarters, 3445 Bob Hartung Court, Spring Hill, Florida.

Attendee Name	Title	Status
Amy Brosnan	Chairperson	Present
John Pasquale	First Vice Chairperson	Unexcused
Robert Giammarco	Second Vice Chair & Sec/Treasurer	Present
Leo Jacobs	Commissioner	Unexcused
Ben Edwards	Commissioner	Present
Michael Rampino	Fire Chief	Present
Andrew Salzman	Attorney	Present

INVOCATION: Pastor Jack Martin gave the invocation.

PLEDGE OF ALLEGIANCE: Chairperson Brosnan led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Giammarco asked to add the following to the Agenda: To Approval of the Minutes; corrections to the June 9, 2010 Meeting. To Unfinished Business; Fire Police, Commissioner Edwards' e-mail and Adjustments to the Minutes of April 14, 2010. To New Business; Face Book Comments. To the Consent Agenda under Correspondence of Note; two e-mails from Citizens that were not responded to.

Motion

To accept the Agenda with the changes requested by Commissioner Giammarco.

RESULT: ADOPTED (UNANIMOUS)

MOVER: Commissioner Giammarco

SECONDER: Commissioner Edwards

AYES: Chairperson Brosnan

CITIZENS COMMENTS

Chairperson Brosnan advised that those speaking should not be interrupted. Everyone has the right to speak but to be nice and remember to address her only. She read Board Policy for conducting meetings and reminded everyone that if they did not proceed in a calm and civil manner that they would be asked to leave or if necessary escorted from the meeting room.

The following citizens commented on various topics/issues during this portion of the meeting: Sherry Adler, David Green, David Parker, Harry Chamberlain, Grace Bouma, Ken Fagan, Frank Byrne and Anthony Palmieri.

Ken Fagan asked that the document he presented during his discussion regarding Facebook comments be placed in the record.

BOARD/STAFF RESPONSES

Chief Rampino advised that the Attorney should respond to the comments made regarding Facebook, if the Board agrees. The comments regarding the budget will be addressed on the Agenda under New Business as well as the questions regarding Fire Police that have been added to the agenda under Unfinished Business.

Attorney Salzman stated he agreed with the Chief that these comments can be addressed under the Agenda. In regards to the question about the 2.5 millage cap he explained that the upcoming vote is to allow the District to tax (ad valorem taxation) the cap is legislatively set at 2.5.

Commissioner Giammarco reminded the Chair that a motion should have been made in regards to excusing the absence of Commissioner Jacobs and Commissioner Pasquale.

Absence of Commissioner Jacobs and Commissioner Pasquale

Motion

To excuse the absence of Commissioner Jacobs and Commissioner Pasquale

MOVER: Commissioner Edwards

SECONDER: Commissioner Giammarco (for discussion)

Commissioner Giammarco stated at the last meeting Commissioner Pasquale stated that he had conferred with the Chairperson a few months ago that he would not be able to attend the meeting today. Under Statute 191 this needs to be excused, what are the excuses for the two absent Commissioners?

Chairperson Brosnan stated Commissioner Pasquale is on vacation and she read in the minutes that Commissioner Jacobs was visiting an Indian Reserve.

Commissioner Giammarco stated he understands that people need to take vacations, but this is a critical time for us. It is important that the entire Board be present.

Motion

To excuse the absence of Commissioner Jacobs and Commissioner Pasquale

RESULT: FAILED (1 to 2)

MOVER: Commissioner Edwards

SECONDER: Commissioner Giammarco (for discussion)

AYES: Commissioner Edwards

NAYS: Chairperson Brosnan, Commissioner Giammarco

RETURN TO BOARD/STAFF RESPONSES

Commissioner Giammarco stated he is very upset that it took Administration so long to get the proposed budget to the Board and that it was presented to them only eighteen hours prior to the meeting. There is a lot that must be digested and he has many questions.

CONSENT AGENDA

1. Correspondence of Note
2. Approval of Disbursements for the month of June 2010

Chairperson Brosnan asked Commissioner Giammarco for the details of the e-mails he asked to add to Correspondence of Note.

Commissioner Giammarco stated there were two emails from Ken Fagan dated July 7, 2010 and July 5, 2010; one regarding the Fire Police the other the Chaplain's page. The other item was a print out of a face book comment by Ken Fagan on July 5, 2010. These e-mails were sent to the Chief, the Chair, the Attorney, copied to the Board of Fire Commissioners and the press.

Motion

To accept the Consent Agenda as amended.

RESULT: ADOPTED (UNANIMOUS)

MOVER: Commissioner Giammarco

SECONDER: Commissioner Edwards

AYES: Chairperson Brosnan

Chief Rampino stated he receives many e-mails everyday it has not been the practice to put these under Correspondence of Note. He asked for future reference if this is the direction the Board is moving towards; to put into Correspondence of Note e-mails between himself, the public and the attorney, etc?

Commissioner Giammarco stated his reason for adding these particular e-mails is that they related to questions asked at previous meeting in which he felt were not fully answered. He was the Commissioner who asked some of these questions and it has been six months and they have not been answered. That is why he asked that they be put on the agenda. His other reason for asking that the two letters given to us as Correspondence of Note this month were not specific to our core activities and it seems we only put something positive into Correspondence of Note which is nice, but when there are issues at stake and they are not answered he thinks the public has a right to know and that he would like to know.

Commissioner Edwards stated if the e-mails were not answered perhaps it was because the Chief was busy.

Chief Rampino stated he would have to go back and review his e-mails because he has answered many questions as it pertains to the Fire Police. There was back and forth between the Board and the Attorney regarding the face book issue. He does not have these e-mails with him so he will go back and look at them. He will include them as Correspondence of Note for the future meeting. His point is this; if you looking to add copies of e-mailed correspondence between himself and citizens and Board Members you are probable looking at an excess of 100 pages per meeting in Correspondence of Note. He has no problem doing that he just needs to know what the Board wants contained in that particular part of your agenda.

Chairperson Brosnan asked Attorney Salzman for his recommendation.

Attorney Salzman stated in all the years he has been at these meetings it has never been an issue. He would leave it the way it is; if a Commissioner wants to add things they can add things if they feel they are of note. One incident does not require a change. Commissioner Giammarco was adding things that he felt were appropriate to add but that does not mean that next meeting he will have anything to add. This has not been an issue so he would not make a change at this point. If it goes over a certain period of time and the Board feels it is necessary then the Board can make that change.

Chief Rampino asked if Commissioner Giammarco has these e-mails in his possession so that he can make those part of the record. If he does not he can give him the time stamp so he knows which ones to pull. Commissioner Giammarco stated he is not looking for a change and he does concur with the Chief that it would be many e-mails. He does not have a problem adding items as we go.

Consensus

Board consensus is that the policy should remain the same, if the Board has an item to add to correspondence they will add it at a meeting.

Chief Rampino asked if the Board wanted these added to the record for this meeting or the following meeting?

Attorney Salzman stated the motion was to have them added to the Correspondence of Note for this meeting.

APPROVAL OF MINUTES

June 9, 2010 - Regular Business Meeting

Commissioner Giammarco stated that in the minutes of the last meeting on page 4, he had made a motion to accept the Consent Agenda and to add to Unfinished Business the discussion of an e-mail sent to him on or about June 3, 2010. The correct date should have been June 7, 2010, he would like the minutes to reflect the correct date.

Chairperson Brosnan asked if he had stated June 3, 2010 when he made the motion.

Commissioner Giammarco stated yes.

Chairperson Brosnan asked Attorney Salzman how that would be handled since he did state the third during the meeting; is it legal to make that change?

Attorney Salzman stated the motion will not change, you can add a postscript (an asterisk) noting that the date was actually the seventh.

Motion

To accept the minutes of the Regular Business Meeting of June 9, 2010 with the amended change.

RESULT: ADOPTED (UNANIMOUS)

MOVER: Commissioner Edwards

SECONDER: Commissioner Giammarco

AYES: Chairperson Brosnan

REPORT OF COUNSEL:

Attorney General Informal Opinion

Attorney Salzman stated the Board has his letter and the Informal Opinion from the Attorney General regarding the Chaplain and based on that opinion he would recommend that the changes proposed be either instituted with a reduction in the

link or by allowing for all members of the community that would be appropriate to be mentioned on the link. This is up to the Board.

Commissioner Giammarco stated he had reviewed these letters and researched the Chaplaincy Programs of other agencies. He felt that Palm Bay Fire Department had an excellent site. He felt it would behoove the Board to temporarily take down the Chaplain site and to send letters to all religious organizations within the District asking if they would like to be part of Chaplaincy Program. The site should then only list the names of those participating and how to contact them and just leave it at that. He also suggests that the Board have only a moment of silence during the invocation in the future. We need to make the proper decision today, remove the site immediately and follow the example given by the Attorney General.

Commissioner Edwards stated the Board should get the advice of their attorney and set the site up a little different than it is being done now. He sees no reason to do away with the site. He understands that we have already asked other organizations if they would like to participate and there were no responses that he is aware of. He suggested that the Attorney, the Pastor and the Department's Webmaster to meet and come up with a better format, one that is nondenominational and move forward from there.

Commissioner Giammarco asked when information was sent to other organizations? He would like to see the letter that was sent out.

Chairperson Brosnan stated she understands that the Chaplaincy program was started by some of our employees because of the discontinuation of the Employee Assistance Program.

Chief Rampino stated that is correct; we had an Employee Assistance Program that fell to the wayside because we were not able to get any mental health counselors who would commit to doing anything. The Chaplaincy Program began with Pastor Clemons and Pastor Martin being there for the employees. What scares him about that doing away with the Chaplaincy Program or Pastor Jack praying before meetings is that it took him eight years to get to a comfortable level to say certain things to the Pastor that he would openly say to him today. This serves as a vital part of the mental health of the men and women who work here depending on what they might see or what might happen during the course of a day. He has no problem with other denominations participating in the program but he does think that there needs to be a lead and he feels that should be Pastor Martin because of based on the length of time he has and where he has brought the program. Chief Rampino does not have the time to be the liaison for ten or twelve clergy. He would need someone as a lead to liaison back and forth between the other members of the clergy. He does not see what is wrong or offensive with the webpage and that is where the opinions of our Attorney and the Attorney General come in to play. He feels it could be

detrimental to some of the employees if we move too fast on this. He is not aware of a letter that went out to other clergy. When we started the program we called other clergy they really did not want to participate but they did give Pastor Jack a contact number where they can be reached if we have someone who has suffered a tragedy and who prefers to speak to say a Catholic Priest, Rabbi or Baptist Minister rather than Pastor Jack.

Attorney Salzman stated it is up to the Board. For the short run it is a very simple solution. You can amend the website to state in a nondenominational way who your Chaplain is, listing the services he provides and how he can be reached and don't offer the additional link. For the long run if they want to open this up to other religions you can do that. That is what the Attorney General Opinion said.

Chairperson Brosnan she is not opposed to additional Chaplains and agrees with Chief Rampino that there should be a lead. She does not believe that we should solicit other Chaplains, her belief is that Pastors are lead to a place. We have a lot of Churches in our area and she does not think it would be wise to spend tax dollars for this in this economy. She suggested that instead we put a note on the website that advises those interested in being a part of the Chaplain Program to contact us. Obviously if the newspaper finds this noteworthy, they will put it in the paper as well. This way it cost nothing to the taxpayer and still gets the message out. The Clergy in the area should not take this lightly. It is a full time commitment, not something to turn on or off at a whim. In regards to the website, we received many e-mails when it went down previously and she does not see what good it would do to take it down. She agrees that the meeting with our Attorney and the Chaplain is a wise idea, they can get together and come to a decision on what is neutral and nondenominational and still gives everyone what they want. She feels the site should stay up but that it needs to be worked on by Attorney Salzman and Pastor Jack.

Attorney Salzman stated he will do whatever the Board wants him to do but reiterated that the Attorney General has given the Board an informal opinion. He can only give opinions, he cannot do anything other than that unless there is a clear violation then they are going to prosecute. People could bring causes of action if they want to enforce it. He suggests that the Board follow that opinion but he has had clients not follow those opinions. If you take a stance contrary to the Attorney General then it is so noted and if they feel it is necessary to do something then they will do it. If someone else wants to do something they can do it. He reviewed again the two basic solutions as recommended by the Attorney General. He will be happy to work with Pastor Jack but his position will be the same as he just stated; which is that the idea behind this is that this is the Chaplain for the purpose as stated by the Chief and we have to have access to him on a 24/7 basis however he can provide that access. The Attorney General went a little further in saying that this should also be nondenominational. So to be nondenominational then you don't link into a specific religious aspect of it, you don't link to the Church, the Temple, whatever it is, you just link to the service

this individual is providing the Department. If you want to allow that link then you should allow links for everyone who wants to have a link but in his opinion that is going too far. The idea is that Pastor Jack is offering a service to this district to help individuals in a particular area and that he is volunteering his time and has given his time to this District. He sees no problem in using just him if that is what you so choose, you just have to list a way to get in contact with him and you are not supposed to have any type of religious aspect to it. We should not have links to the Church or the Temple, you should have the freedom to worship anyway you so choose. The Department is offering a service to individuals who need this particular help and guidance. Pastor Jack has offered that and provided it extremely well from what he has been informed so the link should be to him personally.

Commissioner Edwards said he would like the Attorney and the Chaplain to get together and come back to the next meeting with a solid recommendation.

Chairperson Brosnan stated she is trying to determine if it is appropriate to ask Pastor Jack about this now.

Attorney Salzman stated the meeting is still under his report, he has been given direction from two of the three Commissioners so he will contact Pastor Jack to see if he is available to meet, if there is any problem he will contact the Chief and we will deal with it directly, if it cannot be resolved then he will bring it back to the Board at the next meeting. If the Board wants to discuss the issue with the Chaplain it should be added to the Agenda for later in the meeting not under his report. He would recommend that the Board put this on their next meeting agenda after he and Pastor Jack have had a chance to work out this part then you will know if it necessary to do the other part.

Consensus

The Board gave consensus to put the discussion of adding other Chaplains to the Program on the Agenda for the August meeting.

REPORT OF CHIEF:

Chief Rampino asked the Board if they had any questions regarding the Chief's Report he had presented to them.

Commissioner Giammarco asked Chief Rampino for an explanation to the statement regarding paperwork that will be coming from Hernando County Utilities in regards to the modular home.

Chief Rampino stated he had copied the Board previously on his request to Hernando County Utilities to place the modular home on a piece of property located on Eldridge Blvd. near the water plant. Hernando County Utilities must follow a process called minute tract in which they must get approval from several

areas before it can be presented to the Board of County Commissioners for their final approval.

Commissioner Giammarco asked about the Public Facility Report, he had sent Chief Rampino an e-mail stating that he felt this should have been brought before the Board first and carbon copied to Mr. Hamilton.

Chief Rampino explained that the DCA requires that the Department provide a Public Facility Report to the home ruled government, which is the Hernando County Commission, which he did through their Administrator Mr. Hamilton. This is part of being an Independent District. If he felt it was an agenda item it would have been placed on the agenda. This is one of the reporting things contained within the handbook that we have to do as an Independent District.

Commissioner Giammarco stated he knows that as an Independent District we have about twelve to fourteen agencies that we have to report to throughout the year. He asked if in the future that Chief Rampino would keep the Board informed when these reports are submitted by carbon copying to the Board so that they know what is going on.

Chief Rampino explained the report in detail to the Board. He is administratively handling the reports as they come due in order to keep the Department running and he has copied each of these to the Board. He went over the reports that he has already sent to the Board. If that is what the Board would like as he gets to those other agency reports then that is what he will do. He asked if they want these items placed on the Agenda as an Agenda Item or just to be copied the reports?

Consensus

The Board agreed that providing copies of the reports is all that would be necessary.

Commissioner Giammarco asked about the paperwork regarding the issue with the district boundaries, he asked for an explanation of the strikeout information.

Chief Rampino explained that during the initial legislative act that created the District some of our properties were not included in our boundaries. This has been corrected; the strikeouts show the incorrect information. He reviewed with the Board the areas that had been omitted. Last budget year the County did agree with the Property Appraiser to levy the taxes for those areas on our behalf.

Commissioner Giammarco stated that he is pleased with the quarterly report from the Interim Medical Director and that he feels this Medical Director is doing an excellent job.

Commissioner Giammarco asked if there was any way to add to the Summary Report the exact number of calls handled by each particular rescue unit.

Chairperson Brosnan stated that would be additional work for staff.

Chief Rampino stated this is the easiest way to pull this report. He explained where and how they obtain the report from NFFRS a database in Maryland used by all Fire Departments throughout the United States. The other report he will go through the Sheriff's Office and pull it off the CAD (computer aided dispatch) system specific to apparatus. It should not be difficult, he will need a couple of days to get with the Internet Technology people at the Sherriff's Office.

Commissioner Edwards suggested they try it for a month and see how it works out.

Chief Rampino added to his report advising the Board that he had the opportunity to meet with Mr. Foti from Hernando County Broadcasting regarding the cost to video tape the meetings. He has requested through his leadership to see if we would entertain doing the general maintenance and repair on the old ambulance that we had donated to Public Broadcasting in lieu of the fees they charge for video taping these meetings. The only concern they both have is if those repairs reach a point where the cost to maintain the vehicle exceeds the cost to video tape the meetings. He would like to use Mr. Foti for more than just the meetings such as training videos but due to budget constraints, he is not able to do that. He is open to that type of work if the repair cost starts to escalate. Chief Rampino believes this is a good direction to go in and asked the Board if they would like him to explore it? The budget impact would be a wash. We can track it and see how it works. This would be with the understanding that our first line vehicles take priority for repairs.

Commissioner Giammarco asked where in the budget the fees for Public Broadcasting come from and how much it cost now and how much will it will cost next year? He would also like to know how much it has cost Public Broadcasting to maintain the vehicle we donated to them since they have had it (two and a half years). He would like written comparisons of their repair and maintenance costs to the fees we have paid to them and will be paying before we make a decision on this.

Chief Rampino stated the cost for video taping the meeting paid to Hernando County Broadcasting is \$3,100.00 per year. He believes the maintenance on the unit costs more through County Fleet then it would cost us. He will ask Mr. Foti for the repairs and maintenance records for that unit. He reminded the Board that the donation of that vehicle was actually a trade; they gave us a sixteen-foot trailer for our Florida Urban Search and Rescue Vehicle in exchange. He will have to give those maintenance records to our mechanic because our maintenance fee structure is much different from that of County Fleet.

Consensus

Board consensus was to have Chief Rampino to do a cost comparison of maintenance/repair costs for the donated ambulance to the fees charged by Hernando County Broadcasting.

UNFINISHED BUSINESS

Attorney Salzman's research on Items placed within the minutes as official record

Attorney Salzman stated he has done the research and there is nothing that requires it one way or the other. As he has discussed before; minutes can be minor with motion and vote only or you can be more extensive and reference particular comments made. You can attach things to the record if you so choose but do you have to, the answer is no. That is up to the Board on a case-by-case situation because someone could bring voluminous records in and ask that it be attached and that would not be the wisest thing. Any records that are given to and accepted by the Board are considered part of the minutes or as official documents and we keep those for the period that we are supposed to keep records and minutes. The short answer is that there is no requirement, it is up to the Board and he would not recommend that they do any type of a blanket decision; it should be done on a case-by-case situation. All you have to say is that you want those documents as part of the official record and you need to give us those records, if you are not going to provide them to us then we will not consider that as part of the discussion.

Commissioner Giammarco asked then if the documents from the last meeting do not need to be added to the record. Should we include all the documents that were presented by the Board members?

Attorney Salzman stated is there a legal requirement that they be part of the record, no, are there certain ramifications that occur because of certain documentation being referenced, sure, that is why it is on a case-by-case situation. If there are things that are being used for other purposes or that may be referenced in the future then he would recommend in those situations that the Board have those as part of the record. Is it a legal requirement at all times; no. You have to remember that you are talking about the minutes and the minutes are different then introducing documents during certain motions or actions of the Board. If you are using particular documents to make your decision then that should be part of the record.

Commissioner Giammarco asked if an individual comes in here and wants to view the tape of May 12, 2010 and wanted copies of the documents then we have no documents?

Attorney Salzman stated if they want to look at the tape they can look at the tape, if they want a copy of the minutes then you provide a copy of the minutes. We do not do the minutes word for word, we have the tape for word for word.

Commissioner Giammarco asked if we should include the documents that were presented by Board members.

Attorney Salzman said if you recall the purpose of the discussion at the last meeting when the issue was brought up. If individuals want to see those records, which are considered public record, they can make a demand for those public records, but do they have to be part of the minutes the answer is no.

Commissioner Giammarco asked if they are not part of the minutes how would a person get those records if there are no records to begin with?

Attorney Salzman stated if they are e-mails that have been received back and forth then they are part of public record and are available through public records. He could come in and make a demand for those public records. The individual has an obligation to provide those records if they don't they are in violation of the Statue regarding public records.

Commissioner Giammarco asked about the statements made at the meeting?

Attorney Salzman stated the literal statements made are part of the record based on the DVR or DVD that you use. Do you want to see the official documents you could make a public record request. You could say "I want that as part of the official record." The Board can make a determination on a case-by-case situation that would be the appropriate action to take.

Chief Rampino stated for clarification to the public because he does not want people to have the thought process that something was not given, provided or not available; that the records in question were e-mails that were generated by Commissioner Giammarco they were answered by himself and copied to the entire Board. If someone wanted that public record each and every Commissioner and Attorney Salzman would have them so there should be six to seven places where they could be found. Two citizens asked for the records and they were provided with those records. He wants clarity so he knows what is expected from Administration to be placed in these packets and what he is supposed to have the Recording Secretary do with situations like this in the future. What he is hearing is that it should be treated on a case-by-case basis.

Attorney Salzman stated his recommendation to the Board at this point is not to include it as minutes. They are available as public record requests, which we have to provide to individuals who make that request.

Commissioner Edwards felt they should follow Attorney Salzman direction and take it on a case-by-case basis.

Consensus

The Board gave consensus to add documents to the minutes for the record on a case-by-case basis.

Recess

Chief Rampino asked Chairperson Brosnan for a short recess.

Chairperson Brosnan called a Recess at 10:21 a.m. and reconvened the meeting at 10:32.

Chief's Report Continued

Chief Rampino asked to go back to his report briefly. He just spoke with Brenda Fraiser of Hernando County Broadcasting they are willing to amend the agreement to read repairs not to exceed the cost of Public Broadcasting. They need to get this now so that they can get their budget done and our timeline and theirs for meetings would not allow for that. In a nutshell the agreement is that we will do the repairs on the vehicle up to the dollar amount they charge for the videotaping anything above that we would bill them for. He will give the Attorney Salzman the contract to review if this is agreeable to the Board.

Attorney Salzman stated we only need consensus not a full motion.

Commissioner Giammarco what would happen if the repairs do not reach the \$3,100.00 charged for videotaping.

Attorney Salzman stated as he understands it they are providing the service up to that amount, in this particular case we would not be paying for it.

Chief Rampino stated if is under the \$3,100.00 he could use them for training and public information type videos and we will bill them for any cost over that.

Consensus

The Board gave Chief Rampino consensus to allow Chief Rampino to proceed with the agreement with Hernando County Broadcasting.

Fire Police, Commissioner Edwards' e-mail & Adjustments to the Minutes of April 14, 2010 (added by Commissioner Giammarco)

Commissioner Giammarco stated that when Commissioner Edwards was appointed the Board of Fire Commissioners he (Commissioner Giammarco) had asked Attorney Salzman if there was a conflict with his position with the Fire

Police. Since then he has sent many e-mails asking when he stepped down from the Fire Police and where was the letter of resignation. Recently an e-mail was sent by Commissioner Edwards advising that he had taken a leave of absence. When did this come about and how long is that leave for? An attorney from the Ethics Commission advised that Commissioner Edwards should discontinue with the Fire Police but he is still on the Board. He feels Commissioner Edwards' answer have not been forthright and honest. Commissioner Edwards has stated he has taken a leave of absence but he is the Treasure for that organization.

Commissioner Edwards stated he disassociated himself from the Fire Police on February 3, 2010 with an e-mail to the attorney and the chief. At the present time he has not responded to any calls. He has attended Fire Police meetings because he is a life member, it has nothing to do with this Board. He took a leave of absence expecting the Ethics Commission to come back to us with a response within a month or two but that has not happened. Therefore he stepped down with a leave of absence to what they call a life member of the Fire Police. Not one resignation from anyone who has left the Fire Police has ever been sent to the Chief, we send these to the Fire Police Organization only. He is sure that if the Chief needed a copy of a resignation he would ask. Chief had the e-mail and an e-mail is a contract. He asked Attorney Salzman to verify that.

Attorney Salzman stated the e-mail stated what Commissioner Edwards position was and what he was doing in that situation.

Commissioner Edwards continued stating he has done nothing wrong. He is a Fire Commissioner and stopped his activity with the Fire Police on February 3, 2010. As far as being the Treasure for the Fire Police, basically he just reads what is in the checking account at their meetings. The Fire Police Bylaws state a life member has no authority or voting rights.

Commissioner Giammarco explained again the course of events, the questions he still has and his feelings about the matter.

Commissioner Edwards responded to Commissioner Giammarco's comments and questions and explained again the steps he has taken since being a member of the Board and his life membership with the Fire Police.

Chief Rampino stated we have two people going back and forth with what they each think is right and what they think is wrong. We are still waiting for a response from the Attorney General and/or the Ethics Commission and at that point in time they will tell us what we need to do.

Attorney Salzman stated the Board knows how long the Attorney General opinion takes and the Commission of Ethics does things a bit different from them. They usually do an investigation, speaking with people, etc. What the Chief said is right, you have two differing opinions as to what is appropriate. He (Attorney

Salzman) has given his opinion and it is up to the individuals to decide what they want to do. It is not a violation until the Commission of Ethics says it is a violation.

Chairperson Brosnan stated one of the things she learned at the FASD conference is that the Ethics Commission meets eight times a year, that is not something we control, that is their timeframe not ours.

Attorney Salzman stated we do not know if their investigation has concluded. They are very quiet about it until they move forward. The Commission of Ethics move at their own speed and answer to their own Board.

Commissioner Giammarco stated he had also asked for a copy of the finances and Standard Operating Procedures or Bylaws for the Fire Police. He has received a copy of Bylaws dated 2005, 1996, 1998 and 2003. He found nowhere in the current (2005) Bylaws stating that a member can live outside district boundaries. There is no provision regarding being "Grandfathered". He has no vendetta against the Fire Police, he thinks they do an excellent job, he just thinks the Organization should fall under the Chief's control. They should not be a separate organization and the taxpayers should not have to pay expenses for that (\$70.00 per year), plus gas and supplies only to allow others to hire them, which he thinks is a liability.

Commissioner Giammarco stated the minutes of the April 14, 2010 meeting state that the Standard Operating Procedures for the Fire Police were attached, they have not been attached to date. He asked Attorney Salzman if that statement stating they are attached should be stricken.

Attorney Salzman stated they should be attached if we say that they are attached.

Chief Rampino stated he thought they were attached in the packet for today's meeting.

Chief Rampino stated that Commissioner Giammarco thinks that proper procedure was not followed; Commissioner Edwards feels that it was, the Assistant Chief manages the Fire Police and attends their meetings. To this date he has only ever received one complaint against the organization and it was from someone who did not like the way they directed traffic. The Fire Police are a vital part of what we do. They direct traffic to the best of their ability, they allow us to clear motor vehicle accidents and put a unit back in service, they come out in the dark, the night, the rain, the cold, all hours of the morning. They keep cars from hitting firefighters; they direct traffic to the best of their ability. There was a question as to whether or not the Organization is legal...the Sheriff uses them all the time, the Highway Patrol leaves them in charge of a scene and drives away

so they can get back in service. He is missing what the underlying problem with this Organization is.

He has not seen Commissioner Edwards on the scene, he has not been paid any mileage stipend . Their banking goes to a Post Office Box and he has checked with Attorney Salzman and as a volunteer organization the Fire Police do not have to turn over their finances to us. As they work with us he has had zero problems. Where Mr. Brynes lives actually works out better, most of the time he is the first on the scene. They manage themselves and he is fine with that, if something goes wrong that they can not take care of themselves the Assistant Chief who attends their meetings takes care of it. They present no problem to the department.

We need to wait for the opinion that was requested and at that time the Commissioner can make a decision as to what he wants to do.

Chief Rampino will make the Fire Police Bylaws part of the record for the April 14, 2010 meeting. He had advised the Board previously that the Fire Police abide by the same Policies and Procedures we do as it relates to traffic accidents are also contained in our Emergency Operating Procedures the Command Structure on Scene tells them what needs to be done and that is what happens.

Chairperson Brosnan asked if Commissioner Edwards is currently doing what he had advised him to do?

Attorney Salzman stated it is not a straight yes or no answer. Based on the formal opinion that he was given he is not supposed to be part of the Fire Police it seemed to him for the purpose of being an officer, can he still be a member, can he still do anything? He did not hear any prohibition to that. Is he to give a formal resignation...he does not know. He feels the Board has to wait for the opinion from the Ethics Commission that will clear everything.

Chairperson Brosnan stated in regards to the request by Commissioner Giammarco for the financial records of the Fire Police, that would require Board consensus and that was not given which is why he has not received those records. As a Board we do not feel that is necessary. The Chief reviews those records and since he is the Administrator that is enough.

Chief Rampino stated to make the record correct, he did e-mail three different sets of Bylaws for the Fire Police 1996, 1998, and the most recent ones they adopted in 2005.

Commissioner Giammarco stated the Standard Operating Procedures for the Fire Police should also be included.

Commissioner Edwards stated that with past administrations there were no problems with the Fire Police and everything may not have been forwarded to the Fire Chief as they are today so finding records may have been more difficult. Better recording keeping is being done now.

NEW BUSINESS

2010-2011 Proposed Budget

Chief Rampino explained that the Finance Director had prepared a power point presentation and that he would touch on the major points. When the presentation is finished, he will turn it over the Finance Director for questions from the Board. He would like to take questions a line item at a time as we progress through the document. He apologized for the time that it took to get the budget to the Board, as they are aware we did not get a DR 420 Form knowing what we will be valued at until just a few weeks ago. He had kept the Board informed via e-mails letting them know where they were and what they were waiting for. Contract negotiations are not finished and that directly affects the budget process. He did have contact with Chairperson Brosnan prior to building this budget to let her know the direction we were going in and he did confirm with Attorney Salzman that he could only discuss it with her due to the fact that it is a voting matter.

Chief Rampino began the Power Point Presentation and read each slide to the Board giving a detailed explanation for each. A copy of that Power Point presentation is attached for the record.

Chief Rampino wanted to assure everyone that they had in fact made reductions in the budget. Operating Expenses were reduced \$93,000, Capital Outlay by \$29,500, Debt Service by \$130,000, Reserves for Contingency by \$170,000 and Personnel Service by \$434,906. He explained each line item under Personnel Services and the cuts that will be made. He advised that during contract negotiations we have offered no step increase and no COLA increase. We have not filled two vacated positions and have instituted a hiring freeze on all operation personnel through voluntary termination and/or retirement. Humana is quoting insurance rates at a ten to fourteen percent decrease compared to our current health care costs. Due to the decrease in property values and depending on Board direction we are looking at laying off of four forty hour employees with the remaining forty hour employees will be reduced to a thirty-two hour work week. This brings us to a balanced budget using the roll up rate of 2.5 mills. If you were to decide to hold the millage rate at 2.2686 we would have to look for an additional \$708,314. Because he does not think they can do anything else administratively to lower that number then that money would have to come from the field which would be about ten positions because of seniority.

Chief Rampino returned to and read the remaining slides in the Power Point presentation. At the conclusion of the presentation, he reminded the Board that they would take their questions line item by line item.

Chairperson Brosnan read each Budget Line item by item and gave each Board Member the opportunity to ask questions.

Revenue Budget General Fund

The Board asked questions regarding the following Budget Line Items and both Finance Director Terri McClanahan and Chief Rampino gave explanations.

Finance Director Terri McClanahan advised Commissioner Giammarco that she could add an additional column to the budget worksheets that would show the Actual to Date figures.

Finance Director Terri McClanahan explained the difference in revenue for the millage rate of 2.2686 and the 2.5 would be an additional \$708,000.00. She explained on the Revenue Budget General Fund if the district were to roll up to the cap of the 2.5 millage rate they will still take in \$492,087 less than they collected the previous year. We could recoup that money if we were allowed to roll up to the 2.66 but we cannot.

Expenditure Budget – General Fund

Salaries & Wages Regular

Finance Director Terri McClanahan explained the reduction is a result of the hiring freeze on two vacant positions that will not be filled, three positions that will be leaving that will not be replaced four forty hour employees will be laid off and we will be reducing the remaining forty hour hourly employees to thirty-two hour work week. This is a reduction of five operational positions and four administrative for a total of nine.

Chief Rampino affirmed Chairperson Brosnan's question regarding some of the salary costs that the Board does not control such as FICA which has decreased because salaries are reduced and retirement which increased because of state mandated increases. The Life and Health Insurance line is being reduced \$181,000 because of changes we are making.

Salaries & Wages Overtime

Chief Rampino explained that has increased due to the lose of five field positions and the minimum manning clauses. Running below minimum manning in his opinion would effect public safety as well as firefighter safety.

Finance Director Terri McClanahan advised that a coding issue which was corrected putting Holiday pay under the overtime line has also contributed to the increase.

Professional Service Medical Director

Chief Rampino advised this line would remain the same because both of the two final candidates for that position have agreed to hold the salary as that of the prior medical director.

Contracted Services

Finance Director Terri McClanahan explained that this line will be reduced by \$3,100 because of the change the Board just approved with Hernando County Broadcasting. This line also includes the costs for the Sheriff's Office for Dispatch Services, ADT, cleaning, pest control, shred it, contracted repairs, septic and grease traps, etc.

Travel & Per Diem-Class C

Finance Director Terri McClanahan explained the decrease in that line was because previously the Fire Police mileage was taken from there but we have moved it to the correct line item of Travel & Per Diem where it should have been.

Postage & Freight

Finance Director Terri McClanahan explained that Postage and Freight increased due to the rate increases and that we are looking into ways to reduce these costs such as accepting credit cards and paying our invoices by credit card.

Chief Rampino further explained that we get money back from the bank the more we makes purchases with their credit cards.

Utilities & Electric

Finance Director Terri McClanahan reminded the Board that Libby Road is no longer ours and that has created a reduction in utilities. The rent we pay for the Inspection Office now is one flat rate and includes utilities.

Lease Rental Building

Finance Director Terri McClanahan advised that line is used for the rent for the Inspector's Office on Kass Circle.

Repair Maintenance Vehicles

Chief Rampino explained that we are predicting that repair cost will go up because we are not able to replace the older vehicles.

Fees and Cost TC Comm

Finance Director Terri McClanahan explained that the tax collector charges to collect our taxes.

Operating Supplies Computer Software

Finance Director Terri McClanahan advised we are decreasing that line. She will get back to Commissioner Giammarco on his question regarding the budgeted amount in this line last year of \$12,500 compared to the June Budget to Actual shows the expenditures to date are only \$1,700 she thinks those costs for software licenses.

Books/Publications/Subscriptions

Chief Rampino explained the books that are required and must be updated in order to do business and for education. The reduction in that line is because some of the material is only required semiannually. He does feel it is a realistic figure.

Finance Director Terri McClanahan explained that they went line by line and bill by bill when working on the budget and reviewed everything they have done all year. We have done everything we can to make cuts.

Repairs/Maint- DP Equipment

Finance Director Terri McClanahan explained that line is for the repairs of our data processing equipment.

Land Acquisition

Chief Rampino explained the decrease is because the Church has not gotten back to us on that purchase.

Equipment Greater than \$1000

Finance Director Terri McClanahan explained this reduced from last year because these expenses are typically a one-time expenses.

Chief Rampino explained the radio upgrade that we need and will be purchasing from this line.

Equipment Vehicles & Trailers

Chief Rampino explained they cut that line because they purchased the trailer last year and do not need funds here.

Capital Outlay

Chief Rampino explained that line item was for the Station #2 and Station #5 projects. The reduction of \$120,000 is because we will not be moving forward on the Fire Station #5 project. This reduces the interest line as well.

Commissioner Giammarco asked since this money is in a bank account where will we put it now that we will not be using it?

Finance Director Terri McClanahan stated we are using this money elsewhere in the budget. It is a cut on this particular line item, one of our reductions. It will become part of the \$600,000 balance forward cash. We will use it then to help balance the budget.

Budget Reserves for Contingency

Finance Director Terri McClanahan explained that you must keep twenty-five percent of your operating debt capital in Reserves because the revenues and expenses have been reduced this has been reduced also. That amount is \$2,852,654 and is used to cover expenses during the three months prior to the tax money coming in.

Budget Reserves OPEB

Chief Rampino explained that is Other Post Employment Benefits.

Commissioner Giammarco stated he is not happy with the budget at all. What would the affect be if we went back and cut the entire budget by ten percent?

Chief Rampino stated it would cost jobs. He explained again the personnel cuts being made that will be effective October 1, 2010. There is no other way we can find to do it. Negotiations could affect some of this. As discussed during the budget presentation as long as you send the letter to the County Commission with your intent to use the cap of 2.5 you can always work down from that if you use the 2.3 figure you can not go above it. He knows it is not popular but we have done all we can to get through. He assured the audience that we are not fat in any way. He agrees with the speaker today who talked about those home owners who pay nothing for our service and we will explore in the future doing something with that gap which will bring the millage rate down. We are asking you to roll up for this year and we are still operating with \$439,000 less than we did last year.

Chairperson Brosnan asked if there are additional fees or ways that we can increase revenue. She reviewed what some other departments do.

Chief Rampino stated we are looking into that and explained what they have learned and some of the options available. In regards to charging a flat rate for Fire Service it will take until next July and require a lot of extensive work to make it fair and equitable to everyone. He stressed that if the Board does not consider the roll up to the 2.5 those pennies a day are going to make fire trucks go away. The roll up equates to about eleven cents per day. Our income is going down but our workload is going up, the call load continues to increase. The standard is to put nineteen people on a structure fire and if we don't do that we are putting Firefighters as well as citizens at risk. He explained firefighting standards and rules. We are not being frivolous; we are at bare bones to keep what we have now operating and running.

Chief Rampino stated what the Board needs to do today is to send a letter to the Board of County Commissioners advising that they want to roll up to the cap of 2.5 mills. The State would allow us to roll up to 2.67 but we can't do that. We are doing what we have asked the people to allow us to tax to our cap of 2.5 We were not anticipating the fifteen percent decrease in property values, if it were not for that we might not have needed to do this.

The Board discussed the issue at length, what might happen next year, other ways to increase revenue, cost for service, safety issues, etc.

Commissioner Giammarco asked again for the actual to date expenditures rather than the budgeted amount for the current year.

Finance Director Terri McClanahan stated that is not a problem and she will revise the worksheet to that add that information. That information was provided to the Board it is just not on this sheet. This budget is so close it scares her, she does not know where the money will come from if something happens that goes above and beyond this.

Attorney Salzman stated you do have subsequent budget workshops to go through these conceptual issues that you have. You are no different then any of his other clients, they are all having the same discussions; budget cuts, layoffs. It comes down to a minimum you can handle.

Commissioner Edwards stated he felt the Board should do as Chief Rampino requests and send the letter to the Board of County Commissioners at the millage rate of 2.5. This does not mean it is cut in stone, if we can come back and find some more reductions that will be good. They have reduced nineteen line items, ten line items had no increase and eight lines items increased by a minimal amount. That is a result of their checking the bills against what they have actually spent.

Commissioner Giammarco asked if the public would be allowed the opportunity to comment on the issue.

Commissioner Edwards felt they should be allowed to digest the information distributed and make their comments at the budget workshop scheduled for July 23, 2010.

Finance Director Terri McClanahan stated that is only if you need it, there are two public hearings in September that you will be going over the budget again.

Chairperson Brosnan opened for Citizen's Comments for a maximum time limit of thirty minutes allowing for three minutes per speaker.

Citizen's Comments

The following citizens commented on the proposed budget: David Green, Ken Fagan, Sherry Adler, Ian Norris, David Parker, Alan Sheer, Harry Chamberlain.

Chief Rampino corrected the statement made that we are top heavy; he totally disagrees with that. We have a Chief and an Assistant Chief, we have three District Chiefs who each run a shift for a twenty-four period and Captains are part of the three people who are on a fire truck; they are working supervisors. The other two people who make up the crew are on the ambulance. Therefore, as far as upper level management we have a Chief, Assistant Chief and Finance Director.

Chairperson Brosnan reminded Mr. Parker that Chief Rampino would be happy to answer his questions or to speak with his organization.

Motion

To submit the letter to the Board of County Commissioners for the millage rate cap of 2.5

RESULT: ADOPTED (2 to 1)

MOVER: Commissioner Edwards

SECONDER: Chairperson Brosnan (passing the gavel to Commissioner Giammarco)

AYES: Chairperson Brosnan, Commissioner Edwards

NAYS: Commissioner Giammarco

Budget Workshop scheduled for July 23, 2010

Chairperson Brosnan advised the Board that in regards to the Budget Workshop scheduled for July 23, 2010 at 9:00 a.m. that she will not return home from a business trip that day until after 2:30 pm and that it will not be economically possible for her to change her travel plans.

Chairperson Brosnan asked Finance Director Terri McClanahan if she would be available and open to suggestions and questions from the citizens as the County recently did.

Finance Director Terri McClanahan stated yes.

Chief Rampino stated he would be available to suggestions also but he is not open to additional cuts to the positions in the operation field it is not safe.

Consensus/Budget Workshop

The Board agreed to cancel the Budget Workshop scheduled for July 23, 2010.

Consensus/Budget Hearing

Finance Director Terri McClanahan reminded the Board that since this is a Budget Hearing by law it must begin at 5:01 p.m.

The Board agreed to begin the Regular Business Meeting of September 8, 2010 at 4:00 p.m. in order to hold the Budget Hearing that same day at or after 5:01 p.m. as required by law. The August Business Meeting will have no change and will be held as scheduled for August 11, 2010 at 9:00 a.m.

Revisions to Standard Operating Procedures (First Notification)

Chief Rampino stated this is generalized housekeeping, we have taken the Training Officer Job Description and Nomination of Awards and transitioned them from the old policies and procedures and put them into the new format.

Commissioner Giammarco asked about the policy on Public Relation Events making sure that it does not include Birthday Parties. He asked if an addition could be made that says "subject to Board approval". He asked if the policy regarding Medical Equipment Supplies was a position or just another reformat. And, there are many misspelled words on the Policy "Use of Communication Equipment" and a conflict in the wording of "not allowed" vs "excessive use".

Chief Rampino stated he would have to schedule events thirty days in advance if it was subject to Board approval. He explained the type of events that this includes. He has been given direction by the Board and knows what they do not want the department to participate in. If something comes up that he feels is discretionary he will seek Board approval. He explained the policy for Medical Equipment Supplies is not a position; it is simply part of the reporting process to manufactures for equipment failures. He did add some new equipment to this policy. In addition, he will correct the errors found in the policy for Use of Communication Equipment.

Chief Rampino advised the Board that a motion was not necessary at this time. He must present this to the Board at two meetings before it can become policy, it will be on the Agenda for the next meeting.

Face Book Comments (added by Commissioner Giammarco)

Commissioner Giammarco said he was disappointed that Chairperson Brosnan made comments on Face Book. He did receive the letter from Attorney Salzman reminding the Board that they are welcome to their own opinions. He agrees with that but wishes she had made her comments more generic as an individual and not refer to herself as "Board Chair" or that she had included the phone numbers for the entire Board. It seemed to him that she was asking people to vote one way or the other and the Board has been advised by the attorney to only to give out information.

Chairperson Brosnan replied that she did not include the telephone numbers of the rest of the Board because she does not have their phone numbers and she does not want that information because she never wants to be accused of violating the Sunshine Law. She is entitled to give out her phone number, we are all entitled to do that. She advised that she did not tell people to vote yes or no. Attorney Salzman has already advised that this was a neutral post. She is entitled to her free speech and it is her business if she wants to make a post on any site. If the Board wants to tell her not to do a post on the "We Support Spring Hill Fire" site then she will not.

Attorney Salzman stated individual Commissioners can give their position on any issue they want; the only thing that is prohibited is making a comment on behalf of the Board if they do not have approval to take that position. A Commissioner can speak as an individual or as a Commissioner but he cautioned them not to leave any inference that they are speaking on behalf of the Board. Board Members are permitted to have each other's phone numbers; it is whatever you are comfortable with but the more protection you have the better.

CLOSING COMMENTS

Commissioner Edwards thanked everyone for coming to the meeting and for their comments. He explained that in February, he was not familiar with e-mails and when he had received the notice from the Attorney to disengage himself from the Fire Police he typed his response at the bottom of that e-mail because he thought that was the easiest way to answer. He has not given a resignation letter to the Fire Police, what he gave them was a letter stating that he was stepping down, taking a leave of absence and requesting a life membership which is afforded to him because of his years of service. If anyone has a question they should be direct he has nothing to hide.

Commissioner Giammarco apologized for the length of the meeting but said the Board can't rush through the meetings, they need to make intelligent decisions and sometimes they are tough decisions. He has no animosity towards the Fire Police, he just has a lot of questions. He thanked everyone for attending and for their comments, everyone has a right to speak this is their fire district.

Chairperson Brosnan thanked everyone in the community for allowing her to attend the Special District Conference she learned a lot and thinks it will show in the way she will conduct the meetings. She met many great people who gave her suggestions. She remarked on the comment made at the last meeting regarding the relationship of Fire Commissioners with the fire service. She clarified that Commissioner Edwards works for Fire Inspections in Hillsborough County, Commissioner Giammarco was a volunteer Firefighter, her Grandfathers were Firefighters, Commissioner Jacobs sold bunker gear and visited burn units and Commissioner Pasquale was a Firefighter. All five of the current Board Members have connections with Fire Departments as well as some of the candidates running for Fire Commissioner this year. She thanked everyone for their comments and for the opportunity to sit on the Board. She reminded everyone that the next Meeting would be held on August 11, 2010 at 9:00 a.m. and that the July 23, 2010 Budget Workshop had been cancelled.

Candidate Forum

Chief Rampino asked if the Board would allow him to set up a Candidate Forum for the position of Fire Commissioner in the Board room at a set date and time.

Consensus

The Board agreed to hold a Candidates Forum for the position of Fire Commissioner.

Attorney Salzman stated current Board members would be allowed to attend because it will be a public meeting.

ADJOURNMENT

Motion

To adjourn the regular business meeting of July 14, 2010 at 12:39 p.m.

RESULT: ADOPTED (UNANIMOUS)

MOVER: Commissioner Giammarco

SECONDER: Commissioner Edwards

AYES: Chairperson Brosnan


Amy Brosnan, Chairperson


Cynthia Taylor, Recording Secretary