

**Spring Hill Fire Rescue and Emergency Medical Services District**  
**Board of Fire Commissioners**  
**Regular Business Meeting Minutes**

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**November 22, 2010 – 9:00 AM**

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**CALL TO ORDER**

Chairperson Brosnan called the meeting to order at 9:00 AM on November 22, 2010 at SHFRD Headquarters, 3445 Bob Hartung Court, Spring Hill, Florida.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Robert Giammarco	Chairperson	Present
Sherry Adler	First Vice Chairperson	Present
Ken Fagan	Secretary/Treasurer	Present
Amy Brosnan	Commissioner	Present
John Pasquale	Commissioner	Absent (Unexcused)
Michael Rampino	Fire Chief	Present
Caitlin Sirico	Attorney	Present

**INVOCATION:** Pastor Jack Martin.

**PLEDGE OF ALLEGIANCE:** Chairperson Brosnan.

**SPECIAL RECOGNITION**

Newly elected BoFC members Sherry Adler and Ken Fagan were sworn in by Notary Public Kathy Scruggs.

**APPROVAL OF AGENDA**

Commissioner Adler asked to add “employee policy and procedure for background checks” added to New Business. Commissioner Fagan moved to reorganize the BoFC officers’ positions.

**Motion**

**To reorganize the BoFC officers’ positions.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Giammarco**

**AYES: Chairperson Brosnan, Commissioner Adler, Commissioner Fagan, Commissioner Giammarco**

**Motion**

**To nominate Commissioner Giammarco as Chairperson.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Adler**

**AYES: Chairperson Brosnan, Commissioner Fagan, Commissioner Adler,  
Commissioner Giammarco**

**Motion**

**To nominate Commissioner Adler as First Vice-Chairperson.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Adler**

**AYES: Chairperson Giammarco, Commissioner Fagan, Commissioner Adler,  
Commissioner Brosnan**

**Motion**

**To nominate Commissioner Fagan as Secretary/Treasurer.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Adler**

**SECONDER: Commissioner Brosnan**

**AYES: Chairperson Giammarco, Commissioner Fagan, Commissioner Adler,  
Commissioner Brosnan**

Commissioner Brosnan asked if there would be a Second Vice-Chairperson position. Chairperson Giammarco advised that FS 191 did not require a Second VP. Commissioner Fagan stated that the Board should decide whether to keep the Second VP or eliminate it from the BoFC by-laws per FS 191. Commissioner Fagan suggested that the by-laws possibly be amended to make the first meeting after an election occur on the second Wednesday after that election.

**Motion**

**To open the by-laws to make any necessary changes today.**

**RESULT: PASSED (3 to 1)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Adler**

**AYES: Chairperson Giammarco, Commissioner Fagan, Commissioner Adler**

**NAYS: Commissioner Brosnan**

**Motion**

**To appoint Commissioner Fagan as liaison for the District.**

**RESULT: PASSED (3 to 1)**

**MOVER: Commissioner Adler**

**SECONDER: Commissioner Fagan**

**AYES: Chairperson Giammarco, Commissioner Fagan, Commissioner Adler, Commissioner Brosnan**

Attorney Sirico advised that the BoFC by-laws would need to be amended to have a description of responsibilities and which entities the position would report to. Commissioner Adler stated that she did not request the Engine 1 accident emails as shown on the agenda but requested they remain as part of the day's issues. Chairperson Giammarco would like to add the "Financial Officer" and "Hydrant Tech" to Unfinished Business.

**CITIZENS' COMMENTS**

Chairperson Giammarco opened the floor to the citizens.

The following citizens spoke during this portion of the meeting: Clayton Lynch asked that the Board not prohibit or limit communications between any member of the Board and the Chief. Harry Chamberlain requested the Board carefully consider the implications of a flat tax. Ty Mullis asked about, and was advised that his comments on base rate assessments could be made later on the agenda. Anthony Palmieri stated that the Board's first order of business should be to give the Chief direction on what type of budget they want to see for next year and that the District must learn to live within its means at 2.5 mills by ceasing Firefighters' promotions. Michael Gennusa asked the Board and citizens to pay any additional small taxes in order to keep up the level of service established by SHFRD. Patrick Clemens stated that the District appears top heavy in that its budget has doubled in the last six years. Frank Byrne gave a short history of the Fire Police and implied that Chairperson Giammarco may hold a vendetta against the organization because he was rejected for membership.

**Board/Staff Responses**

**Chief Rampino:** Stated he would address all base rate questions later in the meeting.

**Attorney Sirico:** No comments.

**Commissioner Fagan:** Thanked the citizens for their vote of confidence. Commissioner Fagan promised Mr. Palmieri that he would never be insulted during a meeting. He assured Mr. Gennusa that he would heed his words and live within the budget. Commissioner Fagan thanked Mr. Byrne for his comments and assured him the Fire Police issue would be addressed later in the agenda.

**Commissioner Adler:** Advised Mr. Palmieri that she had viewed the budget and that there was money that may not be used. Commissioner Adler stated that the Board should re-examine the budget. She advised Mr. Gennusa that the additional \$30 to \$40 in taxes proposed would be critical to needy residents. Commissioner Adler asked Mr. Byrne to leave any pettiness out of his comments. Commissioner Adler read the following statement:

"I will always be fair and weigh each issue before me before I make a decision. If we're to succeed, we must act professionally and not childish. We must make decisions based on intelligent thought and not whims as has been done in the past. We are the watchdogs of the community we live in and the overseers of the Spring Hill Fire District. Our collective votes will make a difference to our District. We will be fair to the Firefighters and the residents.

Don't think we're always against you, we're not. I admire our Firefighters but I also know changes have to be made."

**Chairperson Giammarco:** Thanked Mr. and Mrs. Lynch for coming back to meetings and apologized for past treatment. Chairperson Giammarco gave the opinion that the District is top heavy and that future decisions made for the good of the District may be unpopular. He stated that the citizens have given the Board a direction and that the Board would work to take control of the District. Chairperson Giammarco stated that he does not have a grudge against the Fire Police and asked Mr. Byrne if he would tell him why he was not accepted for membership.

## **CONSENT AGENDA**

1. Correspondence of Note
2. Approval of Disbursements for the month of October 2010
2. Budget vs. Actual – October 2010

### **Motion**

**To accept the Consent Agenda.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Brosnan**

**AYES: Chairperson Giammarco, Commissioner Fagan, Commissioner Brosnan, Commissioner Adler**

Chairperson Giammarco asked Chief Rampino to explain the \$500 expenditure for as-built drawing for Station 3. Chief Rampino replied that this was a bill that was just received from SWFWMD for services performed in 2007. Chairperson Giammarco asked about the \$229 Konica lease agreement from the "old year." Chief Rampino replied that it was for one month, and that we were now in receipt of a new copier. Chairperson Giammarco asked if the \$1650 paid to the National Testing Network was an annual or one-time fee. Chief Rampino responded that \$1500 was a one-time fee with the additional \$150 comprising the annual membership. The Testing Network accepts all responsibility for testing procedure.

## **APPROVAL OF MINUTES**

**For the Regular Business Meeting of October 13, 2010.**

### **Motion**

**To accept the minutes of the Regular Business Meeting of October 13, 2010.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Adler**

**SECONDER: Commissioner Fagan**

**AYES: Chairperson Giammarco, Commissioner Brosnan, Commissioner Adler, Commissioner Fagan**

Chairperson Giammarco asked Chief Rampino for an update on the search for the missing \$1500 ventilation apparatus. Chief Rampino responded that the search continues and that if it is not found by the next meeting he will take appropriate action. Chairperson Giammarco requested that Commissioner Pasquale's four-page prepared statement should be included in the 10/13/2010 packet for record. Commissioner Fagan stated that we should enter written statements into the record. It should also be noted that Commissioner Pasquale is the Advisor to the Fire Prevention donation process.

**Motion**

**To excuse Commissioner Pasquale's absence**

**RESULT: FAILED (1 to 3)**

**MOVER: Commissioner Brosnan**

**SECONDER: Commissioner Fagan (for discussion)**

**AYES: Commissioner Brosnan**

**NAYS: Chairperson Giammarco, Commissioner Adler, Commissioner Fagan**

Commissioner Fagan stated that this was an important meeting for the Board and that Commissioner Pasquale's prior attendance record will not allow him to excuse the absence. Commissioner Brosnan agreed that Commissioner Pasquale has a history of absence but suggested lenience because this was an unscheduled meeting during the holiday season. Commissioner Adler referenced that this is a recurring problem and that Commissioner Pasquale had enough emails warning of this possible meeting so he should have been prepared to attend. Commissioner Fagan stated that it was everyone's responsibility to attend the meeting. Chairperson Giammarco reiterated that there was notice given of a possible meeting during that time period. Chairperson Giammarco also stated that there was past precedent of Commissioners being unexcused for missing important meetings when budgets were discussed. Commissioner Brosnan asked if Chairperson Giammarco needed to be excused for not attending the November 10, 2010 meeting. It was decided that no excuse was needed because there was no actual meeting.

**REPORT OF COUNSEL**

**RFP 2010-01**

Attorney Sirico filled in for Attorney Salzman. Attorney Sirico read Attorney Salzman's letter recommending that the District reject all bids regarding RFP 2010-01 for building Fire Station 2.

**Motion**

**To accept Attorney Salzman's recommendation to reject all bids for RFP 2010-01 for building Fire Station 2.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Brosnan**

**AYES: Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan**

## **REPORT OF CHIEF**

Chief Rampino asked if the Board had any questions on the Report as submitted.

Commissioner Giammarco asked why Chief Rampino removed previously listed agenda items from his report. Chief Rampino replied that the only item removed was regarding an employee grievance which is still being discussed at this point.

## **MEMBER STATUS**

Chairperson Giammarco passed the gavel to Vice-Chairperson in order to make a motion.

### **Motion**

**To temporarily suspend all personnel action to include but not limited to hiring, raises, transferring of positions, filling of vacant positions, realignment of positions and creation of new positions until such time as the BoFC can reopen Union negotiations and determine the financial impact of personnel actions recommended. Also, that any and all future personnel actions to include promotions, hiring, transfers, terminations, workers compensation leave, family medical leave, creation of new positions, or realignment or reduction of personnel be approved by the BoFC prior to any action being taken.**

**RESULT: PASSED (see amendment below)**

**MOVER: Commissioner Giammarco**

**SECONDER: Commissioner Fagan (for discussion)**

**AYES:**

Commissioner Fagan asked Commissioner Giammarco if he had spoken with Chief Rampino regarding this motion. Commissioner Giammarco answered "no" to which Commissioner Fagan recommended that Chief Rampino and our Attorney be consulted for input. Commissioner Giammarco stated that the point of the motion was to restore control of the District to the Fire Board. Attorney Sirico deferred Union contract issues to Attorney Salzman but was concerned that actions such as workers compensation leave and family medical leave might require more immediate action than the Board could provide. Commissioner Fagan suggested amending the motion to give the Board, Counsel and the Chief an opportunity to be better prepared. Acting Chairperson Adler stated that she would rather vote on the motion during the current meeting. Commissioner Giammarco conceded he was willing to delete the portions regarding workers compensation and family medical leave. Commissioner Giammarco also stated that Attorney Salzman advised him that we can reopen Union negotiations at any time. Chief Rampino expressed concern that day-to-day operations and issues of immediacy such as workers compensation will be adversely affected. Firefighter staffing has already been reduced from 31 persons to 29 persons per shift and further reductions may lead to massive daily overtime expenses. Acting Chairperson Adler opened the floor for citizen comments.

The following citizens spoke during this portion of the meeting: IAFF Local 2794 President Scott Edmisten advised that the Union contract cannot unilaterally be reopened and agreed with Chief Rampino that overtime would be inevitable. Mr. Edmisten further stated that the motion would be a violation of the Union contract and BoFC by-laws in that the Board would

interfere with day-to-day operations. Acting Chairperson Adler read from the by-laws that "the Board as a whole may bring to the attention of the Fire Chief areas of the daily operation in which the Board deems fit and proper," and stated that she felt this was the intention of the motion. Commissioner Fagan stated that he would not want anyone else in Chief Rampino's position and that there is precedent that staffing is determined by the Board. Clayton Lynch advised that in his business experience paying overtime can be cheaper than all of the associated fringes attached to a new hire. Mr. Lynch also stated that while he favored tabling the motion until the December 8 meeting. Joan Lynch stated that she is angered by vehicles leaving their stations for non-emergency purposes. Ty Mullis asked if the Board can be privy to all of the Firefighters personal medical information without violating the Florida Sunshine Law or HIPAA. Attorney Sirico confirmed that certain information would need to be shaded from the public. Harry Chamberlain stated that in his business experience it is cost effective to use overtime judiciously. Mr. Chamberlain stated that he believes that family leave and workers compensation should remain with the Chief but that he agreed with the other responsibilities defaulting to the Board. Commissioner Giammarco reiterated that he would amend his motion to exclude workers compensation and family medical leave decisions but he is not in favor of the proposed District Chief promotion or new Training Chief position. Commissioner Brosnan asked if part-time employees are paid benefits to which Chief Rampino replied "no." Commissioner Brosnan then expressed her desire to table the motion for further review. Chief Rampino confirmed for Commissioner Fagan that Firefighters' basic benefits remain the same regardless of overtime worked. Chief Rampino confirmed for Commissioner Adler that there is negligible if any cost to hiring a new employee. Michael Gennusa asked the Board to seek more information and be more methodical before making decisions. IAFF Local 2794 President Scott Edmisten advised the Board that the motion is a violation of the Union contract and will open the District to legal action.

**Amendment: To hold all actions in abeyance until the Board's Attorney can advise on all legal questions**

**RESULT: PASSED (3 to 1)**

**MOVER: Commissioner Giammarco**

**SECONDER: Commissioner Fagan (for discussion)**

**AYES: Commissioner Giammarco, Commissioner Adler, Commissioner Fagan**

**NAYS: Commissioner Brosnan**

Chief Rampino advised that the District will hold its awards ceremony and headquarters on December 20, 2010. District Chief Challis will retire in December and Captain Alex Lopez is in line to be promoted. Captain Lopez did have a legal issue, was disciplined and has had no problems since. Chief Rampino confirmed for Commissioner Fagan that the promotion list was presented to and approved by the prior Board. Attorney Sirico stated that the Board would have to research past practices to determine the proper handling of the District Chief promotion. Commissioner Adler confirmed that the promotions approved during the October 13, 2010 meeting were still valid. Attorney Sirico stated that there is a possibility of a grievance if Captain Lopez is not promoted.

**Motion**

**To continue with the Chief's recommendation to promote Captain Lopez to District Chief**

**RESULT: FAILED (LACK OF A SECOND)**

**MOVER: Commissioner Brosnan**

**SECONDER:**

Chief Rampino advised that DC Challis's retirement will create an opening to hire an entry level Firefighter/Paramedic. Attorney Sirico confirmed that there would be no promotions or hires without a new motion to do so.

Chairperson Giammarco called for a 10-minute recess at 10:50 AM.

Chairperson Giammarco reconvened the meeting at 11:00 AM.

Chief Rampino confirmed that the District can still operate if no one is hired after DC Challis retires. The budget already reflects the plan to hire a new employee.

**Motion**

**To fill the vacant position created by Chief Challis's retirement**

**RESULT: FAILED (LACK OF A SECOND)**

**MOVER: Commissioner Brosnan**

**SECONDER:**

Commissioner Brosnan confirmed for Commissioner Fagan that her failed motion was simply to fill the vacant position with a new Firefighter/Paramedic. Chief Rampino advised that Firefighter Christopher Bozek was terminated effective October 18, 2010. A member of the District is going off to military training so Chief Rampino asked the Board for permission to hire a part-time Firefighter to use in an as-needed basis. Chief Rampino confirmed for Chairperson Giammarco that the part-time Firefighter will be completely trained and will have passed a criminal history and driver's license check before beginning employment.

**Motion**

**To allow the Chief to hire a part-time Firefighter**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Adler**

**Amendment: To hire the part-time Firefighter specifically to work in place of the full-time Firefighter going on military leave**

**RESULT: PASSED (4 to 0)**

**MOVER: Commissioner Adler**

**SECONDER: Commissioner Fagan**

**AYES: Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan**

**TRAINING/COMPLIANCE CHIEF**

Chief Rampino advised the Board that the current Training Officer will retire within 90 days. Chief Rampino proposed to fill the position with a newly created Training/Compliance Chief. The hiring for the position is time sensitive in that there are many skills to be learned from the outgoing Training Officer. The salary would be negotiable based upon being a management

position. Chairperson Giammarco asked the Board to allow Commissioner Fagan to contact Hernando County Fire Rescue to compare their methodology to our proposed position.

**Motion**

**To allow Commissioner Fagan to get any information required by the Board.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Adler**

**SECONDER: Commissioner Brosnan**

**AYES: Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan**

**BASE RATE ASSESSMENTS**

Chief Rampino asked the Board for permission to have staff put together an analysis of the effects of instituting a base rate assessment to capture the approximately 2600 homes that currently pay no taxes to the District.

Chairperson Giammarco opened the floor for citizen comments. The following citizens spoke during this portion of the meeting: Ty Mullis disagreed with the Chief's interpretation of the methodology for assessing a base rate tax. Harry Chamberlain wondered if the County would refuse to collect the base rate assessment for Spring Hill if it disagrees with the tax. Clayton Lynch stated that the base rate assessment would not make enough of a difference to justify inconveniencing the citizens.

**Motion**

**To not consider or have staff explore a base rate assessment.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Adler**

**AYES: Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan**

**SHFRD APPARATUS PARTICIPATION AT HOLIDAY EVENTS**

Chief Rampino asked the Board if the District will continue to allow fire vehicles to be used in holiday parades and events. Commissioner Fagan expressed that he had an issue with using vehicles for private or limited access functions. Chief Rampino advised that the District normally allows vehicles to participate based upon availability and requests.

Chairperson Giammarco opened the floor for citizen comments. The following citizens spoke during this portion of the meeting: IAFF Local 2794 President Scott Edmisten requested that the Board allow the Chief to use his discretion and pointed out that school functions are not open to the public and would be excluded as the motion stands. Joan Lynch asked to find another way to service the children because the use of SHFRD vehicles is wasteful. Tom Fritz stated that using the apparatus is a key tool in educating the public regarding fire awareness and that all citizens' requests should be accommodated. Mr. Fritz also added that a fee could be charged for smaller events if needed. Michael Gennusa stated that he has volunteered at schools and the reception of the kids is worth any minimal wear-and-tear

on the vehicles. Clayton Lynch stated that taxpayer's equipment should not be used for charitable work and that the additional mileage adds up. James Billotte, citizen and SHFRD Captain, expressed that the community efforts are "priceless" and that we should not restrict the vehicles from performing tasks requested by the citizens who actually own them. Harry Chamberlain pointed out that these events may not be covered by insurance and are totally dependant upon the insurer's determination. Alan Regis asked to speak after citizens comments were closed and was denied.

Commissioner Adler stated that she does support sending SHFRD vehicles to the schools and public events, but not to private parties or gated communities. Commissioner Fagan agreed with Mr. Edmisten that we should not terminate school appearances and that the Board is looking more closely at vehicle use because of past misuse.

**Motion**

**To allow apparatus to participate in public events with the Chief's discretion.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Brosnan**

**SECONDER: Commissioner Fagan**

**AYES: Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan**

**DISTRICT FY 2009 AUDIT OVERAGE**

Chief Rampino presented a letter from the District's auditor for \$3415 in overages based primarily on the amount time spent getting documents from the County. This is perceived to be a one-time problem caused by our having become Independent during the fiscal year. Attorney Sirico confirmed for Commissioner Fagan that the District was obligated to pay because the services had been rendered. Attorney Sirico then stated that if they bid for a specific amount they should be held to that figure unless there is a clause for unforeseen circumstances. Chairperson Giammarco asked that the attorney look at the contract and advise on the District's legal position.

**UNFINISHED BUSINESS**

**MODULAR HOME RELOCATION/ELDRIDGE ROAD LAND LEASE**

Chief Rampino advised that Utilities has agreed to rent us the 9500 Eldridge Road property for \$200 per month in order to maintain a Zone 5 presence. Chief Rampino will attempt to get the exact lot dimensions and specifics per Commissioner Fagan's request. Chief Rampino stated that no vendors have replied with bids for providing services for moving and preparing the modular for occupancy. Commissioner Fagan asked Chief Rampino to try to make a target date of December 8, 2010 to have a total price for the temporary Station 5. Chief Rampino advised Chairperson Giammarco that he thinks the Utilities team derived a price based on square footage costs of other current properties. Chief Rampino will update the dates on the agreement.

## **HERNANDO COUNTY GOVERNMENT BROADCASTING AGREEMENT**

Chief Rampino presented the latest version of the letter of agreement. After discussion, the Board decided the document did not need to be sent to SHFRD's attorney for any final adjustment.

### **Motion**

**To accept the letter of Agreement between the Hernando County Board of County Commissioners and the Spring Hill Fire Rescue and Emergency Medical Services District for the Hernando County Government Broadcasting and SHFRD Maintenance services.**

**RESULT: PASSED (UNANIMOUS)**

**MOVER:** Commissioner Brosnan

**SECONDER:** Commissioner Fagan

**AYES:** Chairperson Giammarco, Commissioner Adler, Commissioner Brosnan, Commissioner Fagan

### **DRIVER/ENGINEER JOB DESCRIPTION**

Chief Rampino presented the Driver/Engineer position job description for the required second meeting. Final decision was delayed until the December 8, 2010 meeting so the new Board members can have an opportunity to study the issue.

### **INTERLOCAL AGREEMENT TO USE SPECIAL MASTER SYSTEM & SPECIAL MASTER CONTRACT**

Chief Rampino had the Fire Prevention Division research using a local attorney and it was recommended that it would be more functional to go with the original plan. Chief Rampino advised that the Special Master system allows the District to pursue violators who have not paid their fines. Chairperson Giammarco stated that he would prefer to use a local attorney and convene in the SHFRD boardroom. Commissioner Adler confirmed with Attorney Sirico that a Special Master would place a lien against a non-paying violator's property just as a small claims court Judge would. Several Commissioners asked how the payments would be enforced if the Special Master finds in SHFRD's favor. SHFRD Inspector Rick Sudol advised that the only community he researched that does not use a Special Master actually has its own staff attorney. Inspector Sudol further advised that the State of Florida empowered Special Masters in order to free up court time. Hernando County already uses the recommended attorney so he has already been vetted. Inspector Sudol advised that all of the costs and responsibilities of staging a courtroom setting would apply if SHFRD decided against using the County's system. Special Districts cannot appoint Special Masters. Any liens derived from this system may be sold by the County with the proceeds coming to the District.

Chairperson Giammarco called for a 10-minute break.

Chairperson Giammarco reconvened the meeting.

### **Motion**

**To approve the Interlocal agreement to use the Special Master**

**RESULT: PASSED (UNANIMOUS)**

**MOVER: Commissioner Fagan**

**SECONDER: Commissioner Brosnan**

**AYES: Chairperson Giammarco, Commissioner Brosnan, Commissioner Adler,  
Commissioner Fagan**

**FINANCE OFFICER**

Chairperson Giammarco stated that he felt the Finance Director should report directly to the Board. The Board decided to table the topic until the December 8, 2010 meeting in order to be better prepared. Attorney Sirico advised that the by-laws would have to be amended.

## **HYDRANT TECHNICIAN**

Chairperson Giammarco asked Chief Rampino if the Hydrant Tech can park at HQ so he can utilize the time clock. Chief Rampino responded that the Hydrant Tech's tools and supplies are at Station 1 so substantial work time would be lost in transit. Chairperson Giammarco stated that he had reports of possible employee malfeasance. Chief Rampino requested that Board members inform him of any potential employee issues so that they can be investigated and acted upon. The matter will be addressed at the December 8, 2010 meeting.

## **ORGANIZATION CHART**

Chairperson Giammarco asked for names to be attached to the positions of the Org Chart.

## **INTERNAL VERSUS EXTERNAL BILLING**

Chief Rampino advised that SHFRD takes in over \$2,000,000 and the best deal staff has found would cost 5% or \$50,000 per \$1,000,000 collected. The Board called for Commissioner Fagan to explore this issue in his liaison capacity.

## **NEW BUSINESS**

### **ENGINE 1 ACCIDENT EMAILS**

Chairperson Giammarco asked Chief Rampino to provide all emails related to the Engine 1 accident. Chief Rampino reminded the Board that our attorney advised that no comments be made regarding the accident while its outcome is still pending. Attorney Sirico confirmed that "anything talked about by between two or more Board members must fall under the public sunshine." Attorney Sirico again warned everyone to be careful about comments made regarding the incident. Commissioner Adler asked Attorney Sirico if in the referenced emails former Chairperson Brosnan violated the Sunshine Law by trying to coerce Chief Rampino into not giving any information to one Commissioner concerning the accident/incident, and did she usurp her position as Chairperson by sending a second email to Chief Rampino ordering him not to divulge information to a sitting elected Commissioner? Attorney Sirico explained that if there is a discussion between Board members on an "actionable" item there can be a sunshine issue and these emails do not appear to be in reference to an actionable item. Commissioner Brosnan stated that she was trying to protect the taxpayers and District

from liability by warning the Chief that he should be careful about providing information on the Engine 1 case. Commissioner Brosnan then stated she did not mean to slight or single out Commissioner Giammarco and that she would be more careful in her wording in future emails. Commissioner Fagan stated that he felt all members should be included on emails and no Commissioner should be denied information. Chairperson Giammarco stated that he and all Commissioners have the right to public information, and stated that what he asked for was part of the public domain.

## **FIRE POLICE**

Commissioner Fagan advised that he could not find any other organization in the state of Florida using the title "Fire Police.," nor do they have the authority or training to perform traffic direction functions. Commissioner Brosnan pointed out that the Fire Police work with the Sheriff's Office so they obviously have some level of training. Chairperson Giammarco pointed out that there is no written agreement between SHFRD and the Fire Police so Commissioner Fagan is asking that this immediately come under the direction of the Chief.

Chairperson Giammarco opened the floor for citizen comments. The following citizens spoke during this portion of the meeting: Fire Police member Robert Mokross stated that the Fire Police is a volunteer organization that costs a minimal amount of money and resources. Mr. Mokross asked to have an explanation for why an organization that is running well has to be re-tooled. Fire Police Captain Frank Byrne stated that he lives within one mile of the District which is within the limit set in the by-laws, and that the District should seriously consider the good work done by the Fire Police before dissolving the organization. Harry Chamberlain stated that there should be a formal relationship between the District and whichever organizations it works with in order to legitimize the organizations.

Commissioner Brosnan asked who would perform the trafficking functions if the Fire Police cease to exist. Chief Rampino responded that SHFRD would have to request the Sheriff's Office which may not have the resources to respond as quickly as the Fire Police. Commissioner Fagan stated that he does not want to dissolve the organization; he just wants to officially bring them under the SHFRD umbrella and the Chief's direction.

IAFF Local 2794 President Scott Edmisten attempted to address the Board on matters of Firefighter safety after citizens' comments had been closed. Mr. Edmisten was asked to take his seat and after not doing so, Chief Rampino explained that Mr. Edmisten has certain contractual rights as Union President to represent his local on these types of issues. Mr. Edmisten asserted that not having the Fire Police would constitute a violation of the Union contract. Commissioner Fagan confirmed that the Union contract does not call for the Fire Police to exist to which Mr. Edmisten replied that the violation would be in the form of an increased safety hazard. Mr. Edmisten advised that a grievance would be filed.

Commissioner Fagan clarified that he wanted the Chief to update his information on Fire Police applications as opposed to having all new applications done, but the Board advised that the motion called for everyone to reapply.

Commissioner Adler confirmed with Chief Rampino that SHFRD background checks are performed by FDLE and that we are usually notified by law enforcement when an SHFRD employee is arrested. Commissioner Adler asked that annual background checks be added to the December 8, 2010 agenda.

## **USE OF MECHANIC'S VEHICLE, NON-EMERGENCY VEHICLE USE, COMMISSIONERS HANDBOOK**

Commissioner Fagan requested that these items be moved to December 8, 2010 meeting. Chief Rampino explained to Chairperson Giammarco that the Commissioners Handbook was compiled as a tool to assist Board members by providing a singular place to reference District materials.

## **EMPLOYMENT PROCEDURES**

Commissioner Adler requested that this item be moved to the December 8, 2010 meeting.

The BoFC by-laws will also be addressed at the December 8, 2010 meeting. Chairperson Giammarco also requested that the new email server be added as an agenda item on the December 8, 2010 meeting.

## **CLOSING COMMENTS**

Commissioner Adler confirmed that David Greer of the IT Department has been working with the Board to resolve individual email problems. Commissioner Adler also asked that the Board consider getting new chairs as her chair's wheels fell off and one of its arms came unattached during the meeting.

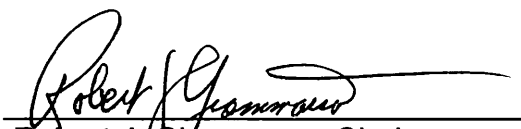
Commissioner Brosnan thanked the citizens for attending and invited everyone to the lighting ceremony on Friday, November 26.


Commissioner Fagan stated that the new Board would focus on keeping the public safe for the least amount of money.

Chairperson Giammarco advised that the Board would focus on fiscal responsibility and respect.

Chief Rampino asked for a policy for processing agenda item requests. Board members will send an email addressed to the Chief and copying all of the other Commissioners. Chairperson Giammarco and Commissioner Adler requested hard copies of the monthly packet. Requests should be in one week before the meeting. The Chief was directed to investigate buying new chairs.

**Chairperson Giammarco adjourned the regular business meeting of November 22, 2010 at 2:15 PM.**

  
Robert J. Giammarco, Chairperson

  
Wilbert Stewart, Recording Secretary