

Spring Hill Fire Rescue
Commission Meeting
1/24/07 - 7:00 P.M.

Present: Chairman Panozzo, Commissioner Jacobs, Commissioner Raborn, Commissioner Biro, Commissioner Perreira, Chief Morrison, Assistant Chief Davies, Attorney Salzman

Call To Order

Chairman Panozzo called the Commission meeting to order at 7:03p.m.

Invocation

Commissioner Jacobs gave the Invocation due to the absence of Rev. Clemons.

Pledge of Allegiance

Chairman Panozzo led the Pledge of Allegiance

Election of Officers

Chairperson

Chairman Panozzo passed the gavel and made a motion to nominate Commissioner Jacobs as Chairman. The motion was not seconded and died.

Commissioner Perreira made a motion to nominate Commissioner Biro as Chairman. The motion was not seconded and died.

Commissioner Jacobs made a motion to nominate Commissioner Biro as Chairman. Commissioner Biro declined the nomination. The motion was not seconded and died.

Commissioner Biro made a motion to nominate Commissioner Raborn as Chairman. Commissioner Perreira seconded the motion. The motion carried unanimously.

1st Vice Chairperson

Commissioner Raborn made a motion to nominate Commissioner Biro as Vice Chairman. Commissioner Perreira seconded the motion. The motion carried (3 yea -2 nay).

Commissioner Jacobs made a motion to nominate Commissioner Perreira as Vice Chairwoman. Chairman Panozzo passed the gavel and seconded the motion. The motion

did not pass (2 yea - 3 nay).

2nd Vice Chairperson

Commissioner Biro made a motion to nominate Commissioner Perreira as Second Vice Chairperson. Commissioner Raborn seconded the motion. The motion carried unanimously.

The newly elected Chairman Raborn switched seats with former chairman Gene Panozzo.

Chairman Raborn congratulated all new 2007 Officers.

Report of Counsel

Attorney Salzman reported he and Assistant Chief Davies met with Human Resource Director, Barbara Dupre earlier this date along with the County Administrator to discuss some of the personnel record issues and the human resource functions that are taking place as directed by this Fire Board. Based upon Section 5.1 of the Ordinance that was passed:

“All of human resource functions of the District shall be performed by the Hernando County Human Resources Department.”

Attorney Salzman stated what that means is Hernando County Human Resources Department will maintain the personnel function, specifically, records and making the payments. It does not mean they will be involved in individual(s) testing, determining the hiring and firing process. The County was very open to any questions presented to them. They will meet with any Fire Commissioners individually or together to discuss any of those issues. It was made clear to him and the Assistant Chief by Barbara Dupre she does not want to get involved in those things she does not currently get involved with for Hernando County. Ms. Dupre is not involved in anything involving the rank and file other than benefits and things of that nature.

Also discussed were documents and liability issues for public records. There is a strong argument to be made that those documents should not be segregated. If Hernando County is going to be maintaining those documents, then that responsibility goes with them. Discussions involving payments and insurance and how those things will be taken care of which the County is working on with this Department were discussed. There were some other issues that were actually brought to their attention which they have to look into involving some internal policies that he and the Assistant Chief have been involved in and he can say to this Board, it was a positive meeting from the standpoint of cooperation and communication. He let the County know he would be reporting back to this Fire Board that SHFR will not be getting its records back and it is not going to make this Board very happy and the County understood that position. The County is following the letter of the ordinance as it is prescribed. He thinks there will be some other changes in the personnel only to the extent that it will

probably be streamlined somewhat. Handle more normal administrative matters internally, however, those changes would be coming down in the future when they can discuss it with the Board. Some things the County recommended, he and the Assistant Chief thought were good, removing some of the liability from the Fire Board with the understanding it is an extra step for some of their rank and file, however, Ms. Dupre is willing to work with this Department with any issues that may come up.

It is his suggestion, perhaps after the next workshop, this Board should discuss having a meeting with the County either individually with this Board's members with them or Notice a meeting and have it with the County. The County is here to answer questions.

Commissioner Raborn asked if there is any additional cost from the extra responsibility?

Assistant Chief Davies stated, he did not think so.

Commissioner Raborn asked if it is a savings to this Department?

Attorney Salzman explained, it is a savings to this Department from the standpoint, staff can be doing other things instead of this. There were some recommendations to help this Department's staff and maybe streamlining some of the things currently being done one way and perhaps those things could be done the way the County does it making it quicker and easier. Ms. Dupre did have a couple of suggestions involving some of the federal policies under FLSA. They were positive suggestions.

Commissioner Raborn suggested, in the future, the Board is made aware of the County's intentions with at least 30 days notice so this Board has an opportunity to review what is going on.

Attorney Salzman stated, open communication was discussed and he thinks the County understands how it looked to this Fire Board. The County stated, they had been taking some of this Department's documentation over a period of time. However, this particular aspect, they were ready for the documents but failed to give this Department advanced notice.

Commissioner Raborn said, his concern now, with reading the letter of the law of the ordinance, the County is going to be involved on contract negotiations. Who's handling that, the County or the Board or everyone together?

Attorney Salzman stated, the contract negotiations will happen as it is normally handled. They would ask to have a representative of the Human Resource Department present probably for the purpose of discussing any of the nuances of Human Resource issues.

Commissioner Raborn asked, if basically this Department and Board make the decisions?

Attorney Salzman said yes. There was no type of discussion from the County to supercede this Fire Board or this Administration in handling the day-to-day operations other than the HR function as it exists.

Commissioner Biro asked, relative to the personnel in this Department, the fact that all personnel files are in Brooksville and that time-to-time they may need to have a personnel file. Do they have to travel to Brooksville for access or will the County send a person's file to this Department?

Attorney Salzman stated, it will depend on what the timing and issues are. The files can be brought to this Department. The County said they would work with this Department on those issues.

Commissioner Raborn asked if there were any other questions.

Commissioner Panozzo asked if this Board is working under the County's Policies (Policies & Procedures) or this Department's Policies?

Attorney Salzman stated, this Department is working under its own policies. The Collective Bargaining Agreement is something they will be negotiating and certainly when there are issues or points that involve the County policy in certain areas, they might be brought those up and bargain them, but the ultimate decision is from this Fire Board.

As this Board is aware, from the section of the ordinance, if that particular issue is not collectively bargained, it falls under County policy. It behooves everyone to know what issues would be out there that might affect either side.

Commissioner Biro stated, when negotiations start, if the County is present during them, they will be present as a resource to this Department and not as a negotiator?

Attorney Salzman said, that is correct. The County has received no information of any kind that would be to the contrary of that. This Board picks its negotiating team. The County is serving as a resource for information.

Chief Morrison stated, when the ordinance was being discussed, it was made clear that the future contract will be between the Fire Commissioner Board and Local 2794. The County Administrator at the time of the ordinance was to send a representative to this Board as a resource. There were discussions over whom that person would be at the time. As far as the negotiating team, this Fire Board as the elected party of that contract, appoints its team. In the past it has been himself and the attorney. He had asked at the last contract that the Assistant Chief become part of the negotiating team. The Assistant Chief was there as a resource to them and did not attend the executive sessions because that was the negotiating team. The negotiating team goes into executive session bringing this Fire Board's

negotiating stance to the table.

Attorney Salzman assured the Fire Board they do not expect that to change. It is helpful to have a resource for example when insurance is being negotiated. Having access to a basic understanding and some negotiating terms would be helpful. Sometimes there may be suggestions from the resource person who is sent, that may not have been thought of.

Commissioner Raborn stated, his only concern is a situation similar to the 911 Center where this Fire Board got backed into a corner being told this is what they are going to do.

Attorney Salzman stated, he and the Assistant Chief talked to the County about that and made it clear, this Board does not want to have another incident like that and were assured by the County, this Fire Board would not have another incident as that.

The meeting resulted in good communication and discussions making sure all parties involved understand everybody's position and it is his opinion if they had more meetings like that, either with this Department's staff or with individual Fire Commissioners or the Board as a whole, all involved parties would be in better shape. It was discussed what one hears in the street vs. what is really being discussed and they all need to keep the communications flowing back and forth.

Attorney Salzman stated, that is the end of his report.

Chiefs' Report

A. ST#3 Update

Assistant Chief Davies informed the Fire Board that Mr. Dean Yates from Atelier Architecture Engineering Construction, Inc. was present. The Fire Board had requested Atelier and Bandes Construction research the change orders presented at the last meeting. If the Fire Board has any questions, Mr. Yates is present to answer the Fire Board's questions.

Chairman Raborn asked Mr. Yates what did he find out about this Department not being reimbursed for the door.

Mr. Dean Yates stated the proposed change order is something his firm is going to look into negotiating with Bandes a little more thoroughly. He is aware the Fire Board initially had some concern about items like the sprinkler system and the water fountain not being initially in the bid negotiation contract. Those are items that came up after the contractor was on-site. During initial design, the sprinkler system was not included in the bay area and that they are using in their wall separation. The Hernando County Building Department took a very narrow approach to the code saying the entire building had to be sprinkled system.

Mr. Yates then asked the Board if there were any specific change orders that they wanted to address besides the doors.

Chairman Raborn stated, a lot of the issue for this Fire Board is that some of these were code that were not in the original print and should have been.

Mr. Yates stated, the only two things that came up were the sprinkler system, which is an interpretation of the code, that Hernando County took a far more narrow approach than other counties have taken in Florida. The mechanical engineer who prepared the fire protection plans has designed stations in other counties where they did use an hour separation between the bay and the living.

Chairman Raborn asked, did he check with Hernando County's Code Enforcement before writing it up? He pointed out that just because it's done one way in another County does not necessarily mean it applies in every county location. He should have checked with the people who will regulate what is needed in this County.

Mr. Yates agreed with Chairman Raborn.

Chairman Raborn pointed out that the water fountain is ADA and therefore, mandatory and should have been included.

Mr. Yates stated, there is a provision in the code that states, as interpreted from Hernando County. There was a drinking fountain in the apparatus bay that meets certain code requirements.

Commissioner Raborn responded, it met certain requirements for existing buildings. Unfortunately, this is remodeling which means it must come up to current code.

Mr. Yates stated, correct, however, the ADA drinking fountain has a high section and a low section. The code can be interpreted stating, as long as they have one of each, then, they meet the code. The drinking fountain in the apparatus bay, satisfied the code for the high drinking fountain. They included a low drinking fountain for ADA wheel chair accessibility. It was the Hernando County Building Department who insisted that they use a specific hi-low drinking fountain.

Chairman Raborn stated, he can probably live with that, however, the sprinkler system issue he had difficulty with and also, the door price is way out of range cost wise. If there was a problem with the architect and he had to re do all the doors, this Department needs to get credit for all the doors. The building came to them in a blueprint and the doors were in the schedule. If they were the wrong doors in the schedule, someone other than this Department will absorb that expense. That is between the two companies Atelier and Bades Construction.

Mr. Yates stated he will take that up with Bandes Construction.

Assistant Chief Davies asked what the Board wished to do regarding the proposed change orders.

Chairman Raborn stated they should table two of them until they get a definite answer regarding the doors.

Assistant Chief Davies explained that based upon what he presented to the Fire Board after talking with Mr. Yates earlier in the week, that change order is not part of the packet the Board received.

Commissioner Raborn said OK

Mr. Yates stated, what his company can do is prepare a change order leaving out the doors, so this process can proceed. Atelier and Bandes Construction can sit down and negotiate amongst themselves.

Commissioner Raborn asked Assistant Chief Davies if a lot of these change orders that they are about to pay extra money for are for the past building being under constructed?

Assistant Chief Davies said, that is correct. Change Orders 7, 9, 11 and 12 will be items they will go after to be reimbursed which is approximately \$52,000.

Commissioner Raborn asked Assistant Chief Davies if Hernando County is looking into who the building inspector was who inspected and passed the building?

Assistant Chief Davies stated he has not approached the County regarding that.

Commissioner Raborn stated, they need to start dotting their "i's" and crossing their "t's".

Assistant Chief Davies stated, there are probably going to be some more change orders relative to that construction that was not correct. He would prefer waiting until he has all the change orders as far as moving forward with going after monies to be reimbursed.

Chairman Raborn said, OK.

Commissioner Perreira asked Mr. Yates if he said regarding change order 10 for sprinklers, that the sprinklers needing to be installed in the apparatus bay were more stringent than usual.

Mr. Yates said, no he did not. Originally in the design sprinklers weren't in the apparatus bay. They are using an hour wall separation. He believes there is a two-hour wall separation between the bay and the living quarters which has satisfied other inspections. It was not until

after the contractor was hired and on-site that the drawings showed that the entire building had a sprinkler system. Then when he contacted the Hernando County Building Department they said, without question the entire building had to be with a sprinkler system.

Attorney Salzman asked if it is more expensive being done later than it would have been if done in the beginning?

Mr. Yates said, no it is not more expensive, it's the same cost.

Motion

Commissioner Biro made a motion to accept the change orders 1,2,7,9,10,11 and 12. Commissioner Perreira seconded the motion. The motion carried unanimously.

B. Site Plan

Assistant Chief Davies distributed an overall site plan to the Fire Board explaining he would like to discuss the plans. On the overall site plan, it shows a sidewalk that goes from the front of the building out to the street. They've updated the site plan to add three parking spaces in the front, one as a handicapped parking space. In so doing, it eliminates approximately 80 ft. of concrete sidewalk. They will have a credit on the concrete because concrete costs more than blacktop.

Assistant Chief Davies stated, Mr. Yates will explain what the initial delay was on the contract.

Mr. Yates explained that Hernando County requires that in order to issue a building permit, they need to have signed truss drawings. Mr. Yates' structural engineer does not prepare truss drawings and it is not general practice that he does.

After a contractor has a job he will go to a truss manufacturer. They will prepare signed engineer truss drawings. That puts SHFR in a Catch-22 situation because no contractor is going to pay to have truss drawings manufactured until they have a contract. So the permit sits in limbo. There are certain things they say that is needed, and that is one of them. Once Bandes Construction, Inc. was under contract, they had a truss manufacturer to prepare the drawings. They could not get the building permit until Hernando County reviewed the truss drawings. That was the initial lapse in time from when their contract was signed and when they actually began construction. Bandes Construction did not set up on-site until they had the permit in-hand.

Chairman Raborn asked, and how long did that take?

Mr. Yates said it took approximately 4 to 5 weeks. No charges happened because they do not actually set up on-site until they have the permit.

Chairman Raborn asked Attorney Salzman, if they can charge back to the original contractor for time lost that SHFR is being charged from when they found the problem in the building to it being fixed? Because that is all part of why he lost time.

Attorney Salzman stated, he thinks it would be an issue to bring up and look at and yes he agrees.

Mr. Yates pointed out the structural engineer on the project came to the site when the problem was initially discovered. He accessed the condition and he was involved from the beginning. He had to prepare new drawings, signed and sealed and those had to go back through the building permit review. That's where the time was lost.

Commissioner Perreira stated, looking at the last minutes, they had the discussion regarding the delay in starting, however, there is a questions regarding them charging this Department for time delay. Is there a charge that this Fire Board is not seeing?

Assistant Chief Davies said no. The change order for that time delay is for well into the project when they started the demolition. They found the problems with the building which created a delay because new drawings had to be made.

Attorney Salzman stated they have not acquiesced to the delay they are referring to.

Commissioner Perreira thanked Attorney Salzman.

Chairman Raborn asked if there were any other questions for Mr. Dean Yates. There were none.

Mr. Yates said, thank you.

C. Hardening Admin.

Assistant Chief Davies reported he was directed by the Fire Board to look into hardening just the Communications Center. He talked with one of the architects who is currently working on one of SHFR's buildings. The architect suggested it was not a good idea to harden only one portion of the building and what will happen if the remainder of the building fails. It was suggested to either look at hardening the whole facility or due to the amount of cost not proceeding at this time.

Chairman Raborn stated, one of his suggestions was going to be, when ST#2 is being done, they move communications to a hardened facility, rather than bring Administration to a hardened facility level.

Assistant Chief Davies stated, that would probably change the plans for ST#2 and make it

a two-story building again. At this point they are hard pressed to make everything fit in the ST#2 building with the three bays and the living quarters, etc.

Commissioner Perreira remembers while in discussion with the County when the EOC was being set up and dispatch was being shared, that when an emergency becomes an emergency, SHFR would be moving its facility into the EOC and working under the EOC. Do they really need to harden this building if they are going to be in a hardened building already?

Chief Morrison stated, it would always be nice to have a hardened facility (tornadoes, other things might occur), but the hardened facility that the Spring Hill taxpayers paid for out in Brooksville, SHFR has been told they can move operations into during a storm. They already have members in the EOC and it can be worked out. Getting a hardened facility in the new building next he thinks is more than doable. The consideration for the Fire Board will be, how much additional money will be needed to make that doable. The architect recommended hardening the entire building, however, they can still look at hardening the Communications Center only. They will look at both options and get back to the Board.

Commissioner Biro stated from what he understands after discussing this with other places, they may be able to get some grant money for hardening the Communications Center. They should look into that also.

Chief Morrison stated, they will look into both general and homeland security grant money for that.

Chairman Raborn added, they may also be able to get Emergency Management money for the hardening.

Assistant Chief Davies asked if they want him to call Mr. Kelly tomorrow and look at possibly putting the Communications Center in ST#2 and see how much more it would cost?

Chairman Raborn said, they do not want to have a second floor, however, if it's possible to include the Communication Center in ST#2 without being elaborate.

Commissioner Jacobs feels it makes sense to harden the Communications Center and not moving into ST#2.

D. School Pay Back Contract

(Tabled).

E. ST#5 Update

Assistant Chief Davies reported, District Chief Carroll contacted DEVCO Corporation who

donated property for SHFR in Sterling Hill. With the provisos at that time there would probably be fees involved related to them changing their master plan and getting a legal description. Changing the master plan for the fire station site will cost approximately \$4,000 - \$6,000 depending on the course complexity of the issues that arise and whether the application is opposed by neighbors. A legal description will cost approximately \$3,000, for a total cost of approximately \$7,000 - \$9,000 in order for the property to be deeded to SHFR. He will have Attorney Salzman review the paperwork which came from an attorney's office.

New Business

A. Chief 3 - Commissioner Biro

Commissioner Biro stated, they were discussing the Chief 3 position in recent meetings and he has presented to the Board a diagram of the proposed organizational chart. The Department is budgeted for this position and the time has come in this Department that they need a third Chief. This would give them another 40-hour person in the office that will be able to handle upcoming projects and work. The Fire Chief position is dealing so much with the politics and everyday happenings with the County and that leaves one Assistant Chief to handle the entire Department regarding operations. He knows they have District Chiefs and could give them extra, however, the District Chiefs are not here every day to keep the continuity going. He has presented this organizational chart to open it up for discussion.

Chairman Raborn asked, with twelve Captains, three District Chiefs, a Fire Chief, an Assistant Chief, with reorganization, couldn't the Fire Chief handle the everyday operations as it is with the officers he has without adding an extra step?

Chief Morrison stated, they absolutely could handle it and have been handling it for years. Currently, SHFR has an Inspection Division that is growing and as this new construction is happening, that is an area SHFR needs to concentrate on. The Inspection Division has no direct supervisor. SHFR has a Training Division with no direct supervisor. They are growing in multiple areas and missing that supervision link between them and the Fire Chief. That's why they need a 40-hour link between the field and the office and one that is outside the union and on the Administrative team.

Attorney Salzman pointed out that having a third chief will make it easier regarding others being out or on vacation.

Commissioner Biro stated they have been working with two chiefs since 1976. They now have more than 109 personnel in this Department and need someone to be a link between the Chief's office and outside. That is his reason for an Ops Chief. For a Department this size, they should have three chiefs. As the department grows they could actually include a deputy chief below the Chief position in ten years.

Commissioner Perreira complemented the job Commissioner Biro did on the Organizational Chart.

Commissioner Perreira thought they had more Captains.

Commissioner Biro stated they do, he took this data off last year's proposal.

Commissioner Perreira stated they just had a strategic planning meeting looking at three years out and one of the things this would assist with is the quality assurance program that is in place but not as strong as could be. Having an Operations person could actually help lead the quality assurance.

Commissioner Biro stated, the only thing they would have to do is set up the parameters for the job description and he has a few descriptions the Fire Board could look at later. There is also one for Admin. Chief which would be in addition to the Ops Chief.

Attorney Salzman stated, that should be brought to the next workshop to be looked at and then a determination made.

Chairman Raborn directed that the Admin. Chief position be placed on the next agenda.

Comments of Commissioners

Chairman Raborn - This week seemed to be a very profitable week for the local newspaper. Somebody came out of their shell and decided he was going to talk to some other people and speak some un truths. He needs to bring this up regarding an article he read in the local newspaper. He is not going to say what paper because he does not want to promote one paper over another. However, to rebut Mr. Nolte's comments and cancerous attitude in this community, along with an ex commissioner who does not have a clue about running an actual fire department, let alone running an actual fire or knows what is or is not needed.

Commissioner Raborn read a statement aloud (copy attached) in response to Mr. Nolte's editorial.

Commissioner Perreira - No comment.

Commissioner Panozzo - Complemented all new officer positions.

Commissioner Biro - He would like to rebut the statement 'Spring Hill Firefighters love to fight other peoples fires. They had some medical calls that belonged to the County.' This is not true. The only time they go outside the County is mutual aid. This person does not know what he is talking about or he is getting information from somebody who doesn't have a clue how to run a fire department. The other thing he does not like is the promoting that firefighters are

not doing their job and them being outside the District there is a chance this Department could be sued.

The firefighters do a heck of a job and Mr. Nolte needs to come ride with them for a 24-hour shift to actually see what they are doing and maybe he will get his facts straight instead of writing such outlandish false lies in the papers given to him by some disgruntled ex commissioner. Try to get your facts straight and do some more research rather than just take information from somebody who does not know what they are talking about.

Commissioner Jacobs - He would like to add that they keep getting hit about sending two vehicles to every call and having ridden on a vehicle and seeing why they have two vehicles out there and understanding what occurs, they will continue to always have two vehicles on every call unless they definitely know they are not needed. This Department serves a purpose in the community and its more about saving lives and servicing the community than it is about saving money or conserving money without thought of what they are trying to accomplish. Their first mission is to save lives, not money. They would like to do both if they possibly can, but the first mission is to save lives and by sending two vehicles they definitely do. They have a lot of people here with weight problems and it's impossible to handle it and get the job done. In addition, the paperwork must be filled out before anything occurs. That takes one person and that leaves only one other person to do everything so therefore, they still need two vehicles. He gets sad every time he hears somebody talk about them sending two vehicles. He has no trouble defending this. He was handed a letter this past week, for some of these things. He doesn't know who it is from because it is given to him by a third party and he said he would not address it until he finds out who the person is and he will talk to him directly. But these same questions came up and he would suspect it might have been the same person that gave this information to the press because it is ironic that some of the same questions were in that letter. He has worked all over the world and he knows how a fire department stands and he knows how this fire department stacks up against other fire departments in the United States and he defies anybody in this community to show this Board that this department really has shortcomings. If they are talking about running a department without spending money, then they are wasting their time and this Department's time and they are selling newspapers and not looking out for the community. So he would like for anybody who can say this is not a good Department that is doing the job it is suppose to do to come to him because he would be glad to talk with them and he will lay his experience around on the line at any time.

Commissioner Biro stated he would like to get consensus from the Board to invite Mr. Nolte to come out and ride with this Department's personnel to see exactly what they do and see if he can come out and write a true story about how this department actually functions.

Commissioner Perreira - In addition, if there are any questions that come up or if there is a need to verify a story, an article, letters from the editor, she would invite Mr. Nolte to please call this Board first. This Fire Board is very accessible and would be very happy to speak with Mr.

Nolte about these issues before putting things in the paper that are untruths.

Commissioner Raborn stated, he has been here three years but he does not think that is Mr. Nolte's objective.

Commissioner Perreira stated, perhaps it's never been offered before.

Chairman Raborn stated, to the people of Spring Hill, to be advised they are represented by some of the very best.

Open Forum

None.

Motion

Commissioner Biro made a motion to adjourn the Commission meeting. Commissioner Jacobs seconded the motion. The motion carried unanimously.

Adjourn

The Commission meeting adjourned at 8:04 p.m.

Charles Raborn, Chairman

Michele B. Stevens, Recording Secretary