

SPRING HILL FIRE RESCUE
Commission Meeting
June 22, 2005
7:00 p.m.

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

Excused: Chairman Panozzo

Call to Order

Vice Chairman Jacobs called the Commission Meeting to order at 7:13 p.m.

Invocation

Vice Chairman Jacobs gave the invocation.

Pledge of Allegiance

Vice Chairman Jacobs led the Pledge of Allegiance.

Consent Agenda

Vice Chairman Jacobs asked if there were any questions regarding the Consent Agenda.

Motion

Commissioner Raborn made a Motion to accept the Consent Agenda

Commissioner Biro seconded the Motion.

The Motion carried unanimously (4-0)

Report of Counsel

A. Discussion of Proposed Ordinance Changes

Attorney Salzman stated that Hernando County Board of Commissioners granted the Board's request for continuance on the Ordinance changes and the meeting is set for July 12th. He and the Chief along with Commissioner Jacobs reviewed some of the changes in the language and met with some members

of the County to go over issues. The changes will be brought back to the Board for review. Upon the Board's approval of the changes, it will be presented to the members of the County to come up with a finalized version to be voted on. The issues that need clarification are the purchasing issues in the budget and the area of personnel. The Board received a copy of the latest version of the changes in the Ordinance. Those issues were discussed at the meeting with the County Administrator and the County Attorney. Under Section-5 Human Resources; the change made was "coordination of hiring" as opposed to "hiring", whereas, the County will coordinate with the Department to provide the background information and the screening. The other issue is what will the Department be charged for that service? If so, what would be the rate? The other issue that was added is paragraph-2, page-5, "subject to any collective bargaining agreements in effect on the date of the Ordinance." This deals with the issue that they cannot do anything contrary to the Collective Bargaining Agreement. Other than those two issues, the County Commissioners perceives the Ordinance the same as it was before. The County wants to help the Department in some areas to make sure things are done correctly. They do not want to micro manage the Department.

Commissioner Raborn asked if Ms. Dupree will have control over the Department's future Collective Bargaining Agreements, as stated in the newspaper?

Attorney Salzman stated that Ms. Dupree would not necessarily be sitting at the Collective Bargaining table, it would probably be an Assistant County Attorney. The Board will tap into the County's expertise in Human Resource's and still be able to run the Fire Department with the understanding that there will be some parameters, which will probably be the County's Policy and Procedures. It will be clarified as to who will sign the future Collective Bargaining Agreement, but he does not believe that would be an issue.

Commissioner Raborn stated that he feels the County is trying to make the Department equal to them in pay and benefits and he is concerned about that.

Attorney Salzman said if the County wanted to they can. There are aspects that can be taken control of as a dependent Department.

Commissioner Biro asked why would the County Attorney be sitting in on the Union negotiations when the Department's Attorney always sat in on them?

Attorney Salzman stated that he has no problem with anybody from the County sitting in on the negotiations, because they may bring different ideas to the table that may be worth looking at. Ultimately, it will still have to be brought back to the Board for approval. The negotiations are done in a civil open manner.

Commissioner Biro stated that he was concerned with the comment from the County Attorney made at the County Commission meeting, as to "there is nothing they can do about it now" regarding the Union

Contract. This comment led him to believe that the County has plans to try and cut the salaries and benefits of the Department.

Attorney Salzman said let's assume they do want to cut the salaries and benefits, that cannot be done unilaterally. If the County had a problem with the Department's salaries and budgets the County would have done something about it by now.

Vice Chairman Jacobs stated that the County Attorney's comment "not doing anything right now" was to let the people of Spring Hill know the action taken from the County will not be dramatic because the contract is for 3-years. He recommended that the Board follow any advice Counsel has on the Ordinance change issue.

The Board agreed to follow Counsel's advice.

Commissioner Biro asked in the event the Ordinance gets passed and they are not comfortable with the outcome, is there another recourse?

Vice Chairman Jacobs stated that everything is always open for discussion, therefore, the subject can be brought back to the table for discussion.

Attorney Salzman said absolutely. The Board asked for two changes to be made on the Ordinance and the County made those changes. It's a good sign that the County is willing to meet with them for discussion.

Vice Chairman Jacobs stated that he was assured by the County Administrator and the County Chairman that they do not want to run this Department.

Attorney Salzman stated that the proposed changes will be brought back to the Board at a Special meeting.

Vice Chairman Jacobs informed the Board that Chairman Panozzo is ill and his wife took him out of town.

Chief's Report

Chief Morrison stated that he has a few issues to discuss, but they were not put on the Agenda. The first issue is the Station-2 project, which the Assistant Chief discussed at the last Workshop. To bring the Board up to date, the proposal for the project has been received and a committee has been formed. The committee evaluated the proposals and is ready to make a recommendation. The Board will receive a copy of the proposal to review and then this item will be put on the Agenda for a vote.

A. Military Leave Update - Romine

Chief Morrison stated that Firefighter Romine went on active Military Leave approximately 2-years ago. The laws for Military Leave are constantly changing when it comes to how employers are suppose to treat employees who go on active duty. The laws contradict each other at times, but everybody agreed to follow the law that gives the most benefits to the individual that is in the military. The IRS Law states that once an employee leaves for military duty, there is no longer an employee-employer relationship. The County has recommended that the Department terminate Mr. Romine back to January 1st, because of the IRS Law. When Mr. Romine is discharged from the military, he has 1-year to resubmit for employment. The Department will then reinstate Mr. Romine as an employee, whereas, all his leave time, raises, seniority and retirement would be kept on record. The supplemental wage pay should not be considered a wage, which is an IRS regulation. He e-mailed Mr. Romine to let him know he will not suffer by the Board's actions. By putting Mr. Romine into a terminated status it will put the Department in line with the IRS regulations.

The Board further discussed supplemental pay.

Chief Morrison stated that the appropriate action for the Board is to terminate Mr. Romine and retro it to January 1st.

Scott Edmisten Vice President Local 2794, stated that he did some research, which was ambiguous because he couldn't find anything that addressed the situation. Therefore, he did not have a definitive opinion about the issue.

Commissioner Biro asked what was Counsel's opinion?

Attorney Salzman said no one asked for his opinion. He would have to do some research.

Commissioner Perreira stated that the laws are always changing. If they terminate Mr. Romine effective January 1st, they would need to have in writing what the laws were at the time of his termination.

Attorney Salzman stated that normally the Federal Law takes precedence. Before the Board finalizes this issue, he would like to do some research. He would like to have a written opinion from the County since they are going to be taking over these areas to make sure they are following the County's direction.

Chief Morrison stated that the Federal Statute Law states "whichever Law is more beneficial to the employee that is the Law that holds precedence." He will have Attorney Salzman look over the Statute.

Attorney Salzman stated that he doesn't have any doubt that the Department will re-employee this

individual, but there is some conflict as to the time period of re-employment.

Chief Morrison stated that he will give Attorney Salzman a copy of the paperwork he received from the County to review. This Item will be put on the Agenda for the Board's next meeting.

Attorney Salzman stated that some Laws are retroactive, some are not, therefore he will do some research.

Commissioner Biro asked if Attorney Salzman was going to get something in writing from the County?

Attorney Salzman said yes, for some instructions on how the County would like the Department to proceed regarding this matter.

Chief Morrison informed the Board that Firefighter Steve Terry will be leaving for active duty for a period of at least 18-months.

Vice Chairman Jacobs suggested that Item-A, Military Leave Update - Romaine be Tabled until the Board receives further information.

The Board gave consensus to Table Item-A

B. Air Condition Problem - Headquarters

Chief Morrison stated that the new Server they purchased for the various new programs generates a lot of heat. The Server is located in a room in the middle of Headquarters along with the air conditioner intake unit. Due to this issue, on a hot day the building cannot be kept cool. The Department received a quote of \$3,000, but he needs to get some other quotes. There is money in the Capital Construction Fund to cover this item, but he needs approval from the Board. Once he receives a proper quote he will move forward and get the work done. He received a bid for \$2,000 to have a separate air-conditioning unit put in the room, but he would like the air-conditioning intake unit taken out of the room. He feels that would cost less than \$3,000.

Motion

Commissioner Raborn made a Motion to approve spending up to \$3,000, once the appropriate bid comes in.

Commissioner Perreira seconded the Motion.

The Motion carried unanimously (4-0)

C. Rental Office Space

Chief Morrison stated that the Board is aware of the Station-2 project to develop more office space. The temporary solution was to rent a trailer for outside of Headquarters, which had some dilemmas. He was informed of a rental unit that has become available across from Headquarters. He contacted the County to find out what steps need to be taken to rent the unit. He was told the Department needs to negotiate the best possible price, which the Assistant Chief has done. The rental space is a 600-square foot unit. He was given a price quote of \$495 a month for a year's lease. They will split the \$20 cost for maintenance and painting. If the Department rents the space for 2-years, it will save them \$3,000 as opposed to the cost of the trailer. He will have Attorney Salzman go over the lease agreement. The Billing Department and the Fire Inspector's will be moved into the unit. By moving the Inspector's out of Station-4 it will give the men and women at that Station adequate room to live in.

Motion

Commissioner Biro made a Motion to approve the \$495.00 rental unit with a 2-year lease.

Commissioner Raborn seconded the Motion.

The Motion carried unanimously (4-0).

D. Budget

Chief Morrison stated that there are three different budgets, which the Board traditionally approves. The first is the Tax District: the Ad-Valorem budget, the second is the Fire Department: the Operating budget and the third is the Hydrant budget. The Property Appraiser does not have to give them the value of Spring Hill until July 1st, by State Statute. The Property Appraiser released the preliminary figures and based on 100% the estimated figure for the Ad Valorem Tax is 8,167,422, which was budgeted at 95% and the estimated figure is 7,759,051. He based the figures on a 2.65 milage rate. The Board will be approving the Tax District Ad Valorem budget figure of \$7998,226. The Hydrant budget Fund #701, is budgeted at 95% and estimated at \$208,586. The \$25,000 in Administrator Fees is money that is paid to the Fire District to administrate the Hydrant Budget. The Non-Operating figures are for money left in Fund #701 for Contingencies \$35,000, Repair & Replacement \$86,736 and Cash Forward \$56,900. This Fund is slowly declining due to interest rates.

The Board further discussed the Hydrant Fund.

Chief Morrison stated that the next time the Board meets would be to discuss the Capital Items in the budget.

Vice Chairman Jacobs stated that he wanted everybody to be aware of the reduction in the milage rate

to 2.65. The community is growing and the Department is moving in the right direction and trying not to spend the taxpayer's money.

Chief Morrison stated that last year there was some criticism for reducing the milage rate. He feels Spring Hill Fire Rescue is providing the best service to the community at the best rate.

Vice Chairman Jacobs stated that Chief Morrison is one of the best budgeteers around the area, which puts a feather in the Department's cap.

Chief Morrison asked for a public meeting to finalize the budget.

The Board agreed to have a Special Budget Meeting on June 29th, at 6:00p.m.

The Board further discussed the budget.

Commissioner Raborn stated that Ms. Dupree is looking at a 28% increase in health insurance. If the Department shops around for health insurance and comes in less than 20%, would it change how the Department shops for insurance if the County goes through with their proposal?

Chief Morrison stated that the Department pays a much higher rate then the County because the Department is a small agency. The Department asked the County 3-years ago if they can join their insurance group, but they County's said no.

Attorney Salzman stated that will change. The Department will be part of the County's pool based on the Collective Bargaining Agreement once it is expired.

Commissioner Raborn stated that at the next contract things could change.

Attorney Salzman said yes. It could change to the Department's benefit.

Chief Morrison stated that he had another issue that was not on the Agenda. There is a commercial store on Mariner Blvd and by code required a hydrant. However, after the store was built, a hydrant was not installed. Attorney Mason, the store owner's attorney, contacted the Department to discuss an agreement as to where the hydrant should be installed. The agreement was about to be finalized when the County Utility Department said they were putting a water main in front of the commercial building within the next 18-months. The Department asked Attorney Mason to draw up a contract stating that once the water main is finished a hydrant has to be installed. County Utility is now saying they are not going to put an 8-inch line, but they are installing a 6-inch line. The Fire Inspector and Administration will make sure that County Policy 93-1, Hydrants will be followed to keep the people safe. To accomplish this issue he has to sign a contract that legal has already approved, therefore, he would need a consensus to sign the contract.

The Board further discussed the fire hydrant.

Motion

Commissioner Biro made a Motion to allow Chief Morrison to sign the contract for the fire hydrant and water pipe.

Commissioner Raborn seconded the Motion.

The Motion carried unanimously (4-0).

Chief Morrison stated that the Department is licenced by the State of Florida to provide Emergency Medical Services. The State of Florida will conduct an inspection every 2-years and only give a week notice ahead of time. The inspection was done on Monday and the Department had no deficiencies. He is very proud of the men and women in the Department.

Vice Chairman Jacobs stated that the inspection is like a report for the welfare of the Community. The Department received an A-plus in meeting the obligations of the community for rescue service.

Chief Morrison stated that at the previous meeting the Assistant Chief informed the Board of the State grant the Department was awarded. The Training Officer wrote the grant and the 12-Led-EKGs will be purchase with the grant money. The 12-Led-EKG will be able to communicate with the new Lap-Top computers the Department purchased last year with grant money. The grant is a 75%-25% matching grant and he is budgeting \$45,350 for the Department's portion. He suggested funds be released from the Contingency Fund in order to make the purchase, otherwise, they will have to wait until October to move forward on this project. The County would have to authorize the release of the Funds, but he feels they would see the benefit to the community with this item.

Commissioner Raborn stated that this item is for the patient's immediate care.

Chief Morrison stated that when this item comes in there will be a lot of training involved.

The Board further discussed grant money.

Motion

Commissioner Raborn made a Motion requesting money be taken out of the Contingency Fund in order to purchase the 12-Led-EKGs.

Commissioner Biro seconded the Motion.

The Motion carried unanimously (4-0).

Chief Morrison stated that the Department will have their second annual Cook-Off, which Pastor Jack is in charge of. It will be held at Headquarters on July 15th, at 1:00 p.m.

The Board further discussed the Cook-Off.

Unfinished Business

A. Status of Employment - Firefighter Chorvat

Chief Morrison stated that Firefighter Chorvat has a long battle with his health and his status is still uncertain. Unfortunately, and with regret, he recommends that the Board terminate Firefighter Chorvat's employment. He discussed this with Firefighter Chorvat and told him if something changes in his medical condition and he could fight fires again, he would come to the Board and request rehiring him.

Commissioner Biro asked if more time could be granted would there be a chance Mr. Chorvat could come back?

Chief Morrison stated that firefighter Chorvat has been out for 1-year and there has been donation of time to help keep him along.

Vice Chairman Jacobs asked Counsel his opinion regarding this issue.

Attorney Salzman agreed with Chief Morrison's recommendation.

Vice Chairman Jacobs asked if Local 2794 had an opinion on this subject.

Scott Edmisten Vice President Local 2794, stated that he hasn't been in contact with Firefighter Chorvat or the President of the Union. Therefore he did not have an opinion at this time, but he appreciated how the Chief handled this issue.

Motion

Commissioner Raborn made a Motion to terminate Firefighter Chorvat with the contingency of; if he is able to return to duty he will be rehired if there is an open position.

Commissioner Perreira seconded the Motion.

The Motion carried unanimously (4-0)

B. Resignation Letter - P/T Dispatcher

Chief Morrison stated that part time Dispatcher Richard Russell regretted to give his resignation, but due to family issues he had no choice. Mr. Russell was not with the Department long and was still in training at the time of his decision.

Motion

Commissioner Raborn made a Motion to accept Mr. Russell's resignation letter.

Commissioner Biro seconded the Motion.

The Motion carried unanimously (4-0).

Commissioner Raborn asked how did the individual do who took the State Test?

Assistant Chief Davies stated that he wasn't sure because the computers weren't printing out the certificates correctly. He can possibly find out the information on Friday.

C. Ladder Truck Update - Demo Availability

Assistant Chief Davies stated that the truck is still available, but still north of the border. He and Calvin, the Department's mechanic, will be going to Wisconsin on Monday to look over Engine-1 and possibly be able to discuss the ladder truck with Tim from Ten-8.

Commissioner Raborn stated that he would like to see the truck before they purchase it.

Vice Chairman Jacobs stated that he would like Commissioner Raborn to view the truck and give the Board his opinion because he is an expert in the area.

New Business

A. Maintenance Technician - Hiring List

Assistant Chief Davies stated that last Monday, he and Captain Challis along with Larry Kozloski, the current Maintenance Technician, interviewed 6-individuals for this position. It was a hard decision. At this time the Board would need to approve the list, then he would make an Offer of Employment.

Motion

Commissioner Biro made a Motion to approve the Hiring List for the Maintenance Technician and to Offer Employment to the first name on the list.

Commissioner Perreira seconded the Motion.

The Motion carried unanimously (4-0)

Comments of Commission

Commissioner Jacobs stated that the Fire Chief never asked for the ladder truck the Board pressed the issue. The Department has the facility to house the ladder truck and he invited the media to come to the facility to see that the Department has the room to house the truck.

Commissioner Biro had no comment.

Commissioner Raborn stated that some of the letters in the newspaper that were written to the editors were unsigned. Those are faceless, pen-less, spineless people. Last month he was very critical of some editorials written, he meant the letter writers needed to be educated. If somebody writes into the newspapers they should have some facts and the right facts if they are going to share their opinion with the public.

Commissioner Perreira had no comment.

Open Forum

Scott Edminsten Vice President Local 2794, stated that the Union does not have a position as to whether or not it is the right thing to do legally regarding Firefighter Romine's Military Leave issue. The Union would not advocate terminating Mr. Romine, but he wasn't sure of the legalities. The Union would like to hold their final judgement until they receive legal opinion and proof.

Martin Monihan Spring Hill resident, asked what did the Department do? What infraction is the County blaming the Department for? What concerns does the County have to immediately change the Ordinance? He would like to know the changes in the policy and requested copies of those changes. He also suggested that the Department look into purchasing a tower ladder instead of a ladder truck.

Jim Monk Spring Hill resident, stated that he doesn't like to see the rhetoric the County has been putting in the newspapers. The Department should put their side of the story in the newspapers to let the people know, because the people only go by what they read. In the beginning the community didn't turn Spring Hill Fire Rescue over to the County. The Board was elected by the Spring Hill residents, and the County was given permission to "over see" the Spring Hill budget. He has no idea as to what the County wants to change and would like a copy of those changes.

Vice Chairman Jacobs suggested that Mr. Monk get together with the Spring Hill Civic Association and make them aware of the situation. It would be good for the citizens of Spring Hill to be aware of the issues and have some input.

Attorney Salzman stated that the Community needs to come forward and speak up because this is a dependent Fire District and the County oversees it. If the Community wants to keep the Department a separate entity the community has to come forward and get the County Commission to agree. Otherwise, the community can end up with a Department that could just be another branch of the County.

The Board further discussed the County Commission meeting set for July 12th.

Motion

Commissioner Raborn made a Motion to Adjourn the Commission Meeting.

Commissioner Biro second the Motion.

The Motion carried unanimously (4-0).

Adjourn

Vice Chairman Jacobs Adjourned the Commission Meeting at 9:10 p.m.

Leo Jacobs, Vice Chairman

Joan E. Chiofalo, Board Secretary