

SPRING HILL FIRE RESCUE
Commission Meeting
October 22, 2003
7:00 p.m.

Present: Chairman Hollander, Commissioner Panozzo, Commissioner Marasciullo,
Commissioner Hamilton, Chief Morrison, Assistant Chief Davies,
Attorney Martinez, Doctor Blackburn

Excused: Commissioner Martin, Attorney Salzman

Call to Order

Chairman Hollander called the Commission Meeting to order at 7:05 p.m.

Invocation

Rev. Clemons gave the invocation.

Pledge of Allegiance

Chairman Hollander led the Pledge of Allegiance.

Consent Agenda

Chairman Hollander asked for a Motion to accept the Consent Agenda.

Motion

Commissioner Panozzo made a Motion to accept the Consent Agenda.

Commissioner Marasciullo seconded the Motion.

Commissioner Hamilton asked what is the Maintenance Technician's job description?

Chief Morrison stated that the Maintenance Technician's main function is to maintain hydrants, but sometimes he does small repairs for the department.

The Motion carried unanimously (4-0).

Medical Director's Report

Chairman Hollander stated that the Medical Director will be late, therefore, they will proceed

with the next item on the Agenda.

Report of Counsel

A. Settlement of Lawsuit

Attorney Martinez stated that the Linden Property Insurance Company verse's Spring Hill Fire Rescue is being handled by Attorney Salzman and Attorney Cole. The Board directed Attorney Salzman to continue negotiations with the opposing counsel to determine if the attorney fees could be reduced. Those negotiations took place and the agreement was \$7,494.44 for attorney fees and the remaining contract balance was \$23,111.58. These amounts, when paid, would settle the entire case.

Motion

Commissioner Panozzo made a Motion to pay attorney fees of \$7,494.44 and the remaining balance of \$23,111.58.

Commissioner Marasciullo seconded the Motion.

Commissioner Panozzo asked does the Department have the money to pay for this?

Chief Morrison stated that they have \$19,734.51 in a Retainage account. He recommended taking the remaining monies out of the Contingency Fund.

Commissioner Hamilton stated that at their previous meeting, Attorney Salzman indicated his displeasure with being charged \$75.00 an hour for clerical assistance. Does the \$7,494.44 represent a reduction in the \$75.00?

Attorney Martinez stated that she does not believe the \$7,494.44 represents any reduction for the clerical expenses. The attorney fees were much lower then an attorney in this particular area of law would generally charge. Therefore, because there was a reduction in the attorney fees, there was no reduction in the clerical fees. After reviewing the fee expenses, the charges were reasonable.

The Board further discussed the lawsuit.

Commissioner Hamilton stated that at the previous meeting, Attorney Salzman stated that those fees were unnecessary because the opposing counsel should have told them the cost was \$23,111.58 in the begining. He asked, who are the opposing attorneys?

Attorney Martinez stated that the Linden Property Insurance Company is represented by Mr. Brian Lambart of MacRae/ Metcalf, P.A., in Tallahassee Fl., and also an office in Tampa.

Chief Morrison stated that he understands how Commissioner Hamilton feels, because he felt the same way throughout this whole issue. This is not an easy decision to make as a Board, but in order to do the right thing they will incur attorney fees as well as pay for the opposing attorney fees. Do they want to spend more money on this issue.

Commissioner Hamilton asked if there was a provision in the Bar Association for Arbitration regarding an issue such as this one?

Attorney Martinez stated that this type of situation would not be allowed to go through the arbitration process, because it is a contractual issue.

Commissioner Hamilton stated that he feels some of the expense should be shared by the opposing insurance company.

Attorney Martinez stated, that is something she is unable to respond to.

Chairman Hollander stated that the Chairman at that time thought it was a good idea not to pay the bill because there were a few things not finished on the maintenance building. At the time, he was new on the Board and was against not paying the bill, because he anticipated something like this to happen. It's in the Minutes how this problem was created.

Commissioner Hamilton stated that he hopes they remember this incident and not repeat this kind of mistake in the future. He was still unhappy about Mr. Brian Lambart of Tallahassee and the unnamed insurance company.

Chairman Hollander stated that this was a learning experience. The only option is to pay the bill and put this issue behind them.

The Motion carried unanimously (4-0).

Chief's Report

Chief Morrison stated that the County is doing its annual United Way Fund Raiser. There will be a live broadcast on November 8th, channel-19. Spring Hill Fire Rescue was asked to attend and man the phones for an hour in the afternoon from 2:00 - 3:00 p.m. It will be at the County building and if anyone is interested in assisting, please give him a call.

Unfinished Business

A. Medical Director's Contract

Chairman Hollander stated that he reviewed the original contract and the only change was on page-4, paragraph-6.

Chief Morrison stated that he compared it to the original contract and the only thing he found was the omission of anything that references it as a one-year contract. If the contract is approved, it will go on the agenda every year for their Workshop in June. This will give the Board enough time to discuss whether or not to continue the contract. He sent an e-mail to the Board and the Board Secretary regarding this issue.

Chairman Hollander stated that the way the contract is written it does not have to be yearly. They are giving the Medical Director 90-days, therefore, it can be 90-days from any time.

Chief Morrison stated that he would like to review the contract with the Board annually.

Motion

Commissioner Hamilton made a Motion to accept the Medical Director's contract.

Commissioner Marasciullo seconded the Motion.

Commissioner Hamilton stated that on page-1, paragraph-2, was lifted right from the Florida Rules, however, the contract did not include the words Administrative and Managerial functions as in the Florida Rules. The reason those words were included in the Florida Rules was because the medical director's exempted from liability, to the extent that they offer live advice to paramedics etc., under the Samaritan Act. As an employee of the fire district they would expect the medical director to have administrative and managerial functions and they would assume the liability. Perhaps the attorney can do some research on this issue. It is for the protection of the medical director and the fire district, therefore that provision should be included in the contract.

Attorney Martinez stated that Attorney Salzman drafted the contract and she will recommend that he advise the Board as to his decision whether or not to include that provision.

Commissioner Hamilton stated that he is reluctant to vote on this issue until Attorney Salzman has reviewed it.

The Board further discussed the Medical Director's contract.

Chief Morrison stated that the signed amendment to the contract gave the medical director a 90-day extension, therefore, they can table this issue until counsel reviews it.

Motion

Commissioner Hamilton made a Motion to Table Item 8-A.

Commissioner Panozzo seconded the Motion.

The Motion carried unanimously (4-0).

Attorney Martinez advised the Board to continue with Unfinished Business before they make a vote to put the Medical Director's contract on the Agenda for the next Regular meeting.

Dr. Blackburn arrived at 7:45 p.m.

B. Policy and Procedures

Chief Morrison stated that this month the policy and procedure committee had nothing for the Board to vote on. The committee met on Monday and those issues will be reviewed and faxed to the attorney and the Board for review. The policies will be discussed at the Workshop and voted on at the next Regular meeting.

C. Update on Station-3 Renovation

Chief Morrison stated that All Coast Engineering has submitted some preliminary drawings for Station-3. All Coast Engineering has thoughts of mirroring the building again to the east of the existing building and it looks like it would fit into the neighborhood. He has assigned this task to the Assistant Chief because he has a degree in engineering.

The Board further discussed the plans for Station-3.

Chief Morrison stated that the 50% rule is not on square footage it's on the value of the building. If they do any renovations over the 50% value of the current structure they would have to bring the whole structure up to code. The property has been appraised at \$100,000, but they cannot do the renovations and keep inside the 50% rule. He feels they will have to bring the entire building up to code, which is not a bad thing to do.

Chairman Hollander stated that it may not be as extensive as they originally thought it would be.

Chief Morrison stated that the electric will be addressed, but the structure is good where it is, with the changes. They would have to put in a sprinkler system because right now that Station has a residential system, which is made out of PVC pipes rather than cast-iron pipes. Therefore, when they put in the new system they will replace the old system to meet current standards.

The Board further discussed Station-3.

Commissioner Hamilton asked if All Coast Engineering has completed their contract?

Chief Morrison said no, however, they have not paid them yet. He likes what they are doing and the project is moving along.

Commissioner Hamilton asked if the Board will see a presentation?

Chief Morrison stated that when they are done, they will give the Board a presentation.

Motion

Commissioner Hamilton made a Motion to remove the previous Motion to Table the Medical Director's contract.

Commissioner Panozzo seconded the Motion.

The Motion carried unanimously (4-0).

Motion

Commissioner Hamilton made a Motion to put the Medical Director's contract on the Agenda for the next Voting meeting.

Commissioner Panozzo seconded the Motion.

Commissioner Marasciullo asked why do they have to wait until the next voting meeting to vote on this issue?

Chairman Hollander stated that from what he understands, the wording in the agreement may not match what is required by the State.

Chief Morrison stated that was current.

Commissioner Marasciullo stated that he thought it was the same exact contract they had last year, except for the last paragraph.

Commissioner Hamilton stated that maybe they did not notice it the last time. The contract does not have the wording that the State originally had. It explains that the medical director for a facility is not and should not include administrative and managerial functions.

Commissioner Marasciullo stated that the Chief could not find that line in the Florida Rules book.

Chief Morrison stated that he wasn't prepared to discuss 64E and right now he cannot find that line.

Attorney Martinez stated that Attorney Salzman drafted the contract and she is not prepared to advise the Board on whether to vote on this issue with or without that provision. Maybe there was a reason why Attorney Salzman excluded that provision, but she was not sure.

Chairman Hollander stated that because of the discrepancy he recommended they wait to vote on

this issue. There is a 90-day extension in place so no service will be missed.

Commissioner Marasciullo stated that they will have to wait another 30-days before they can vote on this issue.

The Motion carried unanimously (4-0).

New Business

A. Budgeted Capital Purchase

Chief Morrison stated that the Board received a copy of the Department Capital/Construction, page-5, from the current budget. They are in a new budget year and moving forward with getting the needs of the department addressed for this year. As they go down the list, Communications is in the process of ordering a 911 chair, which should come in under budget. Operations needed a commercial stove for station-4, which was put in during the budget process, because the old stove stopped working. It was an emergency purchase for last year. They are currently trying to find the best price for the Portable Radios. The gas powered exhaust fan for Engine-4 has been ordered. The Piercing fire nozzles for Engine-1 & 4 will be ordered and coming in under budget. The mobile radios for the Assistant Chief's vehicle and Engine-3 will be ordered. The lockers for station-3 & 4 have been ordered and arrived. As for Construction, they have yet to address the expansion of the Administration Building. The Board budgeted \$5,000 to redesign and replace the dais. The only company that answered the bid was Erhard Cabinets in Brooksville. He informed the Board that the son of Mr. Erhard is a firefighter for the department, but is not involved in the business. Mr. Erhard has done work for the department before and does an excellent job. Mr. Erhard was unwilling to give them detailed drawings, because he felt in the past, the department took his drawings to another carpenter. He recommended having Mr. Erhard do the job, but he would have to bring drawings and a final price.

The Board gave consensus to move forward with this issue.

Chief Morrison stated that he wanted the Board to be abreast of the Capital Purchases for this year. The station-3 renovations are being worked on and budget for. The vehicle purchase was not listed, but they are budgeted this year to replace the Assistant Chief's vehicle and Engine-3.

The Board further discussed the vehicle purchases.

Medical Director's Report

Dr. Blackburn stated that since his last report on June 25th, he has a brief review as to what has been accomplished. In July, they attended a conference in Tampa for bio-terrorism and weapons of mass destruction, which was put on by the U.S. Army Corp. On July 12, he rode with the

ambulance on a couple of calls and spent the night at the station. The trauma transport protocols have been reviewed and signed. On October 9th, he attended the Florida Association of EMS Medical Directors that was a fantastic conference. It gave him insight as to what was happening and what was going to happen in the net year. There is going to be an acute ST elevation MI transportation protocol. A resolution was drafted, but they needed to work on the language. It has to go through several different departments and everyone has to agree on it, but he feels it will pass. He spoke to Dr. Lombardi who is head of the anesthesiology program at Brooksville Regional and Spring Hill Regional Hospital. Dr. Lombardi has agreed to allow them to perform intubation. Next week he will be the first one to perform intubation along with the Training Officer, Chief, Assistant Chief, Captains and Lieutenants. They have 38 people trained for the Hernando Orientation, which included HIPPA. He performed all the Hazmat physical examines and is completed. There is an EMS meeting on Thursday, October 30th at 12:30 - 2:30. Dr. Rossi will be doing an evening lecture on cardiology, but the date was not set yet. He will give the Board more information on the PALS certification as he is informed. He is going to try and improve the physical examine criteria to save the Board some money.

Chief Morrison stated that he and the Medical Director attended the State meeting and one of the issues that was addressed was failed intubation attempts, which is an issue across the State. There were no solutions, only that everybody should be aware of them and to try and find a solution. Dr. Blackburn is going to do live intubation training in a hospital operating room, which is something that doesn't happen. If this program is successful, he would like to introduce it to the State as a possible solution to the problem.

Comments of Commissioners

Commissioner Hamilton had no comment.

Commissioner Marasciullo had no comment.

Commissioner Panozzo stated that the Board received a letter from the Melrose Management Group in their packets regarding changing smoke alarm batteries. What is the department doing about this issue?

Chief Morrison stated that the department was asked, by this group, to change all of their smoke detector batteries. The department changed the batteries, but they are concerned about the liability. The department will approach the Melrose Management Group to encourage them to include changing smoke alarm batteries as part of their annual maintenance for the homes on their site. The fire department cannot do this task. The department has changed smoke detector batteries for older citizens who have a hard time getting around.

Commissioner Panozzo asked if the department is going to have someone giving flu shots this year?

Assistant Chief Davies stated that he will have an answer next week.

Chairman Hollander stated that he sees the department moving forward in the right direction and he thanked the Board, Administration and rank and file.

Open Forum

Scott Link, representative of the Hernando Jaycees stated that with the help of various organizations such as Spring Hill Firefighters, which has helped the Jaycees' who put on a Halloween Haunted Trail. The department has allowed the Jaycees' to use the shed for storage. In order to show their appreciation, he presented the department with a plaque for the Spring Hill Firefighters to thank them for all their support

Chief Morrison stated that it was a joint effort between the department and Local 2794 to help support this.

Scott Link stated that because the shed is not in the best shape, the Jaycees' would like to replace the shed with some of the profits from the Haunted Trail. This would be done as a community improvement project, as long as there are no objections on replacing the shed.

Chief Morrison stated that he is not sure if the Board had to vote on replacing the shed, but he will ask Attorney Salzman. The shed is located in the back of their old fire station and was in terrible shape. The department was going to tear the shed down, but the Jaycees asked if they can use it for storage. The Jaycees' replaced some items on the shed and keeps the area neat and clean. If the Jaycees replace the shed, it has to be understood, if they leave the department owes the shed. He recommended that the shed be replaced, by the Jaycees' and would have to get all the permits.

The Board gave consensuses to replace the old shed.

Jack Scott stated that two-weeks ago, in the newspaper he was accused of an ethical violation. Chairman Hollander and a few other people called him to apologize for the article, but there was no reason to apologize. He looked into public records and found out on the alleged accuser is a member of an executive committee of a republican party and sits on a community Board in his own community, which is not chartered anymore it was revoked in September. That means this person is operating as vice-president in a community association that is not recognized by the state of New York. This person also was the treasurer of an ex-fire commissioner who ran for County Commissioner, but was defeated. When he retired after serving 20-years on the police force, people asked him what he liked about retirement. His answer was, he was no longer a second-class citizen. As a police officer, a public figure, he was subject to a lot of rash accusations. He does not have to put up with that anymore, nor does he have to allow somebody to besmirch his name or business name. He does not have to tolerate people that are harping on society. He will handle this situation. He came before the Board to

say there is no need for an apology. If the department needs his professional service to help the community, he would be glad to help.

Motion

Commissioner Panozzo made a Motion to adjourn the meeting.

Commissioner Marasciullo second the Motion.

The Motion carried unanimously (4-0).

Chairman Hollander adjourned the Commission Meeting at 8:17

Jeff Hollander, Chairman

Joan E. Chiofalo, Board Secretary