

To: General Membership

From: Secretary

Subject: Minutes of the North Okaloosa Fire District Board of Fire Commissioners Monthly Meeting.

Date: June 16, 2016

Members Present: Craig Shaw, Chairman, Commissioner Group IV
Todd McGirr, Commissioner, Group I
Dan Bowers, Jr., Secretary/Treasurer Commissioner, Group II
Willie G. Terrell, Vice Chair, Commissioner, Group III
Rollin Rathbun, Commissioner, Group V At Large

Advisors Present: Ed Cutler, Fire Chief
Jonathan Holloway Legal Council
Dennis McMaster, Interim Deputy Fire Chief
Annette Rayburn, Administrator

The Meeting was called to order by Chairman Shaw at 5:05 p.m.

Prayer and Pledge of Allegiance: The Pledge of Allegiance and Prayer were given.

Approval of Agenda: A motion was made to approve the agenda by Commissioner McGirr, Commissioner Rathbun seconded the motion. Vote 5/0.

Approval of Minutes of May 19, 2016: Commissioner Bowers moved to approve the minutes, Commissioner Rathbun seconded the motion. Vote 5/0.

Old Business:

Audit: Dawn Paul presented the completed audit report. She stated that there are 3 additional changes that have not changed the bottom line Commissioner Bowers moved to approve the audit adjustments, Commissioner McGirr seconded the motion. Vote 5/0. Dawn Paul also stated that we should adjust our budget prior to the end of the fiscal year. There are only two reportable items and it is the same two that we have had for the previous years, due to lack of administrative positions. Motion to accept the auditors' report as presented by Commissioner Bowers, second Commissioner McGirr. Vote 5/0.

Grants: Interim Deputy Chief McMaster briefed the board on the status of grant filings. Mr. McMaster said that the Grant period Starts in November, and he will work on getting the paperwork into the necessary people in a timely matter.

Public Input- None

Advisory Reports:

Attorney's Report – Chairman Shaw informed the board that there had been an EEOC complaint and two non EEOC complaints. One letter was from the same individual who filed the EEOC complaint. Commissioner Shaw stated that he has already met with attorney Holloway to discuss the matter and he informed the board that Commissioner Terrell had met with Attorney Holloway. The two non EEOC complaints had been brought to Commissioner Terrell. Commissioner Shaw said that we take all complaints seriously. Commissioner Shaw said that he and Attorney Holloway believe that they have come

up with a way to proceed. Attorney Holloway said that he would recommend that the board authorize the expenditure of up to \$5,000.00 to hire an outside agency to investigate the allegations. This firm will investigate and give their recommendations to the board on how to proceed. Packages were passed out that now become public record. The package contained copies of letters from employees and the EEOC filing. Commissioner Terrell asked if this would be a one-time deal or are we going to have to deal with this down the road. Commissioner Shaw replied that we will handle complaints as they come about. But he stressed that since there is an investigation, that anyone who has a complaint needs to come forward and address it with the investigator, so they can do their job and investigate. Commissioner Terrell said that he wanted the Fire Fighters to know that they can come to Commissioners with complaints. Kevin Kendrick wanted to know if he could get a copy of the Employee Handbook. Commissioner Shaw said that we can do this. Commissioner Terrell asked if the other Commissioners had received this packet prior to the meeting and Commissioner Shaw replied that they were seeing it for the first time tonight. Attorney Holloway stated that the nature of the complaint and how it was given to one Commissioner(Terrell) was another reason why an outside firm should handle the investigation. Commissioner Terrell made a motion that we follow Attorney Holloway recommendation to hire an outside firm with the cost not to exceed \$5,000.00, seconded by Commissioner Bowers. Vote 5/0. Attorney Holloway will contact the firm to proceed. Commissioner Bowers wanted to know if everyone will be interviewed. Attorney Holloway said the law firm will determine who they need to talk to and at the end of the investigation they will give a report with their findings and possible recommendations. Commissioner Shaw noted that the EEOC complaint is a different matter and not included with this investigation. This will be handled through VFIS.

Secretary report –None

Chief's Report –Commissioner Shaw stated that Chief Cutler was advised at the last meeting, that he could promote from within. Promotions had occurred in the past. But since the last meeting, while researching the policy manual, Commissioner Shaw said that they were within their rights to do so. But since the subject was brought up through the EEOC complaint. Commissioner Shaw and Attorney Holloway recommend that a hiring committee be formed of 1 Commissioner and 2 Supervisory Positions, the jobs shall be posted for two weeks at all the stations. Applications will be accepted at Station 82 Admin Office. Chairman Shaw recommended that Commissioner Rathbun, Fire Fighter Jonathan Flowers and Fire Fighter Sean O'Brien be the committee. Commissioner Rathbun made a motion to go with Chairman Shaw's recommendation of the Hiring committee, second Commissioner McGirr. Vote 4/1 with Commissioner Bowers voting nay. Chairman Shaw said that we are hiring for 2 positions, Deputy Chief and Supervisor.

Chief Cutler's report was as follows- personnel which now lists 15 paid firefighters, 3 part-time firefighters, 5 relief firefighters, 2 certified volunteers and 7 support personnel. 152 calls for the month of May 2016.

Chief Cutler advised the board that the ARRF is looking into the complementary agent again. Lockheed and L3 are both on board, so new quotes will be needed. Chairman Shaw told Chief Cutler to make sure the quote includes everything that will be need to make this happen.

Chief Cutler informed the board that Fire Fighter Nick Lunsford has moved from part time to full time and Danny Worrells is now a relief Fire Fighter.

Chief Cutler informed the board that the turret has been installed and that there is still a software problem. Parts have been ordered to rectify that problem. The work on the red truck has been delayed due to tax roll and small repairs that have come up.

The ladder truck is now posted on an antique website and will soon be on Gov. deals website.

Dennis McMaster briefed the board on new software that the Department wants to use for response to calls. It is called Street Wise. The tablet is mounted in the vehicles, it is connected to the 911 dispatcher, the location will show up on the tablet for the vehicles to get to the location. The software also locates the nearest hydrant to the location. It also helps with the reporting system. It will eliminate what we now do on paper it will now be on the computer system. The data plan on this system is through Verizon. Our monthly bill through Verizon will be lower than before, due to us going from 5 phones to 2 and the data charge for the tablets. Commissioner Terrell asked what the cost of the system was. Mr. McMaster said

that the upfront cost would be \$5,212.82 and the reoccurring cost of \$201.50.

Chief Cutler informed the board that we received 15 VHF mobiles and 12 VHF portable radios from Jackson Guard and they require only programming and some small items to be placed into service.

Auburn water has completed 2 of the 5 hydrants.

Motion to approve the Chiefs report with the memo of for record to be deleted by Commissioner Rathbun, second Commissioner McGirr. Vote 5/0.

Commissioner Bowers asked if the Street Wise System was to come out of this year's expenditures, and would this help with the ISO rating. Mr. McMaster said that the information for ISO is more readily available. Commissioner Bowers said that there is money in the budget for this expenditure. Motion to approve the Street Wise system by Commissioner McGirr, second Commissioner Rathbun. Vote 5/0.

Treasurers Report – Commissioner Bowers presented the reports which included a ytd for both ARFF and 911. Commissioner Bowers stated that we have collected more than the amount budgeted for the special assessments. But he also reminded the board that there will probably not be much more coming in on the 911 side of the budget from this point on, therefore we need to watch our expenditures through October. Motion to accept the Treasurers report by Commissioner McGirr 2nd by Commissioner Rathbun. Vote 5/0.

Commissioner Shaw went over the subjects that were covered during the course of the meeting. He said that action has been taken to hire a firm to investigate the allegations made in the letters from 2 fire fighters. EEOC has a procedure all of its own and we will be updated as we receive it. Hiring procedures' - postings will go up for the positions, the hiring committee will make sure that the applicants meet the qualifications for the positions and the committee will make their recommendations to Chief Cutler. To the employees please review policy 2.4 and please be aware that the Chain of Command still exists. As far as the investigation there can be no retaliation for participating in the investigation. Commissioner Shaw suggested employees if they have something they have a grievance with please let the investigator know about this at this time.

Audience member Mr. Tom Hinton asked what about the Chain of Command good old boy system, what if they don't like an applicant kicks him out for disabilities, math. Commissioner Shaw stated that we do not discriminate against disabilities. Attorney Holloway states that the policy speaks to that if a person has disability accommodations can be made. Fire Fighter Austin Hinton said so if I asked to apply for a position and I was told no, the reason given was I don't know math. That's a disability said FF Hinton. Attorney Holloway suggested that FF Hinton let the investigation play out, let the investigators do their job. Commissioner Shaw said that they should be happy that an outside agency is doing the investigation. He does not believe that a public meeting is the place to start talking about disabilities. FF Hinton then stated that we should expect another EEOC filing. Commissioner Shaw let him know that we have no notification of that. Commissioner Shaw let everyone know that we are taking this seriously and it will be dealt with respect for everyone involved. Commissioner Shaw said that we all still have a job to do keep your tempers under control along with your emotions. Commissioner Terrell stated that if anyone is retaliated against because of this, please come back to this board.

Dave Skarzynski asked what the salary range was for the positions. Commissioner Shaw said it will be listed on the job posting.

Gene Wright commented he liked the way the board is handling the situation, but he said he did not hear a time frame. Attorney Holloway said he was told that they should have something with 30 days. Gene Wright also asked that a while ago Attorney Holloway asked the State Attorney if the Chief was considered a Fire Fighter. Attorney Holloway said that the State Attorney would not give an answer.

Commissioner Comments: Commissioner Terrell said that in July 2012 this board issued a direct order that there will be no more firearms in this building. We got 5 Commissioners on this board and I want you to tell me how you will feel if these fire fighters keep playing with guns and one of them gets killed. He wants to know why when we issue an order, this board is set up by the state of Florida, not Crestview or Okaloosa County. I want to know that when we issue an order it is not carried out as this board wishes. Are we gonna sit and issue orders and have

them run over or are we goanna get rid of the problem. Commissioner Shaw said that the issue of guns was part of the written complaints and we need to wait for the investigators findings and address them when they come back. (Terrell) I don't believe that is true this board voted back in 2012 not to have guns in the building. (Shaw) That's correct. So that's got nothing to do with this investigation, I believe Mr. Wright was here when that was voted on. (Shaw) He probably was. (Terrell) So why is it there are still guns. (Shaw) Because I do not have direct evidence of there being a gun yet. (Terrell) Puts papers in front of Commissioner Shaw and says does that look like guns to you? There is your bunker room and your training room. How much more evidence do you need? Commissioner McGirr asked Attorney Holloway are we starting the investigation? Commissioner Shaw responded by saying we institute all policies and directives from the board to be posted. Commissioner Terrell said that he had a date when the Chief told the investigator that he issued a directive to the Fire Fighters that no firearms were to be in the building. (Terrell) I think this important that we have no firearms in the building. (Shaw) I do think this is important, I believe that the firearms should be locked away in the person's vehicle. I am not anti-firearm. But in these photos the firearms are out and about and clearly visible. (Terrell) I've got a question. Are these firemen supposed to be carrying concealed weapons when they are on scene? (Shaw) Not visible. (Terrell) That's not my question. Are they supposed to have weapons on them? Is this allowed to happen? Commissioner Shaw that this can be added to the agenda for next month. Commissioner Terrell said I love to fish and hunt and use firearms but I am concerned about safety. The following was added when approving the minutes: Commissioner McGirr stated that No directive or Policy was written in the July 2012 meeting as stated by Commissioner Terrell.

Commissioner Rathbun asked if we could re-visit the policy with position descriptions for the command structure.

Chief Cutler informed the board that we have a new web site it is www.northokaloosafire.com

The agenda was set for the next meeting July 21, 2016. The meeting was adjourned at 6:48 p.m.

Craig Shaw

Chairman

