

Cumberland County Fire Chief's Association

Minutes of April 25, 2011 Monthly Meeting

The meeting was hosted by Fayetteville Fire Department (Airport Training Facility). We thank both Chief Nichols and Interim Fire Chief Ben Major's for their hospitality.

Opening Prayer: Chaplain Cassanova provided the opening prayer.

Roll Call: Roll call was conducted with 22 departments and 7 associate members present.

Members Absent: None.

Associate Members Absent: Sheriff's office, FTCC, FBEMS, SBI, and Hope Mills Police

Approval of Minutes: Minutes from the March meeting were not presented due to a special program.

Guests: Robin Davis, Employment Law Attorney, presented a program on employment law.

Vendors Present: None

Treasurer's Report: No report.

Meeting Point of interests:

Next Chief's Meeting will be hosted May 23, 2011 by Cumberland Road Fire Department. The meeting will begin at 1900 hours at the fire station on Cumberland Rd. President Johnson also informed Bethany Fire Chief Teague that they would be hosting the meeting in June 2011 earlier than previously scheduled.

- President Johnson thanked all of the chief's & stations that assisted the Tar-Heel Fire Department during their time of a Line of Duty Death.
- President Johnson distributed handouts on Legal briefs, call volume report, State reporting information and ISO information.
- President Johnson advised everyone that we will begin using the new dispatch protocol's on May 1st. During the implementation period this will be a learning experience for not only the dispatchers but also the entire fire service.
- President Johnson advised that Stoney Point Fire Department will pick up the air truck duties in May, followed by the City of Fayetteville in June.
- President Johnson advised every one of the House Bill that has been submitted in regards to Workers Compensation. If this bill gets support it will cost VFD's a lot of money to provide the required workers compensation insurance. You will be

receiving further information about this, whereas we will be monitoring this particular bill as it moves through the legislative process. We do have several representatives from other counties that are not in support of this measure.

- President Johnson advised that an After Action Review would be conducted sometimes in the near future to discuss the storm response activities during the recent tornado outbreak. He asked that everyone write down issues that are significant and bring them to the table. He also stated this would be a learning process for future devastating events.
- Chief Nichols thanked everyone for their support during the storm response and advised the association that Ben Major was named the Interim Fire Chief for the Fayetteville Fire Department. Chief Nichols is retiring June 30, 2011 and has been detailed to assist the city in the tornado recovery efforts. He thanked the association for their support over his many years of membership.

OLD BUSINESS:

- None.

NEW BUSINESS:

- Deputy Chief Freddy Johnson Jr. Association Treasurer informed the membership that he has over twenty (20) years of old financial records. He has talked with our Accountant and was informed that we need to maintain 5 years plus the current year files on hand to be in compliance with the applicable laws. This excess of financial records is taking up much storage space and he requested that we destroy all old financial records that are applicable to be destroyed. **MOTION** – Fire Chief Bill Bullard made a motion to destroy old financial reports not required to be maintained, and keep on hand a total of 5 past years in addition to the current operating year. The motion was seconded by Fire Chief Kenneth Hall and passed unanimously by a roll call vote. The treasurer will have the old records shred.

COMMITTEE REPORTS:

ID CARD COMMITTEE Lt. Tara Whitman (Stoney Point) Chairperson

- **FYI**. Fire Chiefs are required to send a signed letter or memo with a firefighter requesting an ID Card. For any questions or an appointment contact 424-0694 or e-mail at tara@stoneypointfire.com

FIRE PREVENTION/EDUCATION COMMITTEE Retired Chief J.F. Hall, Chairperson

- No report.

COMMUNICATIONS COMMITTEE Chief B. Bullard (Stedman) Chairperson

- Beginning May 1, 2011 Cumberland County communications will begin using fire determinant protocols. This is all in line with the credentialing and the future DOI Fire Department Inspection process and will benefit our departments and the communications department in the future.

STANDARDS & POLICY COMMITTEE Chief K. Hall (Cumberland Road) Chairperson

- Assistant Chief Murphy distributed three SOGs, helicopter operations, mayday, and vehicle lockouts for review. Please get your comments back to Chief Hodges by May 15, 2011 so that it can be voted on at the May meeting, with an effective date of 1 June 2011.

MEMORIAL COMMITTEE Chief R. Marley (Pearce's Mill) Chairperson

- No report.

AUTOMATIC AID/MUTUAL AID COMMITTEE Chief Ake (Beaver Dam) Chairperson

- No report.

FINANCE COMMITTEE Deputy Chief Freddy Johnson Jr. (Stoney Point) Chairperson

- No report.

RESCUE COMMITTEE Deputy Chief Hank Harris (Cotton FD) Chairperson

- No report.

BULK PURCHASE COMMITTEE Chief Pierce (EMS) Chairperson

- No report.

ASSOCIATE MEMBERS REPORT

EMERGENCY SERVICES DIRECTOR/ ECC-911 Kenny Currie, Director

- No report.

EMS DIRECTOR: Brian Pearce, Director

- No report.

HAZMAT BC Brian Mims, FFD - POC telephone for HAZMAT is 433-1729

- No report.

FORESTRY DISTRICT Andrew Synder, County Ranger

- No report.

FTCC Ernest Ward, Director

- No report.

SHERIFF'S OFFICE Sheriff Butler

- No report.

HIGHWAY PATROL

- No report.

CHRISTIAN FIREFIGHTERS Chaplain Cassanova

- No report.

COUNTY COMMISSIONERS Fire Commissioner Ed Melvin

- No report.

FOR THE GOOD OF THE ASSOCIATION:

- No report.

ADJOURNMENT: A motion was made to adjourn by Assistant Chief Murphy, seconded by Chief Marley. The meeting was adjourned at 2130 hours.

Respectfully Submitted By:

Freddy L. Johnson

Freddy L. Johnson Sr. CFO
Fire Chief / President

Mark A. Melvin

Mark Melvin, CFO
Deputy Fire Chief / Secretary

6 Enclosures

1. Legal Briefs
2. Call volume information
3. ISO information
4. State reporting information
5. Training report
6. Roll call form

Legal Briefings for Fire Chiefs

How fire chiefs, fire commissioners, and other fire service officers use the law to protect their communities... their departments... their officers... and themselves.

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A formal investigation was conducted, and the hearing officer recommended that the suspect be removed from the eligibility list. The commission acted on the recommendation, and the firefighter appealedPage 2

Promotion – Claims Racial Discrimination as a Motive for Denial

The candidate, a black, was the last candidate from an eligibility list not to be promoted. When a new eligibility list was put together, his eligibility ranking fell substantially. Was there a discriminatory motive in denying the candidate a promotion?Page 3

Disability Harassment – First Amendment Violation?

The president of the firefighters' union and the mayor engaged in many contentious disputes that reached the media. The firefighter suffered a work-related injury and was awarded retirement benefits for his disability. When named as a basketball coach in the same city, the mayor demanded that the decision be rescinded.Page 4

Pension Dispute – Coerced Into Signing Settlement?

The former firefighter was suspended for misconduct; a claim which was expunged. He claimed he was coerced into signing an agreement to settle or he would lose his entire pension. He also claimed that there were significant misrepresentationsPage 5

Discipline – Suspension for Allowing Child On Extended Ladder

The firefighter and captain were both suspended for 24 hours. When the suspensions were reduced to written reprimands, the fire district appealed.Page 6

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Responding to a patient experiencing diabetic complications, paramedics were assaulted by the patient. Police officers were called to the scene and, after a scuffle, the patient was subdued and arrested.Page 7

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Layoffs Challenged by Firefighters' Union

The city was facing a budget deficit and decided to lay off 18 firefighters as a cost cutting measure. The union filed an unfair labor practice charge with state's labor board. The union framed its complaint around firefighter safety issues with reduced staffing. Is the layoff decision a mandatory subject of bargaining?

Legal Briefings for Fire Chiefs

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Promotion Examination Prior Knowledge of Content?

Firefighter examinee removed from list

Lesson Learned: Acting on suspicion that someone had prior knowledge of the content of a promotion examination, a formal investigation revealed the identity of a prime suspect. In the end, that firefighter was removed from the eligibility list.

Stephen Hennosy ("Hennosy") is a 19-year veteran firefighter with the City of Columbus, Ohio ("City"). On April 7, 2009, he was administered a competitive promotion examination for the rank of Fire Lieutenant. As one of 123 examinees, Hennosy qualified with a ranking of 17th.

In May 2009, the Municipal Civil Service Commission ("Commission") acted on suspicion that there was a breach of security for this examination, a formal investigation was conducted. Hennosy, himself, came under suspicion that he might be involved.

A hearing was conducted, and it was determined that Hennosy had prior knowledge that arson related matters would be on the examination. One of the administrators of the oral part of the examination noted that Hennosy brought up the subject even before one of the role players mentioned the topic.

The hearing officer determined that Hennosy did have prior knowledge of items in the examination. He recommended that Hennosy be removed from the eligibility list.

The Commission acted on the hearing officer's recommendation and removed Hennosy from the eligibility list.

Hennosy responded by suing the Commission and named parties, appealing its decision.

The Commission answered by arguing that the court did not have jurisdiction because the investigation that the hearing officer conducted was not quasi-judicial.

The trial court agreed, reasoning that the lengthy hearing was conducted and that the hearing officer "clearly exercised discretion ... the proceedings cannot be quasi-judicial in nature because there was no statute or other law that required the Commission to give notice and a hearing."

Hennosy appealed, continuing to argue that the proceedings were in fact quasi-judicial, there should have been notice and a hearing. Further, Hennosy maintained that the Commission unlawfully delegated its authority to a hearing officer.

Decision: Affirmed.

The court examined all of the applicable rules and statutes and concluded that there was no legal authority mandating that the Commission provide a hearing and notice to Hennosy. The proceedings were not quasi-judicial.

Since the Commission retained its final decision making authority, there was no unlawful delegation to the hearing officer. In other words, the hearing officer did not have authority to make the final decision. Thus, it was the Commission rather than the hearing officer who removed Hennosy from the eligibility list.

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Citation: Hemmosy v. The Municipal Civil Service Comm. for the City of Columbus, Ohio, No. 10AP-417, CPC No. 09CVF06-8967, Court of Appeals of Ohio, Tenth Appellate District (2010).

Promotion – Discrimination Claim

New eligibility list used – previous top candidate was not promoted

Editor's note: A firefighter is entitled to a Title VII case trial if he can prove that he was qualified for a promotion but was denied, and, instead, a member of a different race who was "similarly situated" to him was promoted, unless the defendant articulates (and the firefighter fails to rebut) a nondiscriminatory reason for promoting the other person. McDonnell Douglas v. Green, 411 U.S. 792(1973).

Gregory Stinnet, an Ambulance Commander for Chicago Fire Department ("CFD"), sued the City of Chicago ("City") alleging he was denied promotion to Field Officer because of his race in violation of Title VII of the Civil Rights of 1964. Stinnet is black.

Stinnett took the Field Officer examination in 2000. An applicant's overall grade was based on his grade on the examination and seniority. Stinnett ranked 32 on the list of eligible candidates. He had an identical score on the written examination with candidates Byrne and Kaveney, but their overall grades were higher due to their higher seniority.

The CFD went to the same eligibility list a total of eight times until 2007, and the last two candidates selected were Byrne and Kaveney who were white. Stinnett was next on the list, but no more selections were made until a new list was put together. A new examination was administered on March 23, 2007.

Stinnett took the new examination five weeks after the last promotion. This time, Stinnett had a combined score that placed him 48th on the eligibility list.

Stinnett sued the City on February 1, 2008. The following month eleven Ambulance Commanders were promoted to Field Officer from the new list, but Stinnett was not among them.

The City was granted summary judgment, and the case was dismissed. Here, the court reasoned that employers will update eligibility lists from time to time, and there is nothing insidious about doing so. *Deveraux v. City of Chicago, 14 F.3d 328 (1994).*

Stinnett appealed.

Decision Affirmed.

When Byrne and Kaveney were promoted, no further promotions could be made at that time due to budgetary concerns.

Fire Commissioner Noy had discretion to decide who among the eligibility list would be promoted. He testified that he had not been informed who was still on the old list. Thus, he could not have known that the last person on the list was black. There was no evidence presented to contradict Commissioner Noy's testimony. The court also noted that Commissioner Noy is also black.

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Mission Statement

Our intention is to report legal matters and the outcomes of lawsuits to fire service officers in order that they learn from the experiences of their colleagues. We do not give legal or any other professional advice, nor do we guarantee the accuracy of our content. Rather, we strongly urge subscribers to have access to competent, experienced attorneys. We hope that this information will help you avoid needless litigation; successfully defend against legal claims that are unavoidable; and use the law to protect your community.

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Around the Nation

EMS Overbilling Medicare and Medicaid

\$4.5 settlement to federal lawsuit anticipated

Editor's Note: With the competing budgets of Medicare, Medicaid and local governments, it is anticipated that the federal government will be aggressively investigating any evidence of overbilling by overstating the seriousness of certain calls. Fire department officials must be vigilant for any such activity that could result in substantial fines, destroyed careers and possible criminal charges. Detailed and accurate record keeping is essential and must match up precisely with records from health care providers, especially hospital emergency rooms, and treating physicians.

These are the "worst of times" for state and local budgets. In one state, an audit revealed that a number of private ambulance companies overbilled the state's Medicaid by thousands of dollars. All were fined, and some were terminated.

The most egregious claims were overstating mileage, billing for treatment to patients that were dead, and record keeping that was so poor that charges could not be verified.

There have also been claims that certain medical emergencies with patients' conditions were being exaggerated resulting in higher billings

The very same problem exists with local governments that provide their own EMS services. Inadequate record keeping and improper billing procedures recently cost an EMS director his job.

More recently, a city reached a tentative settlement agreement with the federal government to repay as much as \$4 million over a ten year period.

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The court stated that the notion a black supervisor involved in a promotion decision should be presumed to not be discriminatory is not proper. Rather, a black supervisor may yield to pressure to promote a white over a black candidate. *Castaneda v. Partida*, 430 U.S. 482 (1977).

In this instance, there is not sufficient evidence to prove a discriminatory motive in denying Stinnett the promotion.

Citation: Stinnett v. City of Chicago, No.09-3626, U.S. Court of Appeals, Seventh Circuit (2011).

Disability Harassment First Amendment Retaliation Firefighter union president and mayor — a contentious relationship

Editor's Note: The mayor challenged the disability after the firefighter retired. Thus, the mayor was no longer the employer and could not be liable for disability harassment.

Gordon Barton ("Barton") was hired in 1976 as a firefighter with the City of Lynn, Massachusetts ("City") and was involuntarily retired in 2004 due to a work related back injury. During the last few years of his employment, Barton served as the president of the local Lynn firefighters' union.

Edward J. Clancy, Jr. ("Clancy") served as mayor of the City during the relevant times of this narrative.

Clancy and Barton had what one would describe as a very contentious professional relationship due to a number of lawsuits that were brought against the City, many of which Barton either actively supported or took part in. When the City announced the layoff of several firefighters due to budget problems, Barton vigorously opposed this decision at private meetings with Clancy and with comments he made to the local media. He argued that the safety of the citizens of the City would be at risk due to the proposed layoffs.

At a fundraising event for Clancy, Barton and several firefighters were there to protest the upcoming layoffs. While at the event, Barton and Clancy engaged in a verbal confrontation.

Barton filed a claim with the Massachusetts Commission Against Discrimination ("MCAD"), alleging that the civil service examination given to candidates had a *disparate impact* on minorities.

In 2004, Barton applied for disability retirement benefits. The Lynn Retirement Board conducted a hearing and decided that the injury was work related and that Barton was eligible for disability retirement benefits.

Prior to Clancy's election as mayor, Barton was appointed to the Lynn Parks Commission ("Park Commission") for two consecutive terms. However, Clancy refused to re-appoint him to that position.

In 2006, a local public school official decided to hire Barton as a basketball coach. When Clancy heard of it, he contacted the school principal with a strongly critical letter urging that the hiring decision be reversed. Clancy also expressed his views in the local media, reasoning that

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if Barton was disabled, he should not be allowed to be a basketball coach.

Barton claims that Clancy's actions caused him great distress and concern that he would lose his coaching job.

Ultimately, Barton brought a federal court action alleging Clancy engaged in unlawful disability harassment. He also alleged that he was retaliated against when he was not reappointed to the Park Commission in violation of his *First Amendment* rights. Barton sued Clancy in his official and individual capacity.

Clancy filed a motion for summary judgment, claiming immunity and that he was no longer Barton's employer. Thus, Clancy reasoned he could not be liable for disability harassment.

The district court dismissed the case in favor of Clancy. However, the court decided that Barton raised a plausible *First Amendment* violation claim because Barton was publicly arguing matters of public concern, and there was evidence that he was not re-appointed in retaliation as a consequence of those statements. However, Clancy was a public official and, thus, was protected by immunity.

Decision: Affirmed.

When Clancy criticized Barton's appointment as a basketball coach, he did not do so as his employer. Rather, Barton was in a retirement status. While a mayor does have significant influence with public school matters, Clancy did not have sufficient control over Barton or the decision by the school principal to appoint him as coach. *Lopez v. Massachusetts, 588 F.3d 69 (2009)*.

The court did not rule on the *First Amendment* claim other than to decide that it is not clearly established that the loss of an unpaid volunteer position would trigger a *First Amendment* claim.

Finally, the court noted that Clancy lacked fair warning that his actions might be unconstitutional.

He is entitled to qualified immunity.

Citation: *Barton v. Clancy, No. 08-2479, U.S. Court of Appeals, First Circuit (2011)*.

Pension Dispute

Time barred – claim filed five years too late?

Editor's Note: Even if there were misrepresentations to the firefighter about his pension benefits, they were made five years before and were not only discoverable but could have been subject to due diligence. The claim was simply filed too late.

Robert McNamara ("McNamara"), a firefighter with the City of Nashua, New Hampshire ("City"), was suspended without pay on August 25, 2000, after an investigation into charges of sexual harassment. He was terminated on October 18, 2000 after a hearing on the matter. Later, McNamara filed a grievance which he settled with the City on March 29, 2001.

Among the terms of the settlement agreement were that the sexual harassment charges would be purged from his record, but he could no longer go to any fire station without prior approval. He would be allowed to resign as of February 4, 2001, and he would "be made whole, up to and ...

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Around the Nation

The city is going to make every effort to make these payments out of reserve funds of operating budgets.

While the specific terms of the settlement have not been announced, it is believed that the original lawsuit evolved after a whistleblower reported billing problems within his city.

This same case resulted in the termination of both the fire chief and the EMS director. It was only after the city council followed the recommendation of the Civil Service Commission that they were reinstated.

Here, the fire chief and EMS director testified at a Commission hearing, alleging that they were easy targets resulting from the lawsuit.

In the coming years, states will be under tremendous pressure with regard to Medicaid reimbursement. It follows that state auditors will be looking closely at all Medicaid billings coming from cities and towns.

Comprehensive and detailed record keeping is essential.

Bid to Block Layoffs

Union points to public safety concerns

The mayor of a city with enormous budget concerns has decided to lay off up to fifty firefighters and police officers as well as other city workers in an effort to reduce labor costs.

The representative employee unions have wasted no time in filing a lawsuit in an effort to block the layoffs, pointing to safety concerns of the public.

Both the mayor and the Civil Service Commission have been named as defendants in the lawsuit.

Union officials argue that while there are serious budget concerns that must be addressed, no effort was made to engage in meaningful discussions about how to deal with the problem.

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Around the Nation

This will be a common theme in 2011. In most local governments, as much as 80% of all budgets are related to personnel and labor costs. The easiest and most effective way to cut budgets is to reduce these costs.

A brutally frank manifestation of this problem recently occurred in another city with one of the highest crime and poverty rates in the state. This city is facing a \$25 million budget gap that can only be closed by cutting into not only fire protection but law enforcement. It is expected that over 400 city workers will be let go, many of them will be firefighters and police officers.

There are numerous boarded up or otherwise abandoned buildings in this city which are very real fire hazards, and the police must cover the same high crime areas with far fewer officers.

These are not easy decisions to make, and the consequences are devastating to many.

A major eastern city reported that a fire near a closed fire station resulted in two fatalities. Could those fatalities have been prevented if that fire station remained open?

Look for many more such lawsuit filings in the coming year.

Volunteer Fire Department Sues County Over Cuts

Was there a retaliation motive?

The volunteer fire department includes 19 fire and rescue crews. The dispute stems from an effort of the county to follow through on its \$32 million "mid-year" savings plan which would include fees for ambulance users.

This new fee structure would be

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and including February 4, 2001.

McNamara claims that at the time he signed the agreement, he was told that his "pension would be maintained whole," by signing and that he "would remain in service for the purpose of his pension and ... would continue to receive pay until his pension began."

McNamara also claimed to have been threatened that if he refused to sign the agreement, he would lose his entire pension and that he did not have an attorney at the time of the signing.

The City then tendered a general release along with a check in an amount as if he was to be compensated up to his new resignation date. McNamara did not dispute the amount of the check and executed the release.

In 2006, nearly five years after pension payments began, McNamara's attorney wrote a letter to the New Hampshire Retirement System ("NHRS") claiming his pension payments were too low. It was claimed that the pension payments did not include service between August 2000 and August 2001, when McNamara received his first pension check.

McNamara sued the City under several counts, including breach of covenant of fair dealing. In essence, McNamara alleged that the City misrepresented his period in service to NHRS, notwithstanding commitments to make him whole and to "help him secure the pension due to him, and, as a result, his pension payments are smaller than they should be."

McNamara also filed claims of civil rights violations under *Section 1983*, in that he was coerced into signing the settlement and orally promised a full pension.

The district court dismissed the claim as being time barred because McNamara waited until 2006 to bring the lawsuit.

McNamara appealed.

Decision: Affirmed.

The court noted that McNamara was not suing NHRS. Rather, he is suing the City for harm as a consequence of being induced to sign the settlement agreement, as well as other misrepresentations.

Whether there were any misrepresentations is not clear. However, if there was, they occurred many years before this claim was filed. Such allegations were discoverable, and due diligence could have been conducted. There is no continuing violation here, even though any wrong that might have occurred years earlier has consequences in the present. *Anadne Fin. Servs. Pty. Ltd. v. U.S., 133 F.3d 874 (1998).*

Citation: McNamara v. City of Nashua, No. 10-1322, U.S. Court of Appeals, First Circuit (2010).

Discipline

Suspended for climbing fire truck ladder with six year old son

Editor's Note: Fire departments frequently invite the public to their stations to view equipment and generally spread good will. However, fire departments must have clear and unambiguous policies for

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limitations in allowing citizens, especially their children, from getting close to or climbing onto firefighting equipment. The outcome of this case could have been extremely disastrous.

A Mother's Day party was being held at the St. Tammany Parish Fire Protection District No. 4, Fire Station 43 ("District"), when firefighter John Picone ("Picone") climbed to the top of an extended fire truck ladder.

With him was his six year old son. District Fire Chief Greg Kernan and Assistant District Fire Chief Daniel Haydel were driving by Fire Station 43 at the time and noticed Picone and the small boy at the top of the ladder.

Assistant Fire Chief Haydel stopped at the fire station and directed Captain Mike Jacobs ("Jacobs") to order Picone and the boy to come down from the ladder.

Later, the District initiated disciplinary actions against Jacobs and Picone for "possible violation of Section 9.20 item # 3 'The commission or omission of any act to the prejudice of the department service or contrary to the public interest of policy 1 of the Municipal Fire & Police Civil Service Law.'"

A hearing was conducted, and Picone and Jacobs were each awarded with a 24-hour suspension without pay, and without overtime during the pay cycle.

Picone and Jacobs appealed the decision to the Civil Service Board ("Board"), which also conducted a hearing after which the Board decided to amend the discipline actions to mere written reprimands.

The District appealed, contending that the Board "constructively found both the existence of legal cause and good faith on its part and simply substituted its judgment for that of the appointing authority" who issued the 24-hour suspension.

The trial court affirmed the Board's decision, finding that the Board's decision was not arbitrary or capricious or in bad faith or without cause to amend the suspension.

Decision: Affirmed.

The trial court must give deference to factual findings of administrative bodies such as the Board unless its decision is manifestly erroneous. It follows that trial courts rarely will supplant their own factual decisions over those of any administrative bodies. *Baton Rouge Police Department v. Robinson, 38 So.3d 993,996 (2010).*

In this instance, the court opined that the imposition of the suspension based on the interpretation of the applicable statute was ambiguous and in need of clarification.

The Board's decision was properly affirmed, and the costs of the appeal were assessed to the District.

The court noted however, "If the Board decision is prejudiced to the appointing authority, the appointing authority may appeal the decision to the court of original and unlimited jurisdiction in civil rights of the parish where the Board is domiciled."

However, it should also be recognized, that a review by a district court of a Board's decision, or that of any administrative body is not to be considered a new trial. Rather, the Board's decision will be reviewed to determine if it was made in good faith.

Citation: St. Tammany Parish Fire Protection District No. 4 v. Picone, et al., 2010 CA 0481, State of Louisiana, Court of Appeal, First Circuit (2010).

Around the Nation

expected to bring in several million dollars and would supposedly go a long way to closing a budget gap. However, the fee plan was vigorously opposed by the fire department.

Another feature of the disputed plan would be defunding up to 20 administrative positions that support volunteer firefighting efforts. This part of the plan has already been approved and is expected to be enforced within weeks.

Proponents of the lawsuit allege that this action is a pretext for the campaign that blocked the ambulance user fee. Here, it was noted that the county has about an equal number of active duty, full time and volunteer firefighters. Yet, the budget cuts hit the volunteer fire departments much deeper.

The lawsuit demands an injunction to prevent the layoffs until a settlement can be reached. The 20 administrators who are scheduled to be laid off have already appealed their dismissals.

It is not known whether all of them will join the lawsuit, nor is it known if all 19 fire and rescue crews of the volunteer fire department will also join in.

FEMA Halts Firefighter Layoffs

SAFER grant approved

Facing a \$52 million budget deficit, the city already was forced to cut or layoff a number of city workers.

As part of the budget gap closing plan, the city had planned to lay off 61 firefighters as early as February of 2011.

That will not happen.

The Federal Emergency Management Agency ("FEMA") recently announced that the city has been awarded a \$13.7 million grant under the Staffing for Adequate Fire and Emergency Response ("SAFER") program.

Paramedic Assaulted by Patient

The perils paramedics face at emergency scenes - inside ambulances!

Lesson Learned: Assaults on paramedics are a serious problem often resulting in injuries to public safety officers attempting to help victims of medical emergencies. Law enforcement officers will continue to provide necessary assistance and should be called immediately when patients become combative.

Few people outside of the fire service are aware of the dangers that paramedic/ firefighters and EMTs face when making emergency responses to patients suffering from drug overdose, dementia, diabetic shock, extreme intoxication and other problems. This case is typical of the type of potentially dangerous dilemma paramedics often encounter.

This criminal case took place in the City of Minneapolis, Minnesota and involved the alleged assault of a firefighter by Kenneth Bady ("Bady"), a patient suffering from an apparent heart attack while visiting the home of a friend.

When it was determined that Bady was actually suffering from some form of diabetic reaction, the firefighter decided to administer glucose to address the apparent diabetes complications. Bady refused the treatment and pushed his way past the firefighters to the outside of the house.

Bady allegedly became "combative," prompting the firefighters to call for help from the local police. Sergeant Peter of the Minneapolis Police Department arrived at the scene and was told by a paramedic that Bady had assaulted one of the firefighters present.

Sergeant Peter and Officer Stanton made a number of attempts to quiet Bady down, and those efforts failed. In the end, Sergeant Peter decided to arrest Bady, who resisted being taken into custody. The confrontation became quite physical when Bady made an attempt to grab Officer Stanton's weapon.

Other officers joined the fray and "tased" Bady several times before Bady stopped his efforts to resist arrest.

Once Bady was quieted down, he was placed into an ambulance and taken to a nearby hospital.

Later, Bady brought a civil rights claim against the police officers in their individual capacities for unlawfully using excessive force. At the trial, Sergeant Peter testified that an unnamed paramedic told him that Bady assaulted one of the firefighters at the scene. The trial court allowed that testimony into evidence, over the objection of Bady's attorney who argued that since the paramedic was not present at the trial, and the statement was inadmissible hearsay.

Bady appealed, but the trial court's decision was affirmed.

Important to this commentary is that many times, paramedic/firefighters encounter combative, confrontational patients that still must be treated and transported.

Often times, patients suffering from drug overdoses or extreme intoxication will mistake paramedic uniforms for those of police officers and act out extreme agitation which can be a very real danger to paramedics. More dangerous still is the transportation phase to a local hospital when the paramedic is treating the patient/victim in the back of an ambulance.

One such incident occurred when a female paramedic in the back of an ambulance treating a drug addict was intentionally struck and, in the process of defending herself, broke four ribs, and suffered a punctured lung.

This is a serious problem that is happening with greater frequency. One small community has reported seventeen paramedic assault incidents within a three month period.

Less than a mile from where this narrative is being written, a patient allegedly assaulted two paramedics in the back of an ambulance, escaped and attempted to take over and drive the ambulance and finally ran across an extremely busy highway to the opposite side of oncoming traffic. Police officers from two communities along with state police were called and apprehended the patient.

In another recent incident, paramedics were called to treat a drunken man who had allegedly taken an overdose of a prescription drug.

As one of the paramedics was trying to subdue the patient and place him in the ambulance, the patient punched the paramedic causing a minor injury. Later, once the patient was taken to the hospital, he again struck a medic in the emergency room as he was being taken into an emergency cubicle.

A very important part of the formal training of paramedics and EMTs is how to deal with abusive and violent patients who are either drunk or suffering from an overdose or some form of dementia.

Citation: Bady v. Murphy-Kjos, et al., No. 09-3613, U.S. Court of Appeals, Eighth Circuit (2011).

County-Wide Call History 2000 through 2010

| Cumberland County Fire Departments Yearly Call Volume | | | | | | | | | | | |
|---|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Department | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
| Beaver Dam # 26 | 70 | 85 | 77 | 66 | 112 | 97 | 114 | 128 | 114 | 151 | 241 |
| Bethany # 12 | 280 | 315 | 306 | 246 | 327 | 304 | 341 | 348 | 338 | 373 | 402 |
| Cotton # 4 | 735 | 806 | 802 | 781 | 821 | 850 | 948 | 1,079 | 1,088 | 1,185 | 1,469 |
| Cumberland Rd # 5 | 1,252 | 1,298 | 1,309 | 1,279 | 1,478 | 1,585 | 1,454 | 1,588 | 1,097 | 1,603 | 1,809 |
| Eastover # 1 | 540 | 552 | 568 | 480 | 587 | 573 | 623 | 652 | 728 | 744 | 967 |
| Godwin Falcon # 17 | 164 | 192 | 200 | 137 | 200 | 190 | 204 | 274 | 239 | 744 | 281 |
| Grays Creek # 18 | 420 | 441 | 412 | 330 | 354 | 364 | 375 | 385 | 354 | 414 | 374 |
| Grays Creek # 24 | 458 | 451 | 437 | 466 | 461 | 440 | 525 | 556 | 522 | 607 | 675 |
| Hope Mills # 21 | 961 | 1,117 | 1,090 | 1,083 | 1,311 | 1,297 | 1,579 | 1,628 | 1,638 | 1,821 | 2,070 |
| Pearce's Mill # 3 | 492 | 512 | 467 | 397 | 463 | 483 | 565 | 573 | 555 | 625 | 570 |
| Spring Lake # 22 | 1,097 | 1035 | 995 | 774 | 813 | 766 | 878 | 1,129 | 1,300 | 1,489 | 1,627 |
| Stedman # 23 | 122 | 173 | 153 | 129 | 186 | 183 | 200 | 201 | 173 | 170 | 278 |
| Stoney Point # 13 | 945 | 1,120 | 1,099 | 955 | 1,036 | 1,057 | 1,069 | 1,291 | 1,240 | 1,304 | 1,535 |
| Stoney Point # 19 | -0- | -0- | -0- | -0- | -0- | -0- | -0- | -0- | 126 | 165 | 196 |
| Vander # 2 & 8 | 908 | 998 | 931 | 789 | 923 | 915 | 1,036 | 1,090 | 1,108 | 1,222 | 1,452 |
| Wade # 16 | 269 | 296 | 292 | 248 | 339 | 364 | 362 | 362 | 310 | 312 | 340 |
| Westarea # 10 | 501 | 562 | 517 | 433 | 641 | 623 | 639 | 726 | 795 | 735 | *-0- |
| Westarea # 15 & 20 | 397 | 421 | 404 | 369 | 383 | 457 | 490 | 553 | 537 | 572 | 849 |
| Fayetteville FD | **NA | **NA | **NA | 13,354 | 14,457 | 11,043 | 18,875 | 20,334 | **NA | 17,590 | 22,818 |
| Total | 9,988 | 10,864 | 10,572 | 22,904 | 25,497 | 22,083 | 30,833 | 33,479 | 13,807 | 32,017 | 37,953 |

- * -0- Westarea # 10 Closed on 12/31/2009
- **NA - Information Not Available

- Operational considerations:
 - Credit for an incident management system, as referenced in NFPA 1561
 - Credit for standard operating procedures/guidelines
 - New approach for fire department deployment analysis using a fire department's demonstrated performance analysis when there is adequate quality data available (Credit is based on the extent to which the department meets the time constraints for the initial arriving engine company and deployment of full-alarm assignment, as outlined in NFPA 1710.)
- OR
- Revised approach to the existing 1½-mile and 2½-mile standard response evaluation of engine and ladder/service company coverage areas without establishing additional needed company locations, with an increased emphasis on the actual distribution (deployment analysis) coverage by existing companies

Possible revisions to the Water Supply section

- Increased reference to American Water Works Association (AWWA) standards
- Credit for a flow-test program when conducted at 5-year intervals on all parts of the distribution system, as referenced in AWWA M-17 or NFPA 291
- Credit for a fire hydrant marking program, as referenced in AWWA M-17 or NFPA 291
- Water flow-test alternative including results of a properly balanced and tested hydraulic water-distribution system model
- Credit for fire hydrant delivering up to 1500 gpm and meeting the head-loss criteria in AWWA C-502 or AWWA C-503

Revisions to the Emergency Communications section

- Credit for communications facilities provided for the general public to report structure fires through enhanced 911 telephone service, wireless Phase I and Phase II, and Voice over Internet Protocol (VoIP) Static and Nomadic
- Credit for computer-aided dispatch (CAD) facilities with management information systems (MIS), geographic information systems (GIS), and automatic vehicle location (AVL)
- Credit for measurement of telecommunicator alarm receipt and processing performance at the communication center, as referenced in NFPA 1221
- Credit for emergency dispatch protocols for the fire service
- Credit for telecommunicator training and certification, as referenced in NFPA 1061 and/or APCO Project 33
- Credit for telecommunicator continuing education and quality assurance
- Credit for dispatch facilities used to alert fire department company members to report to structure fires, including voice radio (trunked and nontrunked), microwave carrier channel, polling or self-interrogating digital radio, dedicated telephone circuit monitored for integrity, or wired circuit including Internet Protocol (IP) dedicated to public safety or governmental use, as referenced in NFPA 1221

Reference to community risk-reduction programs

- Credit for adoption and enforcement of a model *building code*
- Credit for adoption and enforcement of a model fire-prevention code, including fire-prevention inspector certification and training

FDID Incident Type Summary

Report Period: From 01/01/2010 to 12/31/2010

Cumberland County Fire Marshal

| FDID | Fire Department | 100 | 200 | 300 | 400 | 500 | 600 | 700 | 800 | 900 | UUU | N/A | Total |
|-------|----------------------------------|-------|-----|--------|-----|-------|-------|-------|-----|-----|-----|-----|--------|
| 02629 | Beaver Dam VFD of | 46 | 0 | 131 | 2 | 9 | 50 | 3 | 0 | 0 | 0 | 0 | 241 |
| 02601 | Bethany Rural Fire Department | 53 | 0 | 180 | 4 | 15 | 145 | 5 | 0 | 0 | 0 | 0 | 402 |
| 02602 | Bonnie Doone Fire District, Inc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02603 | Cotton VFD | 184 | 3 | 767 | 31 | 14 | 356 | 105 | 9 | 0 | 0 | 0 | 1,469 |
| 02604 | Cumberland Road VFD | 194 | 1 | 917 | 31 | 49 | 462 | 148 | 7 | 0 | 0 | 0 | 1,809 |
| 02605 | Eastover VFD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02607 | Fayetteville Fire Department | 1,054 | 15 | 16,936 | 571 | 1,003 | 1,489 | 1,727 | 10 | 13 | 0 | 0 | 22,818 |
| 02608 | Ft. Bragg Fire Department | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02606 | Godwin Falcon Fire Dept. | 45 | 0 | 148 | 3 | 9 | 61 | 12 | 2 | 1 | 0 | 0 | 281 |
| 02609 | Gray's Creek VFD | 102 | 0 | 194 | 9 | 4 | 50 | 9 | 3 | 3 | 0 | 0 | 374 |
| 02618 | Grays Creek VFD 24 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02610 | Hope Mills Fire Department | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02611 | Lafayette Village VFD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02612 | Lake Rim VFD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02613 | Manchester VFD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02614 | Pearces Mill VFD | 164 | 0 | 109 | 33 | 23 | 145 | 96 | 0 | 0 | 0 | 0 | 570 |
| 02623 | Pope AFB Fire Dept. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 02616 | Spring Lake Fire Department | 107 | 1 | 879 | 83 | 52 | 384 | 121 | 0 | 0 | 0 | 0 | 1,627 |
| 02617 | Stedman VFD | 56 | 0 | 58 | 11 | 10 | 128 | 15 | 0 | 0 | 0 | 0 | 278 |
| 02619 | Stoney Point Fire Department | 201 | 1 | 833 | 31 | 40 | 317 | 106 | 2 | 1 | 0 | 0 | 1,532 |
| 02620 | Vander VFD | 153 | 0 | 889 | 33 | 18 | 302 | 53 | 3 | 1 | 0 | 0 | 1,452 |
| 02621 | Wade Community Fire Dept. | 56 | 0 | 146 | 3 | 12 | 102 | 21 | 0 | 0 | 0 | 0 | 340 |
| 02622 | Westarea VFD | 156 | 2 | 449 | 6 | 16 | 178 | 38 | 3 | 1 | 0 | 0 | 849 |

Contract Number _____ Section Number _____

Fayetteville Technical Community College
Continuing Education
Group Registration Receipt

CHIEFS MFG EMPLOYMENT

(Class Prefix/Number)

(Course Title)

101

HOURS

INSTRUCTOR

LOCATION

(PROGRAM CODE)

SEMESTER

CASHIER VALIDATION

| | | | | | |
|---------|-----|----|-------|-----|----|
| MO | DAY | YR | MO | DAY | YR |
| | | | | | |
| (BEGIN) | | | (END) | | |

| DATE | CODE | REC# | CHARGES | AMT REC. | BAL. |
|------|------|------|---------|----------|------|
| | | | | | |

| STUDENT NAME | SOC. SEC. NUMBER | CHARGES FD | | AMOUNT PAID | STUDENT SIGNATURE |
|-----------------------------|------------------|------------|------------|-------------|-------------------|
| | | TUITION | OTHER | | |
| 1 FREDDY L. JOHNSON | IT #13 | | #13 | | [Signature] |
| 2 Kenny Nichols | IT | | FFD | | [Signature] |
| 3 Kenny Currie | IT | | CCES | | [Signature] |
| 4 Kenneth A. Tatum | IT | | #8 | | [Signature] |
| 5 Danny Matthews | IT | | #1 | | [Signature] |
| 6 Jessie B DeKane | IT 4921 | | #2 | | [Signature] |
| 7 Kenneth T Thurmond | EIF10T | | #1 | | [Signature] |
| 8 OWEN HARRIS | IT 21511 | | #4 | | [Signature] |
| 9 Eddie Garner | IT | | #4 | | [Signature] |
| 10 Stephen White | IT | | #4 | | [Signature] |
| 11 Hank Harris | IT 76103 | | #4 | | [Signature] |
| 12 CHARLES L. HODGES | IT 81012 | | HMFD | | [Signature] |
| 13 Christopher Brian Pearce | IT 81012 | | CCEMS HMFD | | [Signature] |
| 14 Ed Melvin | IT | | Co | | [Signature] |
| 15 GARY BROCK | IT 101816 | | ST 26 | | [Signature] |
| 16 RICHARD BULLARD | IT 8101519 | | 26 | | [Signature] |
| 17 Mike Ake | IT 8131714 | | 26 | | [Signature] |
| 18 Ronnie A. Marley | IT 8121411 | | STA 3 | | [Signature] |
| 19 LARRY REEVES | IT | | STA 3 | | [Signature] |
| 20 NATHAN T Smith | IT 3121710 | | STA 3 | | [Signature] |
| 21 James T. Mitchell | IT 9181114 | | CCES | | [Signature] |
| 22 Phil T. Taranto | IT 3101818 | | Sta 20 | | [Signature] |
| 23 Louis T. Morgan | IT 61813K | | sta 20 | | [Signature] |
| 24 Wayne G. Lucas | IT 1101613 | | STA 17 | | [Signature] |
| 25 Dwayne Matthews | IT 7171519 | | Sta 17 | | [Signature] |

Amount Paid Received This Date: _____ TOTAL _____

(Collection Agent)

(Date)

(Registration Office)

(Date)

Account Codes

Fiscal Affairs Use Only

Contract Number _____ Section Number _____

Fayetteville Technical Community College
Continuing Education
Group Registration Receipt

Chiefs MTG Employment
(Course Title) 101

(Class Prefix/Number)

(PROGRAM CODE)

SEMESTER

HOURS

INSTRUCTOR

LOCATION

CASHIER VALIDATION

| DATE | CODE | REC# | CHARGES | AMT REC. | BAL. |
|------|------|------|---------|----------|------|
| | | | | | |

| | | | | | |
|---------|-----|----|-------|-----|----|
| MO | DAY | YR | MO | DAY | YR |
| | | | | | |
| (BEGIN) | | | (END) | | |

| STUDENT NAME | SOC. SEC. NUMBER | CHARGES | | AMOUNT PAID | STUDENT SIGNATURE |
|-----------------------|------------------|---------|---------|-------------|----------------------------|
| | | TUITION | OTHER | | |
| 1 Bradley L. Teague | T T 21 919 17 | | BFD#12 | | <i>Bradley L. Teague</i> |
| 2 Dewey C. Melfon | T T 21 919 17 | | R | | <i>Dewey C. Melfon</i> |
| 3 Steve Core | T T 41 716 17 | | BFD12 | | <i>Steve Core</i> |
| 4 John D. Pome, Sr | T T 41 615 0 | | Sta. 24 | | <i>John D. Pome, Sr</i> |
| 5 Joe Marsh | T T 41 617 18 | | 24 | | <i>Joe Marsh</i> |
| 6 Kevin Herndon | T T 01 512 18 | | Sta-18 | | <i>Kevin Herndon</i> |
| 7 MIGUEL CASSANOVA JR | T T 91 211 13 | | Sta 75 | | <i>Miguel Cassanova Jr</i> |
| 8 Roddy Bullard | T T 21 913 14 | | Sta-2 | | <i>Roddy Bullard</i> |
| 9 KEVIN MURPHY | T T 71 118 15 | | Sta-13 | | <i>Kevin Murphy</i> |
| 10 Wayne Perkinson | T T 21 719 12 | | Sta-17 | | <i>Wayne Perkinson</i> |
| 11 JOHN BOWEN | T T 31 019 18 | | #15 | | <i>John Bowen</i> |
| 12 Scott Bass | T T 71 318 16 | | #20 | | <i>Scott Bass</i> |
| 13 Jason Williams | T T 41 117 19 | | #22 | | <i>Jason Williams</i> |
| 14 STEVE ROSSER | T T 61 311 12 | | 22 | | <i>Steve Rosser</i> |
| 15 Thomas M. Allen | T T 11 513 15 | | FFD | | <i>Thomas M. Allen</i> |
| 16 Brian Mims | T T 01 811 10 | | FFD | | <i>Brian Mims</i> |
| 17 Paul Pirro | T T 01 015 9 | | Sta 23 | | <i>Paul Pirro</i> |
| 18 | T T | | | | |
| 19 | T T | | | | |
| 20 | T T | | | | |
| 21 | T T | | | | |
| 22 | T T | | | | |
| 23 | T T | | | | |
| 24 | T T | | | | |
| 25 | T T | | | | |

Amount Paid Received This Date: _____ TOTAL _____

(Collection Agent) (Date)

(Registration Office) (Date)

Account Codes _____ Fiscal Affairs Use Only

Contract Number _____ Section Number _____

Fayetteville Technical Community College
Continuing Education
Group Registration Receipt

CHIEFS M76 EMPLOYMENT 101

(Class Prefix/Number)

(Course Title)

HOURS

INSTRUCTOR

LOCATION

(PROGRAM CODE)

SEMESTER

CASHIER VALIDATION

| | | |
|---------|-----|----|
| MO | DAY | YR |
| (BEGIN) | | |

| | | |
|-------|-----|----|
| MO | DAY | YR |
| (END) | | |

| DATE | CODE | REC# | CHARGES | AMT REC. | BAL. |
|------|------|------|---------|----------|------|
| | | | | | |

| STUDENT NAME | SOC. SEC. NUMBER | CHARGES <i>FD</i> | | AMOUNT PAID | STUDENT SIGNATURE |
|-------------------------|------------------|-------------------|--------------------|-------------|------------------------------|
| | | TUITION | OTHER | | |
| 1 Benjamin Major | T T 7141513 | | FFD | | <i>Benjamin Major</i> |
| 2 William Dullard | T T 21429 | | ST-33 | | <i>William Dullard</i> |
| 3 Andrew Snyder | T T 1191816 | | NCFS | | <i>Andrew Snyder</i> |
| 4 Freddy L. Johnson Jr. | T T 0191315 | | SPFD ¹³ | | <i>Freddy L. Johnson Jr.</i> |
| 5 MARK A. MELVIN | T T | | | | <i>Mark A. Melvin</i> |
| 6 | T T | | | | |
| 7 | T T | | | | |
| 8 | T T | | | | |
| 9 | T T | | | | |
| 10 | T T | | | | |
| 11 | T T | | | | |
| 12 | T T | | | | |
| 13 | T T | | | | |
| 14 | T T | | | | |
| 15 | T T | | | | |
| 16 | T T | | | | |
| 17 | T T | | | | |
| 18 | T T | | | | |
| 19 | T T | | | | |
| 20 | T T | | | | |
| 21 | T T | | | | |
| 22 | T T | | | | |
| 23 | T T | | | | |
| 24 | T T | | | | |
| 25 | T T | | | | |

Amount Paid Received This Date: _____ TOTAL _____

(Collection Agent)

(Date)

(Registration Office)

(Date)

Account Codes

Fiscal Affairs Use Only

CUMBERLAND COUNTY FIRE CHIEF'S ASSOCIATION

RECORD OF ROLL CALL VOTES

DATE: 4, 25, 2011

RECOMMENDATION/PROPOSAL TO DESTROY ALL NON-REQUIRED FINANCIAL RECORDS. WE WILL KEEP 5 YEARS PLUS THE CURRENT YEAR AS DIRECTED BY OUR AUDITORS

MOTION BY: B BULLARD

SECONDED BY: K. HALL

| DEPARTMENT | YES | NO | ABSTAIN | DEPARTMENT | YES | NO | ABSTAIN |
|------------------|-----|----|---------|----------------|-----|----|---------|
| BEAVER DAM 26 | ✓ | | | HOPE MILLS 21 | ✓ | | |
| BETHANY 12 | ✓ | | | PEARCES MILL 3 | ✓ | | |
| CEDAR CREEK 8 | ✓ | | | POPE AFB | | | |
| COTTON 4 | ✓ | | | SPRING LAKE 22 | ✓ | | |
| CUMBERLAND RD | ✓ | | | STEDMAN 23 | ✓ | | |
| EASTOVER 1 | ✓ | | | STONE POINT 13 | ✓ | | |
| EMS/RESCUE | ✓ | | | VANDER 2 | ✓ | | |
| FAYETTEVILLE | ✓ | | | WADE 16 | ✓ | | |
| FORT BRAGG | ✓ | | | WESTAREA 10 | | | |
| GODWIN/FALCON 17 | ✓ | | | WESTAREA 15 | ✓ | | |
| GRAY'S CREEK 18 | ✓ | | | WESTAREA 20 | ✓ | | |
| GRAY'S CREEK 24 | ✓ | | | | | | |

TOTALS YES 22 NO _____ ABSTAIN _____ MOTION PASSED FAILED

**CUMBERLAND COUNTY FIRE CHIEF'S ASSOCIATION
ROLL CALL**

| | | | | | | | | | | | | | | |
|--------------------------------|--------------------|------------------|------------------|--------------------|--|--|--|--|--|--|--|--|--|--|
| MEMBERS PRESENT (22) | 17 | 20 | 20 | 22 | | | | | | | | | | |
| ASSOCIATES PRESENT (12) | 7 | 7 | 7 | 7 | | | | | | | | | | |
| CC Fire Chiefs | 24-JAN-11 * | 28-FEB-11 | 28-Mar-11 | 25-Apr-11 * | | | | | | | | | | |
| DEPARTMENT ORGANIZATION | | | | | | | | | | | | | | |
| * Chief's Only Meeting | | | | | | | | | | | | | | |
| MEMBERS | | | | | | | | | | | | | | |
| BEAVER DAM STA 26 | P | P | P | P | | | | | | | | | | |
| BETHANY STA 12 | P | P | P | P | | | | | | | | | | |
| CEDAR CREEK STA 8 | P | P | P | P | | | | | | | | | | |
| COTTON STA 4 | P | P | P | P | | | | | | | | | | |
| CUMBERLAND ROAD STA 5 | P | P | A | P | | | | | | | | | | |
| EASTOVER STA 1 | E | P | P | P | | | | | | | | | | |
| EMS EMERGENCY MEDICAL SERVICES | P | A | P | P | | | | | | | | | | |
| FAYETTEVILLE FIRE DEPT | P | P | P | P | | | | | | | | | | |
| FORT BRAGG FIRE DEPT | P | P | P | P | | | | | | | | | | |
| GODWIN - FALCON STA 17 | P | P | P | P | | | | | | | | | | |
| GRAYS CREEK STA 18 | P | P | P | P | | | | | | | | | | |
| GRAYS CREEK STA 24 | A | P | P | P | | | | | | | | | | |
| HOPE MILLS STA 21 | A | P | P | P | | | | | | | | | | |
| PEARCE'S MILL STA 3 | P | P | P | P | | | | | | | | | | |
| SPRING LAKE STA 22 | A | A | A | P | | | | | | | | | | |
| STEDMAN STA 23 | P | P | P | P | | | | | | | | | | |
| STONE POINT STA 13 | P | P | P | P | | | | | | | | | | |
| STONE POINT STA 19 | P | P | P | P | | | | | | | | | | |
| VANDER STA 2 | P | P | P | P | | | | | | | | | | |
| WADE STA 16 | P | P | P | P | | | | | | | | | | |
| WESTAREA STA 15 | A | P | P | P | | | | | | | | | | |
| WESTAREA STA 20 | P | P | P | P | | | | | | | | | | |
| ASSOCIATE MEMBERS | | | | | | | | | | | | | | |
| HAZMAT | P | E | P | P | | | | | | | | | | |
| SHERIFF'S OFFICE | A | P | P | A | | | | | | | | | | |
| HIGHWAY PATROL | P | P | P | P | | | | | | | | | | |
| CC EMERGENCY SERVICES | P | P | P | P | | | | | | | | | | |
| FORESTRY | P | P | P | P | | | | | | | | | | |
| FTCC | A | P | A | A | | | | | | | | | | |
| COUNTY COMMISSIONERS | P | P | P | P | | | | | | | | | | |
| CHRISTIAN FIREFIGHTERS | A | A | A | P | | | | | | | | | | |
| LIFE LINK | P | A | P | P | | | | | | | | | | |
| SBI | A | A | A | A | | | | | | | | | | |
| HOPE MILLS POLICE | A | A | A | A | | | | | | | | | | |
| FORT BRAGG EMS | P | P | A | A | | | | | | | | | | |

Special Notes:

CODES: (P) - Present (A)-Absent (E) - Excused