



MINUTES
Holly Springs Fire-Rescue District
Commission Board of Fire Control
Tuesday, July 6th, 2010
4:00pm

A public meeting of the Holly Springs Fire-Rescue District Commission Board of Fire Control was held on Tuesday, July 6th, 2010 at 4:00 pm. in the Conference Room of the Holly Springs Fire Department administrative building. Chairperson Ryan Phillips presided. The following members were present or absent as indicated:

List Present or Absent

Commissioners

Chairman Ryan Phillips - present
Vice-Chairman K. Roscoe Kyle Jr. – present
Commissioner Hugh Jackson. – present
Commissioner Clarence V. Gibbs – present
Commissioner Kelly Waters - present

Administration

Chief A. Lee Jeffcoat Jr. – present
Asst. Chief W. Brent Blackwell – present
Secretary Bonnie Fulton - present
Treasurer Kelly Waters - present

Visitors

Attorney Kenneth Anthony
Attorney Ryan Langley

In compliance with the Freedom of Information Act, notices of this meeting were posted on district website, posted on public information board, & mailed to the local media or other interested parties that formally requested such copies.

Invocation was rendered and the beginning prayer was led by Commissioner Hugh Jackson.

Agenda items were addressed out of order as indicated.

1. APPROVAL OF June 1st, 2010 MEETING MINUTES

Commissioner Ryan Phillips moved to approve the June 1st, 2010 meeting minutes as printed and/or mailed. The motion was seconded and carried.

2. UNFINISHED BUSINESS

The following unfinished business was addressed and actions listed:

There was no unfinished or old business.

3. FIRE DEPARTMENT REPORTS

Chief Lee Jeffcoat provided the following fire department operations report:

- **Financial Report**

- Fiscal Year 2010 Financial Report – Estimate – PreAudit Data

Chief Jeffcoat provided copies for all commissioners of the following reports for 2010: a Profit & Loss Statement, a Quickbook Summary, a Ten Year History, and a Collection Rate & Income Report. These reports were also put into a slide presentation for the public to follow along. Chief Jeffcoat explained where all his numbers came from including his millage numbers and how he used prior years histories to determine a new budget.

- Explanation of County Funds by Sharon West, County Auditor

At this time, the Commissioners asked Sharon West, the Spartanburg County Auditor to make a presentation. She explained that the Millage Rate is determined by a 3 year average of tax levies that are collected. Beyond that, she had no additional statements to make over and above what Chief Jeffcoat had already explained during his financial report.

Commissioner Waters asked what our current maximum legal millage was? Ms. West responded 16.7%. She explained that we were reappraised in 2006 and rolled back to 16.7% from 18%. However, due to Act 388, we were able to vote it back up to 18% as we were able to prove from prior years, that we would have operated at a deficit. Commissioner Waters asked if the department could be held liable for the 1.3% difference if a citizen complained. Ms. West said that yes we could, however it has never happened in all of Spartanburg County.

At this time, the Commissioners distributed an unaudited analysis provided by Chris Skinner of Taxpayers Choice. The final numbers reflected roughly a \$70,000 difference that the budget Chief Jeffcoat provided. There was a \$13,000 discrepancy in payroll alone. Mr. Skinner was not present to explain this audit.

- **Quarterly Incident Report**

- As June CAD reports had just come in earlier today, the quarterly report was not yet ready. This will be presented at the next meeting.

- **Operations**

- N/A.

- **Policy & Protocol Change**

- **New S.C Fire Academy Interior Firefighter Training Requirement**

Chief Jeffcoat asked that this be post-poned until the next meeting due to time constraints. The explanation for this would some time and as we had 11 speakers on the Agenda, he requested this be moved to next month. He gave a short version explanation.

- **Upcoming Fire Department**

- N/A

- **Other r Misc. Information**

- None

4. **NEW BUSINESS**

- **Consideration of Budget Amendments**

Request made by Commissioners to hear speakers first.

- **Consideration of elimination of fulltime position of Fire Chief and Termination of Current Fire Chief.**

Request made by Commissioners to hear speakers first.

- **Speaking Request** (The following individuals have requested in writing to speak during the new business portion of the meeting.)

Commissioner Hugh Jackson – Commissioner Jackson first explained the Commissioners By-Laws and that in Section VI, item 6 it states that without a consensus on an issue, the issue is to be removed from the agenda. He then went on to detail several meetings that took place without his knowledge and the decisions made in those meetings:

2nd week of Oct 2009 – the decision was made to move the financial statements from the Fire Department to Inman Realty.

Nov 2009 – meeting to reprimand Chief for giving out information to the public from a prior Commissioners Meeting. This was done by email to all Commissioners including one no longer on the board.

Nov 10th, 2009 – discontinue Smoke Detector Program for the community to save the department money and to remove the Chief's authority to procure supplies and spend money.

Jun 16th, 2010 – termination of Chief

Jun 17th, 2010 – a private meeting where a vote was taken to hire an attorney.

Jun 17th, 2010 – in a private meeting it was decided to increase the secretary's hours, promote the Asst Chief to Chief and increase his salary, and firefighter promoted to Asst Chief (Firefighter did not accept), staff an additional full time firefighter to cover day shift.

Jun 30th, 2010 – a private meeting taken to consult with an accountant

July 2nd, 2010 – Changes made to today's meeting in regards to start time
Commissioner Jackson went on to say that he was not comfortable with what was currently going on within our community and that it is very important that we come together to stop it.

None of the other attending Commissioners had any comment or response.

Kelli Cardoso – Ms. Cardoso asked the Commissioners the following questions:

If the Chief is terminated tonight, who will continue to administer and manage the grants that are currently in use? Is there anyone in place to administer the grant for the radio's? What is the plan to ensure that the community continues to maintain the current level of service that Chief Jeffcoat ensures the community receives?

Commissioner Phillips responded that at this time Chief Jeffcoat is still in place and therefore, they have no plan. When asked directly by Ms. Cardoso, Asst Chief Blackwell stated that he is not prepared or trained to handle grants of any kind.

Mary-Lu Elias – Ms. Elias gave a speech on Ethics, what is considered appropriate or not. She also announced the next delegation meeting, on Aug 9th, at 5:30pm in Spartanburg. She urged the community to contact their delegation leaders to effect change. She also urged the Commissioners to do the right thing by stepping down.

None of the Commissioners had any comment or response.

Terry Ledford – Mr. Ledford asked the Commissioners *why the Chief's June 16th termination came directly after the drowning at Lyman Lake?* Several other agencies provided meals and water during that weekend, including the Sherriff's Department and Startex Fire Department. Why was there such an issue made that resulted in the termination of our chief?

No response made by the Commissioners.

Melissa Lawson – Ms. Lawson asked the Commissioners to *please explain the benefits of having the financial/bank records sent to Inman Realty?* The By-Laws clearly state they should be sent to and kept at the department.

No response made by the Commissioners.

She also asked *why Commissioner Kyle combined accounts and made other changes without notifying the Chief?*

Commissioner Kyle explained that the accounts were combined to help save money on service charges. He believes we are currently saving \$300-400 by combing all the accounts into one.

Jeremy Chapman – Mr. Chapman asked the Commissioners *why the Chief was terminated?*

No response made by the Commissioners.

Were there any formal complaints or documentation available to back up the termination?

No response made by the Commissioners.

Can the Commissioners provide Performance Evaluations on the Chief?

No response made by the Commissioners.

When was the decision made to hire an accountant? Were minutes taken at that meeting? Was there a vote?

Commissioner Phillips stated that the accountant was contacted to provide information that the accountant already had and was not independently hired.

Why was the Chief terminated?

Commissioner Phillips stated that it was **not** due to the purchase of water at the Lake Lyman drowning. But there was still no response made by the Commissioners as to why he was terminated.

Why was a new attorney hired to represent the Commissioners? Why not Matt Henderson?

Commissioner Phillips explained that during a conversation with Matt Henderson, it was decided that Mr. Henderson would have represented a conflict of interest no matter who he served.

Who is paying for the current attorney?

Commissioner Phillips stated that he has not yet seen a bill and does not know if he will.

Cindy Yarborough – Ms. Yarborough asked the Commissioners *why did you remove fundraising from the department, namely the picture fundraiser?*

Commissioner Phillips explained that he and other commissioners had received complaints that Mr. Montooth was misrepresenting himself as a volunteer for the department. The commissioners also felt that the 45% that Excalibur Marketing received was too much money.

Chief Jeffcoat responded with the fact that although Mr. Montooth wears a shirt from the department, he also wears a hat and a badge from Excalibur marketing. The 45% that they collect is only on donations greater/less than 40\$.

Ms. Yarborough wanted to know if *any citizen would be allowed to take the pictures with 100% profit going to the department?*

Commissioner Phillips said that if it was properly presented at a Commissioners meeting, the Commissioners would be glad to vote on it.

Did your attorney tell you not to answer any of our questions?

Commissioner Phillips answered “No”.

Question addressed to Attorney Kenneth Anthony *Who will receive your bill?*

Mr. Anthony responded “I am a volunteer.”

Susan Thomas – Ms. Thomas asked the Commissioners *what happened to the budget in the weeks leading up to the Chief's termination that required his termination?*

Commissioner Phillips responded that it was made clear to him that the budget had to get turned in and that any changes or amendments made to it required a simple vote as needed.

How can so many illegal meetings be held by the Commissioners?

No response made by the Commissioners.

Ms. Thomas stated that she believed the Commissioners did not have the best interests of this community in mind.

Sandra Hargett – Ms. Hargett asked the Commissioners *why the department stopped billing insurance companies for calls?*

Commissioner Phillips said “because we had a majority vote”.

Can proof be provided that our insurance rates will go up or down without the billing?

Commissioner Gibbs responded “I don’t know.”

Bob Hargett – This department is supposed to be a non-profit organization. *Why are running a surplus? Please explain the difference in the 2 budgets presented earlier.*

Commissioner Phillips asked that the department and Commissioners be given time for an accountant to actually run an accurate set of numbers before these questions can be answered.

Mr. Hargett requested that an audit of the books be put on the next agenda. Request granted.

Mr. Hargett ended his with a plea to the Commissioners:

“Please do the job that this job requires. The community will support you if you do the job right.”

Brenda Ledford – Ms. Ledford explained that the address first used for the Lake Lyman drowning victim was hers. She and her family opened their home to the family of the victim as well as the various agencies that were there all weekend. The only commissioner she saw all weekend was Commissioner Jackson who helped direct traffic. She feels ashamed at what is happening within this department. Namely, the Chiefs termination immediately on the heels of reports turned in detailing the expenses incurred during the rescue and recovery operation. Brenda introduced the last speaker, a family member of the drowning victim.

None of the other attending Commissioners had any comment or response

Harriet - Ms. started by thanking Chief Jeffcoat, Sheriff Chuck Wright, the Ledford Family, and all the volunteers and firefighters for their dedication in the recovery of the body of Wade Mitskoff.

To the Commissioners she asked *If this was your child, would you want a Part time or Full time fire department and Chief responding?*

She also felt that letting Chief Jeffcoat go would be as bad a loss to the community as the loss of Wade was to his family.

None of the other attending Commissioners had any comment or response

- Back to **Consideration of Budget Amendment**

Commissioner Kyle Moved that a budget workshop (open to the public) be scheduled to help correct the deficit. This motion was seconded and carried. The date will be scheduled once all the financial information is put together. The community will be notified, in plenty of time, of date and location of meeting.

- Back to **Consideration of elimination of fulltime position of Fire Chief and Termination of Current Fire Chief.**

Commissioner Jackson feels we need to keep full time Chief position and current Chief.

Commissioner Kyle feels that the budget issue needs to be resolved first. He Moved that this issue be removed from the agenda until the budget is resolved. The motion was seconded and carried.

Commissioner Phillips explained that we had just closed out our books for the recent fiscal year on June 30th and we could discuss getting ready for an audit to help resolve the budget. Chief Jeffcoat explained that an audit would only tell us what we had done and would not answer any questions regarding the future budget.

Commissioner Waters is still asking questions regarding the millage rate and wants to know if it will become an issue? Chief Jeffcoat feels justified in the increased 1.3% and does not feel like it is or will be an issue.

5. **ADJOURNMENT & CLOSING**

When no other speakers had anything to say or ask, Commissioner Phillips adjourned. Meeting was adjourned at 5:54p.m.