

FOUNDED IN 1946

CHIEF ADMINISTRATOR

Jack L. Mancione

DEPUTY CHIEF

William F. Just
Edward J. Gergits



TRI-STATE

FIRE PROTECTION DISTRICT

419 PLAINFIELD ROAD • DARIEN, ILLINOIS 60561 • (630) 323-6445

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TRI-STATE FIRE PROTECTION DISTRICT HELD July 20th, 2015 AT FIRE STATION #3.

I. Call to Order

1. The meeting was called to order at 18:30 by Trustee Jewell. On Roll Call: Trustee Jewell, Trustee Habercoss, Trustee Orrico, Chief Mancione, Deputy Chief Gergits, Deputy Chief Just, Administrative Aide Radek, and Board Attorney Dunn.

II. Minutes

1. There were three sets of minutes presented to the Board.
2. Trustee Orrico requested that the word Horror be changed to Honor in the May 13th 2015 Meeting Minutes to reflect intent. Trustee Habercoss wanted it on the record that he did not prepare nor would he present the May 13th 2015 Meeting Minutes due to the fact he was not a Board Member. Habercoss also felt that he and Trustee Jewell should abstain from approving board minutes from when they were not board members. Board Attorney Dunn stated she was not aware of any conflict this presented. Trustee Orrico made a motion to approve the minutes of the May 13th, 2015 meeting. Trustee Jewell seconded the motion. Motion approved on roll call: Jewell Aye, Orrico Aye, and Habercoss Nay (2-1-0).
2. Discussion of the May 18th 2015 Meeting Minutes transpired. Chief Mancione stated that Administrative Aide Radek submitted her notes (labeled minutes) and they were put in the board packet and emailed to the Board as decided at the last board meeting. Trustee Habercoss stated the motion to hire Administrative Aide Radek was tabled and the decision on whom to hire was to be made during the current meeting. Habercoss also stated that the original discussion was to hire a neutral third party to create a draft of the minutes with final approval of the Board Secretary Habercoss, noting that he had a video recording to verify

- that. He also stated he did not believe Mrs. Radek was a neutral third party due to the fact she was Chief Mancione's Administrative Aide.
3. Trustee Habercoss wanted the record to reflect that the only meeting minutes he was submitting were the ones he prepared and signed. By law, Habercoss stated, he was responsible for preparing and presenting the minutes.
 4. Chief Mancione asked Trustee Habercoss if he was keeping shadow minutes. Trustee Habercoss stated he is recording the meeting to prepare the minutes. Mancione than stated he wanted a policy for videotaping and an inventory of the videotapes. Habercoss reflected it is his legal right to video record the meetings.
 5. Trustee Orrico made a motion to table the minutes, the motion was seconded by Trustee Jewell.

III. Treasurers Report

1. The Treasurers Report was presented by Trustee Orrico.
2. Trustee Habercoss requested to see the district's checks, credit card statements, and receipts in the financials so he could do a detailed analysis. Habercoss stated he believed it was his job as an elected official to review these documents.
3. Trustee Orricco stated that the report being filed is details and it has been gone over check by check.
4. Trustee Jewell asked Trustee Habercoss what was missing from last month financials. Habercoss stated that every month the report is different and he wants consistent reports
5. Chief Mancione stated the department has new software installed and that this month's financials would be the template for future reports.
6. Audience member John Currico interjected that the trustees need to get along and that Habercoss should not worry about minutes and get on with the meeting.
7. Motion by Trustee Orrico made to accept the Treasurer's Report and and expenses as given seconded by Trustee Jewell. Motion approved on roll call: Jewell Aye, Orrico Aye, and Habercoss Nay (2-1-0).

IV. New Business

1. Art Miller from the American Heart Association's Mission Lifeline Program presented the Tri State Fire Protection District with a Silver Award. This award is given to departments whom implement and apply protocols that save the lives of serious heart attack victims. This award is one of only 19 given out in the State of Illinois.

2. Ordinance 15R001 was presented to the Board for adoption. The ordinance brings the district into compliance with state and local laws. Motion by Trustee Jewell was made to adopt the Ordinance 15R001, seconded by Trustee Habercoss. Motion approved on roll call: Jewell Aye, Orrico Aye, and Habercoss Aye (3-0-0).
3. The American Heart Association recognition did not take place due to bad weather. ✓
4. Draft Ordinance 150003 regarding the 2015/2016 Budget Approval was presented to the Board for review. Chief Mancione informed the Board to review the Draft for consideration at the next Board meeting and explained the Draft Budget and levies. He also stated the budget had to be published 30 days before approval and due to the five Mondays in August it threw off the next meeting and requested we move the meeting from August 17th to the 25th.
5. Trustee Habercoss asked several question in regards to the budget such as; the end deficit, Tort Judgements, Code Books, Safety and Security, large increase in, Fire Marshall Assistant (new hire), Liability Insurance, Audit Fund, ?? marks by Health Insurance, and the numerous items that zeroed out. Habercoss stated he had other questions but he would e-mail them to Chief Mancione at a later date.
6. Trustee Orrico asked Chief Mancione if he wanted him to make a motion to approve the budget. Trustee Habercoss stated the motion was out of order because the budget had to be posted publicly for 30 days. No further action was taken on the budget.
7. Trustee Habercoss recommended the creation of a Labor/Management Committee to help reduce legal costs (moved to closed session per Legal)
8. Trustee Habercoss suggestion and discussed video recording meetings and posting them on Tri States Web Site. Chief Mancione stressed his concern over the districts image and the limited views of the recordings. Trustee Jewell asked legal counsel for an opinion on request and if we needed a policy. Attorney Dunn said there was no policy on it. Trustee Habercoss made a motion to record all meetings and put them on the Tri State website for the public to see. The motion was not seconded.

V. Communications

1. Chief Mancione presented a letter from Westmont Fire Department, a Newsletter from the Legislative Alliance, and a Newsletter of the executive summary from the Northern Alliance. Mancione also informed the Board of a fire in the District at the Towers. He stated the fire crews on scene did a great job and recognized their efforts. Also, Chief Mancione stated Tri State Fire Department was visited by the Hinsdale Fire Department and the Clarendon Hills Fire Department and trained on truck and roof operations.
2. Trustee Habercoss recognized Tri State for their efforts at the fire.

VI. Commissioner's Report

1. Commissioner Camden reported that the board has not been able to interview one of the two candidates interested in the Commissioners spot. He believed it would be complete before the next meeting and they would make a recommendation.
2. Commissioner Anderson reported the interviews for the entry level Fire Fighters had been completed by IO Solutions. He also stated that the board had received the study guides for the Battalion chief testing from Standard Associates.
3. Trustee Habercoss stressed his concern over how he could recommend someone for the Commissioner position without any knowledge or information about the candidate. Habercoss suggested that in the future it would be helpful to sit in on interviews. Commissioner Anderson stated the Trustees were welcome to sit in on interviews. Trustee Orrico stated this has been the Commissions appointment process for many years and they do their due diligence. He also stated that by the Board of Trustee's asking the Commissioners for a list it takes away their power. Trustee Jewell suggested the Commissions come up with a short list for the Trustees to interview, stressing he would take the time for interviews to teach Trustee Habercoss the process. He then asked the Commissioners to keep the board informed.

VII. Old Business

1. The vacancy on the Board of Commissioners is being handled by the Commissioners.

2. Discussion of whether the Board should authorize the Boards Legal Representatives to represent the current board in the two requests for reviews filed by Trustee Habercoss. Trustee Habercoss stated that he believed an OMA violation had been committed by the previous Board and the current Board and the citizens of the district should not be legally or financial responsible. Trustee Orrico make a motion to authorize the legal team to answer the PAC questions regarding the OMA violations. Board Attorney Dunn stated to the Board that they may want to consider what the protocol was in the past before moving forward. Trustee Jewell asked the Board Attorney asked what our protocol has been. Attorney Dunn responded that the past protocol was to respond to the AG within seven business days. Trustee Habercoss asked 3 questions, how many OMA violations has the district had in the last 5 years, 2years and 1 year. Board Attorney stated she would have pull the records for the past 5 years and 2 years violation, and there were no complaints this year. Chief Mancione reminded the Board there was a motion on the floor. Trustee Jewell seconds Trustee Orricos motion. Motion approved on roll call: Jewell Aye, Orrico Aye, and Habercoss Nay (2-1-0).
3. Board discussion on the release of the Legal Opinion on the 5 person Board. Trustee Habercoss stated he believed the Legal opinion should be released to the public, they paid for it, they had a right to see it, and why would the Board hold it back. Trustee Habercoss made a motion to make the Legal opinion public. Trustee Jewell asked what is it about the resolution that the taxpayers need to know, and what precedent was that setting. Board Attorney Dunn stated her legal opinion was not to release the opinion to the public. Chief Mancione called for a point of orders since no one seconded the motion. Trustee Jewell seconded the motion. Trustee Habercoss stated he thought they were discussing the question and called for a vote. Habercoss received no second.

VII. Chief's Report

1. Chief Mancione stated the Districts largest building had a fire and an EMS Box. He also stated that all crews on the scene performed well along with administration and operations coming together mobilizing for an extended period of time. There was an exceptional fire hit by first incoming crew doing four hours work in 10 minutes.

IX. Attorney's Report- Reserved for Closed Session

X. Audience Comments

1. Audience members suggested compromising videotaping with audio taping, to give up the past and start new, and that recording was a waste of time.

XI. Closed Session

2. At 2058 hours Trustee Orrico made a motion to go to closed session, seconded by Jewell. Motion approved on Roll Call: Jewel Aye, Orrico Aye, And Habercoss Aye (3-0-0).
3. Trustee Jewell recited the following:**(5 ILCS 120/2) (Sec. 2 – (c) , (1)** The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity, as well as minutes, previous session.
(5 ILCS 120/2) (Sec. 2 – (c), (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
(5 ILCS 120/2) (c)(21) Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.
4. At 2119 hours Trustee Jewell made a motion to adjourn closed meeting, seconded by Trustee Habercoss. Motion approved on roll call: Jewell Aye, Habercoss aye, and Orrico aye (3-0-0),

With no further business at 2120 hours Trustee Jewell made a motion to adjourn the Regular meeting, seconded by Trustee Habercoss. Motion approved on roll call: Jewell Aye, Habercoss Aye, and Orrico absent (3-0-0)

Respectfully Submitted

Eric Habercoss
Secretary Board of Trustees