

# Village of Windham

9621 East Center Street Windham Ohio 44288  
330 326-2622 Extension 4 Fax: 330 326-2645  
<http://www.windhamvillage.com>

September 5, 2007

**To: Windham Township Trustees**

**From: Windham Village Council and Mayor**

**Subject: Offer to resolve issues and open discussions on forming a Joint Fire District and EMS**

The Council Members that were present at the Trustee meeting were very disappointed to find that all questions were being answered by your lawyer. We were hoping to have an open dialog to discuss the positives and the negatives of a Joint Fire District. I understand the need to have counsel to advise you on the legalities of such a move. I also understand the need to check out all possible difficulties that such a move might create. However, the move appeared to be defensive in nature. Since that meeting we have felt the need to hire our own counsel to check our position as well. We are still hoping that cooler heads prevail and that we can move forward with a Joint Fire District. We should be working to close the gaps on the small differences that divide us on this issue. The forming of a Joint Fire District would be to the benefit of both Village and Township. We are in hopes that we can continue to move forward on the issues that separate us and keep on schedule for our November 1, 2007 date for the forming of the district.

## **Who would be the members of the new Joint (Village / Township) Fire District Board?**

The Ohio Revised Code (O.R.C.) provides that the new Joint Fire District Board will need to be an odd number, such as three (3) or five (5) members decided by Village Council and the Township Trustees. The Village Council proposes a five (5) member board. The board members would consist of one (1) Village Council Member and one (1) Township Trustee. The other three (3) members of the new board would be citizens of the Village and Township. The Village Council and the Township Trustees would each choose their own method of how they choose their citizen appointments. The three (3) citizens should each serve three (3) year terms (staggered). Each year, either the Village or Township would appoint a citizen. The Village Council Member or Trustee would serve two (2) year terms. These would be staggered. On the year that the Village appoints the citizen representative, the Township would appoint its Board representative and vice versa.

Council President, Scott Garrett, has already been selected by Village Council as Councils representative to the new Joint (Village / Township) Fire District Board. Any one of you three (3) Trustees would represent this new Board very well.

There are many good, qualified citizens in the Village and Township that could be appointed to the Board to serve in the remaining three (3) positions on the five (5) member Board.

The Fire Chief and Fire Department would serve one master instead of two.

The Village Council and the Township Trustees would no longer have direct control of the Fire Department and Fire District. Their Council and Trustee representatives serving on the Joint Fire District Board with the three (3) citizens would be focusing on only Fire District and Department needs and interests. The politics would be gone.

Joint District Boards all around us have worked without politics for many years, such as; Garrettsville/Freedom/Nelson, Mantua Village/Township, Newton Falls City/Township, Poland Village/Township, Canfield City/Township and others.

In order to encourage you to move forward on forming a Joint (Village / Township) Fire District by November 1, 2007 and to encourage you to refrain from legal actions and costs to both parties, the Village Council and Mayor offer the Township Trustees the following proposals:

**1. The land real estate where the Fire Station is located.**

The Village Council would be willing to donate its land to the Joint (Village / Township) Fire District Board.

**2. The Fire Station.**

The Village Council would donate one half (1/2) of its share of the Fire Station to the new Joint (Village / Township) Fire District. The Township Trustees would need to donate its one half (1/2) share as well. The station was built with the Bond Levy taxes paid by the Village and Township residents.

**3. Equipment.**

The Village Council is willing to donate its one half (1/2) share of all equipment paid for by the Village and Township residents taxes to the new Joint (Village / Township) Fire District Board. The Township Trustees would need to donate the Townships share as well.

**4. Free Village Water.**

The Village would agree to continue to provide free water for the new Joint (Village / Township) Fire District Board and Fire Department use.

**5. No new tax. No need to terminate current tax levies. The one (1) mil levy for operation and the one (1) mil levy for heavy equipment passed by voters can remain in place until their five (5) year terms run out.**

With an agreement between the Village Council and Township Trustees, the tax collections from these two (2) levies can be used to contract for Fire and EMS services from the new Joint (Village / Township) Fire District Board and its Fire Department. This would not be a transfer of tax levies. It would be payment for fire and EMS protection for the Village and Township residents from the Joint Fire District Board.

**6. Village Police Department dispatching for Fire District.**

The Village would agree to leave the cost of dispatching fire and EMS calls at \$4,000.00 a year for the new Joint (Village / Township) Fire District Board. The Township Trustees should consider continuing to provide this \$4,000.00 yearly.

**7. Fiscal Officer / Clerk.**

The new Joint (Village / Township) Fire District Board would take applications / resumes to consider and to hire a Fiscal Officer / Clerk at their first meeting in January 2008. We know there are several very qualified applicants who would accept this part time position within the salary range recommended by the Joint Fire District Exploratory/Advisory Committee.

**8. Meetings of the new Joint (Village / Township) Fire District Board would be held at the Fire Station as other Joint Fire District Boards all around us meet at their Fire Stations.**

Please respond to our proposal by September 14, 2007. Thank you in advance for your consideration of our offer to resolve and have open discussions on forming a Joint (Village / Township) Fire District.

Sincerely,  
Windham Village Council and Mayor

Scott Garrett, Council President

Rachel Barrett

Marian Garrett

Phil Snyder

Robert Donham

Jodi Minotti

C. James Moore, Mayor

Cc: Mark Manlove, Windham Village Solicitor  
David Comstock, Esq.  
Maurice Hankins, Chairperson, J.F.D.E.A. Committee  
Clair Simpson, Fire Chief  
Rick Gano, Assistant Fire Chief  
Mike Iwanyckyj, Assistant Fire Chief