

Village of Windham

OFFICE OF THE MAYOR

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<http://www.windhamvillage.com>

August 31, 2009

Trustee Dan Timmons
8893 State Route 82
Garrettsville, Ohio 44231

Trustee Howard Furl
9450 Bryant Road
Windham, Ohio 44288

Trustee Brian Miller
10203 State Route 82
Windham, Ohio 44288

Dear Trustees:

On June 26, 2009, your attorney, Mark Finamore, wrote to our attorney, David Comstock, Jr., and outlined the three legal options for the Township with respect to the future fire protection. First, he noted that the Village and the Township could operate separate fire departments. As a second option, Attorney Finamore stated that the Township could contract with the Village for fire protection services. Third, both the Village and Township could enter into a resolution for the creation of a joint fire district pursuant to the Ohio Revised Code.

The Village has been willing to enter into a contract for fire protection or to create a joint fire district. The Village, through significant negotiations with your attorney, has drafted a contract for services and a resolution for the creation of a joint fire district. Despite the ongoing litigation, Village Council and I have remained hopeful that the Township Trustees would enter into either a contract or sign the joint resolution. Despite overtures made by you for more than nine months, we are still without an agreement and find ourselves in the same situation we have been in since the lawsuit was filed nearly 2 years ago.

As a result, the Village can no longer wait, but must have a final and definite answer from the Township Trustees regarding whether a joint fire district will be created or a contract will be signed. Therefore, I have set a

deadline. The Trustees must make a decision no later than the regular scheduled Township Trustee meeting to be held on October 1, 2009.

Should you fail to enter either into the contract or the joint resolution previously prepared and negotiated by our attorneys, the Village will proceed accordingly. This means that the Village will take any and all necessary steps to protect the interests of the Village residents, without regard to how the Township Trustees plan to provide protection to Township residents. Please also keep in mind that in the event that you choose not to join the Village in fire protection, it is unlikely that two separate fire departments will be reunited in the near future due to differences that will naturally occur in revenue generation, dispatching, personnel, and operations. I look forward to hearing from you.

Sincerely,

Mayor Robert W. Donham II
Village of Windham

Cc: Village Council
David C. Comstock Jr., Esq