

JOINT PRESS RELEASE

On Tuesday, September 22, 2009, the Board of Trustees of Windham Township and the Mayor and Council of Windham Village jointly announced the passage of resolutions creating a joint fire district. The Joint Fire District will serve the residents of both the Township and Village.

Although a Fire District was first created in 1965, legal issues arose several years ago regarding the legality of the Township's control over fire department operations. The dispute resulted in the filing of a complaint by the Village against the Township in the Court of Common Pleas of Portage County. During the course of the lawsuit the parties agreed that the Fire District was legally formed in 1965, but did not resolve the issue of "ownership" of the Fire Department, deciding that it was best to put aside past issues and instead focus on the future of fire protection in Windham. As part of the agreement, the lawsuit between the Village and Township is going to be dismissed.

Mark Finamore, attorney for the Township, and David C. Comstock, Jr., attorney for the Village, agreed that the existing arrangement, while legal, was complicated and did not comply with the strict requirements of the Ohio Revised Code for the operation of a joint fire district. Finamore stated that the passage of the resolution will assist in the management of the District, while

Comstock added that there will be greater accountability to the residents both in the Township and Village.

Dan Timmons, speaking on behalf of Board of Trustees, noted that the Board was originally concerned with the potential for increased operational costs to Township residents. These concerns were addressed with the added provision in the resolution requiring the Village to provide dispatching to the District for a period of ten years, as well as through financial contributions by the Village towards the costs of the District Fiscal Officer. These costs will ultimately be borne by the District, but Village Council believed that it was essential for the Fire District to begin fiscally sound, and therefore was willing to contribute financially to the District for a finite period of time. Likewise, the Mayor indicated that Village Council was pleased by the new structure of the Board, which will be overseen by five Village and Township residents, including one Council Member and one Township Trustee. Mayor Donham added that the five member Board will focus solely on fire department issues, and will bring greater input by residents to future fire and EMS protection issues in Windham. The residents will be appointed by the Township and Village. No appointments have yet been made.

The Fire District will become effective January 1, 2010. Township Trustee Howard Furl noted that although the parties have spent a lot of time working out the details for a joint fire

district, there is still much work to be done. Nonetheless, he stated "I am confident that with the level of cooperation that has brought us to this point, we will succeed in bringing the management and oversight of the fire department to the highest level. The firefighters serving Windham have always served the residents with distinction, and we believe that this new Board will help them serve our residents well into the future."

The Joint Fire District will continue to use the existing station in the Village, and will sublease it from the Township and Village. Both parties will contribute their existing equipment, and will also provide their existing levy money. Although both the Township and Village have operational levies on the ballot which will be used to get the District through its first year of operation, these levies will be repealed once a joint fire district levy is placed on the ballot and passed in May. The joint fire district levy will eliminate the need for reliance upon the Village and Township for financial assistance, and will assure the independent operation of the Joint Fire District. The new Board of Fire District Trustees will be responsible for choosing the millage of the replacement levy.

dcj/windham/WVFD Press Release