

WEST LICKING JOINT FIRE DISTRICT FIRE BOARD

January 10, 2008 Organizational Meeting

Kenneth King opened the 2008 organizational meeting at 7:00 p.m., and Paul George led the Pledge of Allegiance.

ROLL CALL:

Etna – Paul George; Harrison – Larry Kretzmann; Jersey – Derek Myers; Kirkersville – Terry Ashcraft; Pataskala – Ken King; Reynoldsburg – Douglas Joseph.

ELECTION OF OFFICERS:

Mr. King asked for nominations from the floor for President. Mr. Joseph nominated Paul George for President. Mr. Kretzmann seconded. Mr. Myers nominated Ken King for President. Mr. Kretzmann seconded. Mr. Kretzmann motioned to close the nominations for President. Mr. Myers seconded. Vote to close nominations: Pataskala – Mr. King, yes; Etna – Mr. George, yes; Reynoldsburg – Mr. Joseph, yes; Harrison – Mr. Kretzmann, yes; Kirkersville – Mr. Ashcraft, yes. Nominations closed. Mr. Myers asked whether a show-of-hands vote would be acceptable, and the Board members concurred. Results of show-of-hands vote: Paul George-4; Ken King-2. Paul George will serve as President of the West Licking Joint Fire District Board of Trustees for 2008.

Mr. Myers questioned the vote for President. He felt that the representative from Kirkersville (Terry Ashcraft) did not meet the qualifications of the requirements identified by the Ohio Revised Code, and stated that Mr. Ashcraft's vote should not carry. Mr. Myers stated that the ORC requires members of this Board be from the legislative branch of government, and not the executive branch of municipal government. Mr. Myers quoted ORC 505.371, Article B, Joint Fire District Creation – "The governing body of the joint fire district shall be a board of fire district trustees, which shall include one representative from each board of township trustees and one representative from the legislative authority of each municipal corporation in the district." Mr. Myers stated that Mr. Ashcraft, as the Mayor of Kirkersville, is the appointing authority and he can appoint whoever he wishes to the Fire Board – he has the executive power of the municipality. Mr. Myers reiterated, however, that to be on the Fire Board, according to the ORC, you must be from the legislative authority. Mr. Myers read ORC 705.77 (Municipality) Executive Power – "The executive power of a municipal corporation organized under sections 705.71 to 705.86, inclusive, of the Revised Code, shall be vested in the mayor..." and he stated the Code clearly identifies Mr. Ashcraft as the executive power of Kirkersville. Mr. Myers also read ORC 705.72 Council – Number of Members–Term. – "All legislative power of the municipal corporation organized under Sections 705.71 to 705.86, inclusive, of the Revised Code, shall be vested in a council..." which identifies the Kirkersville Village Council. Mr. Kretzmann questioned that if Mr. Ashcraft can not appoint himself or if he can not represent Kirkersville, then wouldn't we be wise to vote with the members who are present. Mr. Myers said, "yes, but hypothetically, if the Board were to vote on a renewal levy and all six votes were yes, then the renewal levy is put on the ballot and it passes. A year from now, someone in the public challenges, saying the Board used a vote in passing that renewal levy that we were not authorized to use by the

ORC. We could be in jeopardy of losing the tax dollars we would be receiving from that levy.” Mr. Kretzman stated that this is an organizational meeting and the Board would be discreet. If there’s a challenge to a sitting member, we should not deal with any issues that can be challenged later - deal with the organizational meeting now and address the other matters at a later date. Mr. Myers stated the Fire Board needs to contact their legal counsel and get a legal opinion on this matter to protect the Board. Mr. George stated that it is not up to the Fire Board to remove Mr. Ashcraft; that should be left up to legal counsel and if Mr. Ashcraft wished to abstain from voting tonight, that would be his choice. Mr. Ashcraft stated that he would not vote at this meeting, and he would contact his own attorney for an answer. Both Mr. Kretzmann and Mr. George stated that it was time to continue with the organizational meeting, and Mr. Kretzmann would make a motion at the end of the meeting for the Board to seek legal counsel on this matter.

Mr. George asked for nominations from the floor for Vice President. Mr. George nominated Doug Joseph for Vice President. Mr. Kretzmann seconded. Mr. Kretzmann motioned to close the nominations for Vice President. Mr. Joseph seconded. Vote to close nominations: Jersey – Mr. Myers, yes; Harrison – Mr. Kretzmann – yes; Pataskala – Mr. King, yes; Etna – Mr. George, yes; Reynoldsburg – Mr. Joseph, yes. Nominations closed. Results of show-of-hands vote: Doug Joseph – 5. Mr. Joseph will serve as Vice President of the West Licking Joint Fire District Board of Trustees for 2008.

OPEN DISCUSSION:

Bennie Evans identified himself as the former Mayor of Kirkersville. Mr. Evans has contacted Kirkersville’s legal counsel to get a written legal opinion whether Mr. Ashcraft can be Kirkersville’s representative to the Fire Board. He stated that the issue is not just about the legislative body, it’s about ethics.

APPROVAL OF MINUTES:

Clerk Elisabeth Krugh presented the December 13, 2007 meeting minutes for approval. Mr. King motioned to approve the December 13, 2007 meeting minutes as presented. Mr. Joseph seconded. Vote: Jersey – Mr. Myers, yes; Etna – Mr. George, yes; Pataskala – Mr. King, yes; Reynoldsburg – Mr. Joseph, yes. **Motion carried.**

APPROVAL OF VOUCHERS:

Mr. King motioned to approve warrants 22994 - 23070. Mr. Van Buren seconded. Vote: Harrison – Mr. Kretzmann, yes; Pataskala – Mr. King, yes; Etna – Mr. George, yes; Reynoldsburg – Mr. Joseph, yes; Jersey – Mr. Myers, yes. **Motion carried.**

CLERK’S REPORT:

The Clerk reported that the 2007 year-end has been completed and final reports were included in their folders.

Copies of the 2007 tax estimate received from the Licking County Auditor to be collected in 2008 were given to the Board.

The UAN Chart of Accounts was provided to the new Board members. The Clerk stated that she and Chief Weber would be working on the 2008 appropriations and budget next week.

The Clerk reminded the Board that the 2008 Committee Members and Volunteer Firefighters Dependents Fund Board Members needed to be determined.

The IRS mileage rate increased for 2008. Increasing the Fire District's mileage reimbursement rate would be considered at the next meeting.

CHIEF'S REPORT:

Chief Weber provided the Board with copies of the year-end 2007 Fire Board Reports as follows: Monthly Incident Counts by Stations, Incidents by District, Aid Responses by Department, Incidents by Day of Week/Shift, Incidents by Zones, EMS District Report, EMS To Scene Time Analysis.

Chief Weber received an unsolicited letter from Doug Smith recommending Greg Gaber as an architect for proposed Station 4.

Chief Weber requested that the Board change the Clerk's title to Fiscal Officer. Mr. Kretzmann motioned to change the Clerk's title to Fiscal Officer. Mr. King seconded. Vote: Reynoldsburg – Mr. Joseph, yes; Jersey – Mr. Myers, yes; Pataskala – Mr. King, yes; Harrison – Mr. Kretzmann, yes; Etna – Mr. George, yes. **Motion carried.**

Chief Weber requested that Mr. George be bonded to sign documents and if necessary, to transfer money between STAR Ohio and the primary checking account. Mr. King motioned to bond Mr. George in the amount of \$25,000. Mr. Kretzmann seconded. Vote: Harrison – Mr. Kretzmann, yes; Reynoldsburg – Mr. Joseph, yes; Jersey – Mr. Myers, abstain; Pataskala – Mr. King, yes; Etna – Mr. George, yes. **Motion carried.**

Chief Weber reported that the Class A uniforms have been ordered.

Chief Weber requested setting a date for the previously approved Awards Banquet. March 15th is the proposed date.

Chief Weber informed the Board that FPO John Singleton will be moving his office to Station 3, and will be using Peggy Davis' office furniture. Two quotes have been received to design and build a new workstation for Peggy's office. A price of \$1,891 was received from Steel & Associates, and Chief Weber recommended accepting this quote. Mr. Joseph motioned to accept Steel & Associates price quote of \$1,891 for Peggy Davis' new office workstation. Mr. King seconded. Vote: Reynoldsburg – Mr. Joseph, yes; Jersey – Mr. Myers, yes; Pataskala – Mr. King, yes; Harrison – Mr. Kretzmann, yes; Etna – Mr. George, yes. **Motion carried.**

Chief Weber introduced Larry Moon as the new Union President.

Chief Weber announced that he would retire at the end of December, 2008. Mr. George stated that it would be appropriate for the Board to think about this and form a Search Committee. Mr. Kretzmann suggested that the Job Description Committee be used as a Search Committee for the Fire Chief's position.

Chief Weber suggested that if Mr. George was going to appoint Committee members at this meeting, that he appoint the Labor Management, Buildings & Land, and Budget Committees. The remaining Committees' members could be determined by the next meeting.

2008 COMMITTEE APPOINTMENTS:

Labor-Management – Derek Myers, Chairperson; Larry Kretzmann and Paul George.
Buildings & Land Committee – Doug Joseph, Chairperson; Ken King and Larry Kretzmann.
Budget Committee – Derek Myers, Chairperson; Paul George and Ken King.
Legislative Committee – to be determined.
Vounteer Firefighters' Dependents Fund – to be determined.
Job Description Committee – to be determined.
Insurance Committee – to be determined.

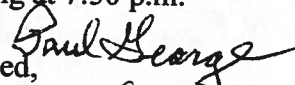
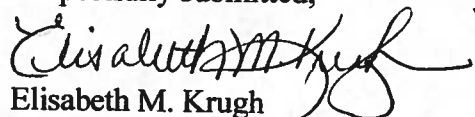
COMMITTEES' REPORTS:

Buildings & Land Committee – Mr. Joseph requested that the materials passed out last month to the previous Committee members be given to the new 2008 Committee members for final discussions. Chief Weber stated that this would be done.

Mr. Kretzmann motioned to request an opinion from legal counsel on the validity of the appointment to the West Licking Joint Fire District Board of Trustees by the Mayor of Kirkersville. Mr. King seconded. Vote: Pataskala – Mr. King, yes; Etna – Mr. George, yes; Harrison – Mr. Kretzmann, yes; Jersey – Mr. Myers, yes; Reynoldsburg – Mr. Joseph, yes. **Motion carried.**

There being no further business, Mr. George adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Elisabeth M. Krugh
Fiscal Officer

Note: These minutes are unofficial, subject to amendment, until approved by the Fire Board Members.

Guests present: Assistant Chief Harold Williams, Peggy Davis, Bennie Evans, Chad Harrison, Gary Keith, Mike Cloud, Jim Kincaid, Rick Conaway, Josh Harrison, Brian Palmer, Dan Alward, Gordon Bynorth, Larry Moon