



WEST LICKING JOINT FIRE DISTRICT BOARD OF TRUSTEES

November 8, 2012

Regular Board Meeting

Derek Myers opened the meeting at 7:09 p.m., and led the Pledge of Allegiance.

ROLL CALL:

Jersey – Derek Myers
Harrison – Mark Van Buren
Etna – Randy Foor

Kirkersville – Brian Denton
Pataskala – Mike Fox
Reynoldsburg – Cornelius McGrady III

RECOGNITION OF GUESTS: None

OPEN DISCUSSION: None

CHANGE TO AGENDA:

Mr. Myers announced there is one change to the Agenda regarding Executive Session, Item 6. There will not be an Executive Session to consider the appointment, employment, dismissal, potential discipline, promotion, demotion, or compensation of a public employee or official. It will be an Open Session.

OPEN SESSION:

Mr. Myers proceeded to the Open Session to consider the appointment, employment, dismissal, potential discipline, promotion, demotion, or compensation of a public employee or official. We will review the evidence presented to the Board in the case of David B. Fulmer vs. West Licking Joint Fire District. Mr. Myers stated he had the charges as they were presented that evening. Mr. Fox stated he will recuse himself from participation in this matter.

Mr. Myers stated Charge 1 is: Misconduct in Office, Unwise Use of Public Funds, *Specification 1* – Purchase of Challenge Coins when faced with budget shortfalls. Chief Fulmer used \$1,047.45 of District money to purchase souvenir collectible coins. *Specification 2* – Change of bargaining unit members' work schedule. Chief Fulmer initiated a change in the District work schedule which resulted in an increased cost to the District. Mr. Myers asked if there was a motion by the Board as to whether this charge was supported by substantial, reliable, probative evidence the night of the Public Hearing?

Mr. Van Buren motioned there was enough evidence that supported by substantial, reliable, probative evidence the charge. Mr. McGrady III seconded.

DISCUSSION: Mr. Van Buren stated regarding the work schedule, some of the evidence he saw, Miami Township - where Chief Fulmer worked before, had a 28-Day work cycle the

evidence showed. They went to a 19-Day work cycle when he was there, and then back to a 28-Day work cycle. None of this information was brought up during the negotiations of the union contract that that happened. That mirrors exactly what happened to us. We went from a 28-Day work cycle, to a 19-Day work cycle, back to a 28-Day work cycle. Mr. Van Buren also stated the other evidence he would like to discuss is, there was an e-mail that went out before the union contract was accepted. This e-mail went out to the Board members, and it stated that by going to a 19-Day work cycle, it would save over \$157,000. Within three or four months, the evidence stated, an email went out recommending return to a 28-Day work cycle because now it would cost over \$340,000 if we did not do that. Evidence stated the challenge coins were approved, but there was nothing in the minutes to show they were approved. There was evidence that Chief Fulmer was willing to pay back roughly \$317, but was not going to pay back any of the die cast fee. The evidence also stated Chief Fulmer bought additional challenge coins on his own, so the District did pay over \$800 for the die cast fee that he used part of, and he was unwilling to pay that back.

Mr. Myers asked if there was any other discussion on Charge 1 on the floor.

Mr. Foor stated regarding the 19-Day work cycle, it was simply a recommendation made by Chief Fulmer to the District. It is ultimately up to the Board to make that decision. Although not everyone involved on the Board at this time was a member when the decision was made, it was a Board decision to adopt the 19-Day work cycle. It did come back to bite us, but at the time based on the information that was presented to us, the Board at that time thought it was a good move, and that was the recommendation the Bargaining Committee made to the Board, and he thought it passed unanimously when the Board voted to accept the 19-Day work cycle.

Mr. Van Buren stated it was in evidence that the contract that was submitted to SERB did not include any of the information or the so-called agreement in the minutes of the previous meetings during the negotiations between the union and the Board. It was stated in the briefs that if the union would not have reneged on that agreement, there would have been no money lost. That agreement in those minutes in that previous meeting during the negotiations was not part of the contract that was submitted to the State, so you can not say that the union reneged on something that was not part of that contract, as it was stated in the briefs submitted by Chief Fulmer. Mr. Foor asked what the union reneged on – on the Kelly Days and taking their EDOs, is that what we are talking about? Mr. Van Buren replied that it stated in the evidence that if the union did not renege on the agreement that was in the last meeting of the negotiations, then those monies would not have been lost. The problem is that was not part of that union contract. The contract has the final say of any negotiations that was submitted to SERB. To sit here and say, this was discussed in a previous meeting and it wasn't carried through – if it was that seriously needed, to keep the expenses down, why didn't Chief Fulmer recommend putting it in the contract? Now, we come back stating the union reneged on this, even though it wasn't part of the contract. Mr. Van Buren stated that's a problem that he has. If that was a very important part of this contract to save money, why wasn't it put in that contract? Why didn't the union members vote on it, and agree to it, and the Board voted on it without it being in the contract? If it was so important to save that money, why didn't it go in that contract and give the Bargaining Unit the right to vote on it, and to make that Board educated? Mr. Van Buren stated he wasn't on the Board during the vote, but that Board should have been able to have that information in the contract, and as the evidence stated, Chief Fulmer signed a contract when he was employed, that he had the responsibility to do the union negotiations. Mr. Van Buren stated, the Chief

(Fulmer) is the expert. No one on this Board is an expert in fire negotiations – that's part of the Chief's (Fulmer) responsibilities. Chief Fulmer recommended the 19-Day work cycle because it was going to save money, and four or five months later, he changed his mind and blamed the union partly because they reneged on it during that meeting, even though it was not part of any contract. And that is evidence that has been shown.

Mr. Myers asked if there was any other discussion on the motion on the floor for Charge 1.

Mr. Myers stated a concern he has is in regards to Chief Fulmer's e-mail that reflected there would be a cost savings – there was no hesitation in that e-mail to the Board; it was stated as fact the savings would be there. There should have been some hesitation on that. There was no caveat that there was other trouble in implementing this at another site that Chief Fulmer was involved with. Mr. Foor questioned if the testimony reflects why the change was made from a 28-Day work cycle to 19-Day work cycle, and back to a 28-Day cycle? Mr. Myers answered no. They (Chief Fulmer's Legal Counsel) also stated that Fiscal Officer Elisabeth Krugh had reviewed that savings, yet they provided no evidence to that fact. Mr. Van Buren stated it was also presented that legal counsel reviewed it, but there was no evidence presented confirming that.

Mr. Myers asked if there was any other discussion on Charge 1.

Mr. Foor stated pertaining to the challenge coins, the Board did approve the expenditure, and the Chief explained what the challenge coins were for. Mr. Foor proceeded to state that Chief Fulmer had a spreadsheet which detailed who they went to, that was a complete inventory. Therefore, in Mr. Foor's opinion there was no violation of any policy in place, or the limits/thresholds in place. Mr. Myers agreed, but also stated when they say the Board approved the purchase, he has seen no evidence set forth that shows where the Board approved the purchase prior to the purchase being made. The evidence he has seen is that the Board approved the invoice after the coins were purchased and on site. There is a difference between pre-approving the purchase of coins or trying to beat a company out of money that is for printed material with the name of your company on it, when the representative of your company, which in this case is the District, purchased the coins. Mr. Myers stated the Board didn't know about it until the invoice was submitted to be paid, after the coins were already purchased and received, so the decision of the Board was not to go out and purchase coins. The decision of the Board by the evidence submitted, was we needed to pay this bill that this vendor provided for coins that a member of West Licking Joint Fire District had purchased.

Mr. Myers asked for any other discussion on Charge 1. Hearing no further discussion, Mr. Myers called for a vote. Mr. Myers restated the motion on the floor is that it is believed that according to Charge 1, Misconduct in Office, Unwise Use of Public Funds, *Specification 1* - Purchase of challenge coins; *Specification 2* - Change of bargaining unit members' work schedule, the motion on the floor states that this has been supported by substantial, reliable, and probative evidence. VOTE: Myers – yes; Foor – no; McGrady – no; Van Buren – yes; Denton – yes. **Motion carried.**

Mr. Myers asked if there was a motion on the floor for Charge 2: Creating Disharmony and Mistrust and Lack of Confidence Among the Bargaining Unit Members, Administrative Staff and Fire Board. *Specification 1* – Chief Fulmer misled Fire Board members by suggesting

challenge coins were to be used for employee recognition and/or given to visiting dignitaries, when in fact they were primarily used to enhance the Chief's personal collection. *Specification 2* – Chief Fulmer expects subordinate to follow rules, procedures and meet deadlines, however, he commonly procrastinates and doesn't follow established protocols. Is there a motion as to whether this Charge on that evening was supported by substantial, reliable, and probative evidence?

Mr. Van Buren motioned there was substantial, reliable and probative evidence supporting Charge 2. Mr. Denton seconded.

DISCUSSION: Mr. Van Buren stated Chief Fulmer admitted to turning in credit card receipts late and there was no evidence provided that any other staff or any other employee of this District did the same. Mr. Myers stated *Specification 1* is double-sided; it misled the Board members by suggesting that challenge coins would be used for employee recognition or visiting dignitaries, when in fact they were primarily used to enhance Chief Fulmer's personal collection. I do not believe enough substantial, reliable, probative evidence was presented to prove that his personal collection was enhanced by the purchase of the coins. I do, however, believe that employee recognition or given to visiting dignitaries – I don't believe that President Obama or Vice-President Joe Biden has ever visited the West Licking Joint Fire District. Mr. McGrady stated that during testimony, Chief Fulmer made reference to that fact that while he was at the White House in Washington, DC, he left some coins there. Mr. Myers answered testimony states visiting dignitaries. Hearing no further discussion, Mr. Myers called for a vote on Charge 2.

VOTE: Foor – *no*; McGrady – *no*; Van Buren – *yes*; Denton – *yes*; Myers – *no*. **Motion failed.**

Mr. Myers apologized he had left off *Specification 3* on that Charge, if the Board would want to open it again. *Specification 3* was Inappropriate Comments on Social Media, Posted Inappropriate Comments on Facebook during Collective Bargaining Negotiations. Mr. Van Buren stated we should open it back up, so it is on record.

Mr. Van Buren motioned to reopen the discussion on Charge 2. Mr. McGrady seconded. VOTE: McGrady – *yes*; Van Buren – *yes*; Denton – *yes*; Myers – *yes*; Foor – *yes*. **Motion carried.**

Mr. Myers restated Charge 2: Creating Disharmony and Mistrust and Lack of Confidence among the Bargaining Unit Members, Administrative Staff and Fire Board. *Specification 1* – Chief Fulmer misled Fire Board members by suggesting challenge coins were to be used for employee recognition and/or given to visiting dignitaries when in fact they were primarily used to enhance the Chief's personal collection. *Specification 2* – Chief Fulmer expects subordinates to follow rules, procedures and meet deadlines, however, he commonly procrastinates and doesn't follow established protocols. *Specification 3* – Inappropriate comments on social media. Chief Fulmer posted an inappropriate comment on Facebook during collective bargaining negotiations. Mr. Myers asked for a motion if Charge 2 is supported by substantial, reliable, probative evidence.

Mr. Van Buren motioned there was substantial, reliable and probative evidence supporting Charge 2. Mr. McGrady seconded.

DISCUSSION: Mr. Van Buren wanted to state for the record, that Chief Fulmer admitted in evidence that he did do this, and it was also in the evidence that he signed a contract that he was Chief of this Fire District, and as Chief of this Fire District, during union negotiations he put that out on the internet where everyone could see it. Mr. Myers wanted to clarify the Accusation Summary that Mr. Myers was the one who had Mr. Emmons re-add this to the Charges, when in fact Mr. Emmons' testimony said it was the attorney, and not Mr. Myers. Mr. Foor stated regarding the comments made on the social media, the Board made comment of that in Chief Fulmer's evaluation, and that was addressed with him by Mr. Myers when he met individually with Chief Fulmer during his evaluation meeting, and strongly suggested that it not happen again. Mr. Van Buren stated even though that was discussed and brought up to him earlier, it does add to the Charge's Specification, Chief Fulmer did admit he did that during the union negotiations. Mr. Foor questioned if the Board was voting on Charge 2, *Specification 3* only or what? Mr. Myers answered we are voting on Charge 2 as a whole, to include *Specification 3*, the comments made on social media. VOTE: Van Buren – yes; Denton – yes; Myers – no; Foor – no; McGrady – no. **Motion failed.**

Mr. Myers stated Charge 3 is Misconduct in Office and/or Misfeasance, Violation of West Licking Joint Fire District Use of Internet, E-mail and Online Services Policy. *Specification 1* – Chief Fulmer violated the above policy by downloading and/or otherwise importing to the District's computer system several documents from his previous employer. Specifically, Chief Fulmer imported to his District e-mail and/or the District server several documents from the Miami Township Fire Department. Several of these documents contain sensitive information (i.e. familial information, social security numbers, medical information). Mr. Myers asked if there was a motion that Charge 3 was supported by substantial, reliable, probative evidence the night of the Hearing?

Mr. Foor motioned there was substantial, reliable and probative evidence supporting Charge 3. Mr. McGrady seconded.

DISCUSSION: Mr. McGrady stated the record shows, Chief Fulmer, by his own admission, acknowledged the information was on his system and the information was from his previous employer. The documents also included personal information from emergency runs from the previous employer. Mr. McGrady reminded the Board that as part of the employee packet, which Chief Fulmer signed, any employee who violates this policy will be subject to disciplinary action.

Mr. Van Buren stated that ~~Chief Fulmer during testimony~~ ^{*the witness for Chief Fulmer*} stated that if he was in the administrative level that Chief Fulmer was, he would have reviewed any e-mails or copies of files that were given to him by a previous employer. Also in the briefs, Chief Fulmer's attorney stated they did not have time to properly defend this charge, but in evidence they were asked if they wanted an extension of the hearing, and they turned it down several times. Mr. McGrady read from the West Licking Joint Fire District Rules & Regulations, Progressive Disciplinary Policy, Section 310.03, Subparagraph 5: 'Discipline shall be usually progressive, but depending on the severity of the offense, may proceed to termination.' Mr. McGrady stated this culminates with what he read in part before with the employee policy that Chief Fulmer signed where Mr. McGrady read earlier – Technology Policy #7 Policy Violation, in terms of the Technology Policy, "Any employee who violates this policy will be subject to disciplinary action up to and including termination of employment." Mr. McGrady was just combining the two together. Mr.

*Amended
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Bld. Mtg.
E.M. Hume*

Foor asked if there was evidence supporting that Chief Fulmer had violated the internet policy? Mr. Myers stated yes, the internet policy addresses the downloading of e-mail. It was testified at the public hearing, the .pst file – the e-mail repository of e-mails containing over 39,000 e-mails from Chief Fulmer's previous employer. Mr. Foor stated any District employee who uses a District computer, and downloads information, it is their responsibility to know what is contained in the downloaded file(s). Even if it's a grey area as to whether Chief Fulmer violated the Policy or not, there is information that does not belong there. Mr. Foor stated there is exposure to the District by it being there and that is not a good thing at all. Mr. Van Buren stated by the evidence presented, none of the information pertained to the District. Mr. Myers commented that Chief Fulmer's statement of how it got there was weak. It was documented in the Brief that it was put there because the external hard disk failed. Mr. Myers stated, if the external hard disk failed, how did Chief Fulmer move it to the District's computer? That raises question there. It should never have been attached to Chief Fulmer's computer and in turn, it was also downloaded to the District's server, opening the Board and the District to possible legal actions from other entities. Mr. Myers asked if there was any other discussion on Charge 3. The motion on the floor was that Charge 3 was supported by substantial, reliable, and probative evidence. Hearing no further discussion, they proceeded with the vote. VOTE: Denton – yes; Myers – yes; Foor – yes; McGrady – yes; Van Buren – yes. **Motion carried.**

Mr. Myers stated it takes a 2/3 vote to find that Chief Fulmer did violate one of the Charges. Charge 1 only passed by a 60% vote, so it failed to meet the 2/3 majority. Charge 2 failed to meet the 2/3 majority. However, Charge 3 did meet the 2/3 majority, so he has been found guilty of Charge 3. Mr. Myers asked if there is a discussion on whether to discipline or not discipline or to terminate Chief Fulmer based on being found guilty of Charge 3. Mr. McGrady asked if they were discussing what action the Board should take.

Mr. Van Buren motioned the action should be that David B. Fulmer be terminated from the Fire Chief's position. Mr. Myers stated the motion has been made that the action to be taken against Chief Fulmer for violation of Charge 3, Misconduct in Office and/or Misfeasance, Violation of West Licking Joint Fire District Use of Internet, E-Mail and Online Services Policy is for him to be terminated. Mr. McGrady seconded.

DISCUSSION: Mr. Foor stated that if he understands correctly, that based on the files being on the District's server and in Chief Fulmer's e-mails downloaded to his computer, that is grounds for termination. Mr. Van Buren stated yes, based on the sensitive information as presented by evidence that was on the District's server that has nothing to do with the District. Mr. Foor stated my argument would be that that is not grounds for termination, it is grounds for progressive discipline, but not for termination. In Mr. Foor's opinion, that is something that is addressed, but it is not a fireable offense. Mr. McGrady stated but in the Progressive Disciplinary Policy, which is 310.03, Subparagraph 5, "discipline shall be usually progressive but depending on the severity of the offense, may proceed to termination." Mr. Foor asked, so it's progressive discipline, up to and including termination? Mr. McGrady stated that is the overall, but in 310.03, Subparagraph 5, "discipline shall be usually progressive, but – depending on the severity of the offense, may proceed to termination." Mr. McGrady stated that with the bio-data Chief Fulmer had on his system here from another employer, Mr. McGrady thinks the severity is quite clear here.

Mr. Myers asked if there was any other discussion. Hearing no further discussion, they proceeded with the vote. The motion on the floor was to terminate Chief David B. Fulmer for Charge 3, Violation of Misconduct in Office and/or Misfeasance, and Violation of West Licking Joint Fire District Use of Internet, E-Mail and Online Services Policy. VOTE: Myers – yes; Foor – no; McGrady – yes; Van Buren – yes; Denton – yes. **Motion carried.**

Mr. Myers asked if there was any further discussion from the Board regarding this action. Mr. Foor asked when does this become effective. Mr. Myers stated immediately.

Mr. Van Buren motioned to terminate the employment of David B. Fulmer on Thursday, November 8, 2012 at 7:42 p.m. Mr. McGrady seconded. DISCUSSION: Mr. McGrady stated Mr. Fulmer has until the close of business tomorrow to collect his personal items. Mr. Van Buren stated this should be arranged according to Mr. Fulmer's schedule to collect his personal items, but that a Fire Board member should be present.

The motion on the floor is to make the termination of David B. Fulmer be immediate. Mr. McGrady seconded. VOTE: Foor – yes; McGrady – yes; Van Buren – yes; Denton – yes; Myers – yes. **Motion carried.**

Mr. Myers asked if there was any further discussion on this issue. There being no further discussion, Mr. Myers asked Mr. Fox if he would like to re-join the Board for the remainder of the regular Board meeting.

APPROVAL OF MINUTES

Mr. Fox motioned to approve the minutes of the September 13, 2012 Regular Board meeting minutes. Mr. Denton seconded. VOTE: Myers – yes; Foor – yes; Van Buren – yes; McGrady – yes; Denton – yes; Fox – yes. **Motion carried.**

Mr. McGrady motioned to approve the minutes of the September 24, 2012 Special Board meeting minutes. Mr. Denton seconded. VOTE: Foor – yes; Van Buren – yes; McGrady – yes; Denton – yes; Fox – yes; Myers – yes. **Motion carried.**

Mr. Fox motioned to approve the minutes of the October 11, 2012 Regular Board meeting minutes. Mr. McGrady seconded. VOTE: Van Buren – abstain; McGrady – yes; Denton – yes; Fox – yes; Myers – yes; Foor – yes. **Motion carried.**

Mr. Fox motioned to approve the minutes of the October 3, 2012 Special Board meeting minutes. Mr. Denton seconded. CORRECTION: Mr. Van Buren suggested the meeting of the October 19 and to possibly continue the meeting to the following morning, not Mr. Foor. Mr. Van Buren agreed to the correction. VOTE: McGrady – yes; Denton – yes; Fox – yes; Myers – yes; Foor – yes; Van Buren – yes. **Motion carried.**

Mr. Fox motioned to approve the minutes of the October 19, 2012 Special Executive Session Board meeting minutes. Mr. Denton seconded. VOTE: Denton – yes; Fox – yes; Myers – yes; Foor – yes; Van Buren – yes; McGrady – yes. **Motion carried.**

Mr. Fox motioned to approve the minutes of the October 19, 2012 Special Public Hearing meeting minutes. Mr. Foor seconded. VOTE: Fox – yes; Myers – yes; Foor – yes; Van Buren – yes; McGrady – yes; Denton – yes. **Motion carried.**

Mr. McGrady motioned to approve the minutes of the October 25, 2012 Special Executive Session Board meeting minutes. Mr. Fox seconded. VOTE: Myers – yes; Foor – yes; Van Buren – yes; McGrady – yes; Denton – yes; Fox - yes. **Motion carried.**

APPROVAL OF FINANCIAL STATEMENTS

Mr. Foor motioned to approve the September 2012 and October 2012 Bank Reconciliation, STAR Ohio and CDARS investment statements. Mr. McGrady seconded. VOTE: Foor – yes; Van Buren – yes; McGrady – yes; Denton – yes; Fox – yes; Myers – yes. **Motion carried.**

APPROVAL OF VOUCHERS

Mr. Foor motioned to approve September Warrants 27597 to 27584 and October Warrants 27585 to 27742. Mr. Fox seconded. VOTE: Van Buren – yes; McGrady – yes; Denton – yes; Fox – yes; Myers – yes; Foor - yes. **Motion carried.**

NEW BUSINESS

AC Mathews stated he has no purchase requests to present.

ASSISTANT CHIEFS' REPORTS

Assistant Chief Mathews

AC Mathews presented the November Anniversaries and Birthdays.

AC Mathew stated Terra Metzger has officially resigned effectively October 29, 2012. She is no longer doing any work for the District as of that date.

AC Mathews stated he selected Kaffenbarger Truck Equipment Company to purchase and install the snow plow equipment. AC Mathews stated Kaffenbarger was the least expensive bid. The other two vendors recommended the same plow equipment. The plow has been ordered and we are awaiting the mounting brackets specific to the truck.

AC Mathew received a thank you note regarding an EMS run we had regarding a severe back injury. The individual sent a nice Thank You note for our service.

AC Mathews stated we lost our drug testing vendor due to the fact they no longer offer drug testing services, on or off-site. Three bids were collected and presented. The participating bids came from: Ohio Health, Licking Memorial Health Care and USA Mobile Drug Testing. AC Mathews stated Ohio Health is a vendor we previously used and we used them for many years. Mrs. Lesko collected all prices and information.

Mr. Fox motioned to approve Ohio Health Consortium as the on-site drug testing vendor. Mr. McGrady seconded. VOTE: Van Buren – yes; Denton – yes; Fox – yes; Myers – yes; Foor – yes; McGrady –yes. **Motion carried.**

AC Mathews stated during a previous meeting, the Board voted and bought winter EMS coats for the firefighters. AC Mathews requested to surplus the old garments which are worn out and many in very poor condition. AC Mathews recommends a total of 23 old coats go to surplus.

Mr. Fox motioned to approve the 23 old EMS coats to surplus and be disposed of. McGrady seconded. DISCUSSION: Mr. Van Buren questioned if the patches and identification are removed. AC Mathews answered that all patches and WLJFD identification is removed. Mr. McGrady questioned once the ID is removed, are the items donated to Goodwill or another organization. AC Mathews answered some of the items are in very poor condition and he saved the ten best coats for reserve. Mr. Fox questioned if there are any firefighters that would like their old jacket back and if that is a part of the disposal. Chief Mathews stated he wasn't sure and it would be something that would be approved by the Board. Mr. Fox stated his opinion of once they are disposed of – he doesn't care what happens to them after the Board has approved to dispose of them. VOTE: Denton – yes; Fox – yes; Myers – yes; Foor – yes; McGrady – yes; Van Buren – yes. **Motion carried.**

Chief Mathews stated the City of Pataskala has approached him regarding the building of a new tower for their police radios. MARCS, the State of Ohio system, is interested in participating in the tower. They want the city to build and pay for it. Chief Mathews attended a meeting with the City regarding this. They asked if the District would be interested in participating in the building of the tower which will be located at their Mink Street – Street Department location. If the Board is interested in participating, Mr. Anderson from MARCS would like to make a presentation. Chief Mathews tentatively scheduled a presentation for the December Board meeting. Mr. Fox stated the City has been going through this process for quite some time. In all honesty he is not sure how it relates to the District. Mr. Fox stated it seems that everyone in the State is gravitating to MARCS. The city is applying for grants due to the cost but feels it is worth listening to the presentation to see if and how it may benefit the District. Chief Mathews will arrange the presentation from MARCS at the December Board meeting.

Mr. Myers questioned the status of the reimbursement for mileage from those who were subpoenaed. Mr. Holthus stated he will send the details and amounts to Ms. Krugh for processing.

Mr. Fox motioned to approve the resignation of part-time employee, Terra Metzger effective October 29, 2012. Mr. Foor seconded. VOTE: Denton – yes; Fox – yes; Myers – yes; Foor – yes; McGrady – yes; Van Buren – yes. **Motion carried.**

Assistant Chief Williams

AC Williams presented the information that Mr. Fox requested pertaining to the reimbursement of part-time firefighter, John Sforza. It was discovered that it was indeed approved by Chief Fulmer. All information was included in the packet.

AC Williams stated the Certification of Approval from Ohio Department of Public Safety – Ohio Emergency Medical Services, was received and included in the packet.

The Lucas devices are in and have been placed on each of the Medics.

Mr. Foor motioned to approve the tuition reimbursement for part-time firefighter, John Sforza in the amount of \$4,409.00 in conjunction with the reimbursement payment schedule once the State Certification is received. Mr. McGrady seconded. VOTE: Myers – yes; Foor – yes; McGrady – yes; Van Buren – yes; Denton – yes; Fox – yes. **Motion carried.**

FISCAL OFFICERS' REPORT

Ms. Krugh stated the \$1.5 Mill levy successfully passed on the November ballot. The final tally was 12,108 votes for the levy with 7,552 against the levy. Mr. Myers stated even with all of the negative publicity during the past year regarding the District, the residents' support of the levy reflects they are confident we are putting out a quality product.

Ms. Krugh reported that the Parts Appropriation is out of funds. She requested the following decreases and increases to Appropriations as follows:

Reduce Workers Compensation by \$6,800.53, to \$86,372.

Reduce Recruitment and Retention by \$10,000, to \$5,000.

Reduce Seminars and Conferences by \$3,500, to \$1,500.

Increase the Parts line item by \$25,300.53, to \$105,300.50

Mr. Fox motioned to approve Resolution 5012-17 Supplemental Appropriations as stated herein. Mr. Van Buren seconded. VOTE: Fox – yes; Myers – yes; Foor – yes; McGrady – yes; Van Buren – yes; Denton – yes. **Motion carried.**

Ms. Krugh announced she has started preparing the FY2013 Budget update. Ms. Krugh recommends a Budget Committee meeting to discuss all of the possible changes for the upcoming year.

Mr. Fox motioned to approve the purchase in the amount of \$1,425.00 for refrigeration units for the two Medics that do not have cooling capabilities. Mr. McGrady seconded. DISCUSSION: AC Williams stated some medications must be kept cooled and with the new protocol have gone into hypothermic resuscitation where someone may be in cardiac arrest you use cooling fluids to possibly preserve things a little longer. The two new medics have a refrigeration unit installed, they were ordered that way. VOTE: Foor – yes; McGrady – yes; Van Buren – yes; Denton – yes; Fox – yes; Myers – yes. **Motion carried.**

COMMITTEE REPORTS

Mr. Fox announced Ms. Krugh will work with involved members and arrange a Budget Committee soon.

Mr. Denton questioned if a notice or posting should go out regarding the Chief position. Mr. Fox recommended a Personnel Committee meeting should be arranged and scheduled also. Ms. Krugh will handle this also.

LOCAL 3025

Firefighter Brian Palmer announced it is that time of year for the annual Toy Drive.

FF Palmer stated October was quite successful in support of the Breast Cancer Awareness. \$900 was donated to Stefanie Spielman Foundation from the sale of the pink t-shirts.

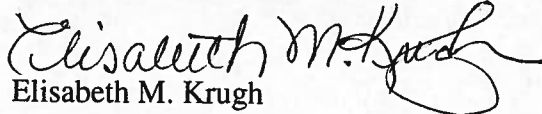
It was questioned as to the status of the promotional process. The last update the Firefighters were aware of was the policy was taken to legal for review. Mr. Fox stated the attorney did review and feedback has been received. Mr. Fox assured the members that Personnel Committee meeting will be scheduled soon and will discuss at that meeting.

Mr. Foor stated he received a call from Lt. Treinish regarding the Toy Drive and the placement of a sign in Etna Township. Mr. Foor stated a sign could be placed anywhere in the park in Etna Township.

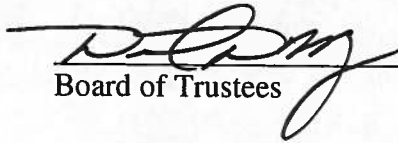
ADJOURNMENT

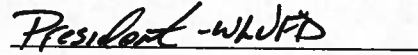
With there being no further business, Mr. Fox adjourned the meeting at 8:45 p.m. Mr. Denton seconded.

Respectfully submitted,


Elisabeth M. Krugh
Fiscal Officer

APPROVED:


Board of Trustees


Title

Note: Minutes up to Page 6, Approval of Minutes, were transcribed and edited by Fiscal Officer Elisabeth Krugh; remaining portion transcribed by Administrative Assistant, Leanne Lesko.

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

Guest: AC Ken Mathews, AC Harold Williams, Doug Holthus, Brenda Williams, Brian Palmer, Tom Barnhill and Jim Kincaid II