

OWEN VALLEY FIRE TERRITORY  
MINUTES OF REGULAR MEETING  
Owen Valley Volunteer Fire Department  
Walnut Street, Spencer, Indiana

May 12, 2008 7:00 p.m.

Members present: Dale Bush, Deputy Director Stephen Cradick, Tammy Day, Director Mike Spinks, Margaret Tucker, and Lois West.

Also present: Fire Territory Attorney Terry English, Fire Chief Pete Hodge, Administrative Assistant Cynthia D. Hyde, Spencer Town Clerk/Treasurer Linda Simmerman.

Guests present: Town of Spencer Council President Dean Bruce, Kip Day, Russell Glenn, Town of Spencer Attorney Richard Lorenz, Bruce Lynch, Brian Mauder, and John Wallace.

Meeting called to order by Director Mike Spinks at 7:00 p.m., Monday, May 12, 2008.

Minutes of previous meeting: Margaret Tucker made a motion to accept the minutes as presented. Motion carried.

Review of Monthly Financials: A Motion was made by Dale Bush to approve the Claims Register as presented. The Motion carried and the Claims Register was signed by all board members present.

Discussion Regarding Court Hearing involving the State Board of Accounts, The Indiana Attorney General, the Department of Local Government Finance, the Town of Spencer, and the Owen Valley Fire Territory. Town of Spencer Attorney Richard Lorenz and Fire Territory Attorney, Terry English Reporting.

1. A template for a protocol to get Orders through the Court with the objectives being the transfer of funds to the Fire Territory without objection and the transfer of Real Estate and/or Personal Property could be transferred in to the Fire Territory's name by agreement.
2. Other issues concern the division of CADGIT funds, which should probably be incorporated in to the contractual agreement.
3. A title has been recovered, from the dealership, to the fire truck which is currently owned, and the financial obligation is being paid by the Town of Spencer.
4. The provider unit could be changed from the Town of Spencer to Washington Township with a target date of July 1<sup>st</sup>. There may be a problem with some inconsistencies regarding budgets, actual cash balances and appropriated balances. It is recommended that funding should be in place prior to any bids for the purchase of new Pumper/Tanker truck. If the Town of Spencer is the Provider Unit at the time of the bid being made for the purchase of a new Pumper/Tanker truck, the Town would bear the financial liability for the remainder of the contract. This issue could be solved with a "Hold Harmless" agreement.
5. Attorney Terry English noted that the Attorney representing the Attorney General's office and the Department of Local Government Finance did not seem to have any major issues with the requests being made on behalf of the Owen Valley Fire Territory.

Discussion regarding the final payment to be made by the Washington Township Trustee on the truck purchased by Washing Township.

1. The question was raised by Spencer Clerk/Treasurer, Linda Simmerman, as to the availability of funds within the Washington Township budget to make the final payment on the truck purchased by the Township. Discussion followed.

Discussion Regarding Purchase of a New Pumper/Tanker: The first option for purchase of a new Pumper/Tanker Truck would be to make the purchase using grant money if the current grant application is approved and grant funds are made available for the purchase. An additional appropriation would be necessary for the matching portion of the grant. If grant money does not become available, the Fire Territory would seek to use funds that were transferred from the Washington Township Trustee to the Fire Territory at the inception of the Fire Territory and/or through financing. Incurring debt would be the last option used for the purchase. Currently, the Fire Territory and Owen Valley Volunteer Fire Department is providing adequate fire protection services within Washington Township; however, because one tanker has been removed from service due to safety issues, mutual aid runs are being disregarded. The Township has completed their advertisement for their Ordinance, but the Town of Spencer has not yet advertised for Public Hearing. Denial or Approval of Grant Application is expected sometime this fall.

Discussion regarding the transfer of the Provider Unit from the Town of Spencer to Washington Township.

1. At this time the Fire Territory has not had confirmation from Washington Township Trustee, Patty Edwards, that she would be willing to assume the responsibility of becoming the Provider Unit. Steve Cradick made a motion to ask Territory Attorney, Terry English, to meet with the Washington Township Trustee, Patty Edwards, regarding the possibility of transferring the Provider Unit from the Town of Spencer to Washington Township. Discussion Followed. Motion Carried.

Contract Negotiations with Volunteer Firefighters: There has not been a date established for a meeting between the Owen Valley Fire Territory Negotiating Committee and representatives from the Owen Valley Volunteer Firefighters, Inc. We are currently working to set a date sometime in May.

Fire Chief's Report: Chief Hodge Reporting:

1. The International Tanker Truck that was removed from service was sent for an estimate of repairs necessary to repair the chassis portion of the truck, with the estimate being approximately \$6,500.00. This estimate does not include repairs to the tank. Discussion followed regarding the possible lease of a Tanker or Pumper/Tanker until such time as a truck can be purchased.
2. The outside lighting was repaired. The actual billing for these repairs was \$83.22 more than the estimate submitted, which was previously approved by the board. Margaret Tucker made a motion to pay the additional \$83.22 for the repair of the outside lighting. Motion carried.
3. The Fire Department anticipates receiving a matching grant from Wal-Mart for the purchase of Fire Boots. They are not certain what the matching portion of this grant will be. In addition there is a possibility of obtaining assistance from Boston Scientific to purchase a Thermal Imager.

Discussion Regarding Contract Between the Owen Valley Fire Territory and the Owen Valley Volunteer Firefighters. Inc.:

1. Fire Territory Attorney English presented a working draft of the proposed contract. Discussion followed. Fire Territory board members will review the proposal and forward any questions, corrections, or desired changes for further review.
  - a) The proposed contract differs from previous contracts in that it is for a two-year period, which automatically renews unless, either party requests modification in writing.

Meeting adjourned at approximate 8:00 p.m. May 12, 2008.

Date Approved:  June 9 , 2008

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Mike Spinks, Director

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Stephen Cradick, Deputy Director

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Margaret Tucker, Board Member

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Lois West, Board Member

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Dale Bush, Board Member

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Tammy Day, Board Member