

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

January 11, 2010 7:00 p.m.

Members present: Deputy Director Dale Bush, Steve Cradick, Roger Freeman, Director Mike Spinks, Margaret Tucker, and Lois West.

Also present: Attorney Terry English, Administrative Assistant Cynthia D. Hyde, Firefighter Bruce Lynch, Fire Chief Brian Mauder.

Meeting called to order by Director Mike Spinks at 7:00 p.m., Monday, January 11, 2010.

Minutes of Previous Meeting: Margaret Tucker made a motion to accept the minutes of the previous Regular Session held Monday, December 14, 2009 as presented, with a second made by Dale Bush. Motion carried with minutes approved as presented.

Claims Register: Due to a computer program error there are no financial reports available for this meeting. Discussion held regarding financial information available and known expenses.

Fire Chief's Report, Fire Chief, Brian Mauder, Reporting:

1. Director Spinks made note of some information received regarding PIN numbers for the Speedway account.
2. 4 fire runs since January 1.
3. Discussion regarding Fire Department response to a house fire on Sunday January 10, 2010. Home owners wished to commend the Fire Department on their efforts.
4. Response to a grease fire at Wendy's.

Transfer of Funds and Payment to EAM for Pumper Tanker: Two separate claims were filed for payment of funds which had been previously been transferred and encumbered. Funds were transferred and encumbered specifically to be paid to EAM for the purchase of the new Pumper/Tanker truck. Two claims were required because funds were being paid from two different funds.

1782 Notice: Discussion regarding 1782 Notice containing information regarding budget appropriations for 2010. Discussion regarding cash balances and expected revenue for 2010. The Fire Territory Board has requested year end reports with financial information for all 2009, and what was left in appropriations for 2009. This information will be helpful for preparing the 2011 budget.

Legal Report: Fire Territory Attorney, Terry English, reporting that Judge Nardi has issued a ruling in favor of the Owen Valley Fire Territory Board. The ruling states that the Fire Territory Board can hold title to property, both real and personal. The Fire Territory Board is bound to abide by Open Door Policy, and that the Town of Spencer is to function as the Provider Unit which will be responsible for dispersal of Fire Territory Funds and Budgets. Judgment was dated December 18, 2009. If the State of Indiana chooses to appeal the ruling they will need to file a Motion to Correct Errors, with the Owen Circuit Court, which would typically be filed within 30 days of ruling. With a ruling on a Motion to Correct Errors the appeals process can

begin. If a motion is not filed by the State, the local ruling, in favor of the Fire Territory, will stand.

The Fire Territory Board thanked Fire Territory Attorney, Terry English and requested that Richard Lorenz be invited to the next Fire Territory Board Meeting.

Discussion Regarding the Tax Impact on Township Residents: Discussion regarding the impact that the Fire Territory has on the Taxes paid by Washington Township residents.

Meeting adjourned at approximately 7:30 p.m., Monday, January 11, 2010.

Date Approved: February 8, 2010

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Mike Spinks, Director

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Dale Bush, Deputy Director

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Stephen Cradick, Board Member

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Roger Freeman, Board Member

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Margaret Tucker, Board Member

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Lois West, Board Member