

WESTFIELD TOWNSHIP TRUSTEES

Special Meeting
November 26, 2012
5:30 pm

Chairman Harris opened the meeting by asking for roll call.

Trustees present: Ronald Oiler, Gary Harris, James Likley; as well as Martha Evans, Fiscal Officer and Assistant Prosecutor, Wm. L. Thorne.

RECOUPMENT OF REAL ESTATE TAXES LOST BY DETACHMENT TO VILLAGE OF CRESTON

Fiscal Officer asked for Bill's opinion on the letter sent by Allan Michelson, Law Director for the Village of Creston concerning the recoupment of the real estate taxes for the area of Westfield Township that was annexed and detached to the Village Creston. (Letter is attached and file labeled "Creston Taxes" in file)

Bill: Did the township receive any real estate tax revenue from the detached area?

Martha: I am not certain because the taxes come in semi-annual payments but will check with MaryBeth at the auditor's office.

Bill: 100% should be the township's up to September 19, 2012 then 80% for the remainder of the year.

By statute Westfield Township receives the general fund, road & bridge and fire/ems.

BZA BOARD

Trustee Harris had met with Bill Thorne prior to the meeting asking the following questions:

- There is a BZA public hearing coming up in the very near future where 2 BZA members will recuse themselves because they are contiguous property owners.

Questions: 1. Can the trustees appoint a "temporary alternate" for just this hearing to make a full 5 member board?

Bill's answer: Yes, but it is not necessary to appoint a temporary because if all you have is 4 then it is a full board.

2. Trustee Likley asked if it is acceptable to have one of the four removed to make a board of three to eliminate a tie?

Bill's answer: No, that is not an option

3. Trustee Likley asked if the applicant can request a 5 member board.

Bill's answer: No, if you only have a 4 member board then that is what is sitting.

Trustee Oiler suggested a former BZA member, Larry Bensinger could be contacted. He has the training. Trustee Likley suggested Gary call Larry and ask if he would be interested in serving for this case. He would need to have all the documentation from the prior meetings to become familiar with the case at hand. Trustee Likley preferred to have a 5 member board instead of a 4 member board due to the possibility of a tie. Trustees will compensate for meetings attended in this case.

GLORIA GLENS FIRE CONTRACT

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Trustee Likley: I feel there should be a 5-year contract nothing less at the new millage or perpetual. Trustee Harris asked if this board could offer a 2 year contract with Gloria Glens less that Lafayette's offer. Westfield Township's 2.5 mills would still apply whether it is a 2 or 5 year contract. Trustee Likley will not support a bidding war between communities for services. Gloria Glen's fire levy is up for renewal 2013-2014. Lafayette Township has offered a 2 year contract at \$14,000 per year but at the end of the 2 years Gloria Glens will have the option to become part of Lafayette's Fire District at \$23,000 per year.

Bill asked that the present contract be e-mailed to him for re-writing.

WESTFIELD FIRE & RESCUE DISTRICT (a copy of a list of questions is attached)

The residents of the unincorporated area of Westfield Township passed the creation of WESTFIELD FIRE & RESCUE DISTRICT and supporting it with 2.5 mill levy November 6, 2012.

- Questions:
1. Will this be a separate entity?
- Bill's answer
1. YES, the district is a separate entity with this board of trustees as the district board of trustees and Martha is the fiscal officer as this is distinctly a separate entity by statute.
 2. Does district budget fall under the township's budget?
NO, it must be separate.
 3. The equipment will be used by the district.
 4. Future purchases will purchased by the district.
 5. The district was formed November 6, 2012 and when there is an organizational meeting it will become an organized entity establishing their resolutions and rules.
 6. The fiscal officer will call the auditor to see if the revenue coming in from EMS funds can be deposited into the district checking account.
 7. All policies etc. can be mirrored from the township but with the district name
 8. Fuel will be invoiced for the fuel used
 9. Do the trustees have to take a salary? Bill answered, no as I have not seen anything addressing pay. It makes sense that you could. The statue 505.37 does not address compensation and that is the statute to be used for this fire district.
 10. Compensation for fiscal officer, the pay that is reduced when the district revenue is removed from the township. Bill answered he will need to research this issue. You could hire someone to help fiscal officer and pay them. We will need to take a look at this. Bill suggested Martha ask the state auditor.
 11. Trustee Likley asked Martha if the Rollback & Homestead will it come back to the district. Will any of that change? Bill will take a look at it as I do not know.
 12. Adoption of State Fire Code is sufficient.
 14. We can't transfer township fire levy funds into district but we can encumber the funds that are now in the fire levy fund at the township level and it be spent for

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fire services & expenses and invoice the village for their 41%. Otherwise we would need to petition the court of common pleas to transfer it back to General Fund.

Martha explained that the board needed to pass **AMENDING RESOLUTION 2012-19 ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

This is due to the fact that the Fire District Funds will be into the certificate of estimated resources.

Trustee Harris made a motion to adopt Resolution 2012- seconded by Trustee Likley. Roll call: Oiler, aye; Harris, aye; Likley, aye.

Trustee Likley made a motion to set the organizational meeting of the Westfield Fire & Rescue District meeting November 28, 2012 at 6:00 pm at the Westfield Township Municipal Complex, seconded by Trustee Oiler. Roll call: Harris, aye; Likley, aye; Oiler, aye.

Trustee Likley reviewed the revenue that has been posted to the township's fire levy and was asking if the same revenue would be going to the district. This is something that MaryBeth Guenther could answer.

Does the officers of the district need to be bonded separately? Bill does not know but would think one bond would be sufficient but it will have to be researched.

Building and equipment will not be transferred to the district. A lease would need to be created to justify the expenditure. Can the district put money into a building that it doesn't own? Yes you probably can. Can the district put an addition on to this building?

Bill answered; the township cannot contract with itself. I am not aware of any of these things and we will need to research.

Trustee Likley stated we have to satisfy the auditor and the Village of Westfield Center.

The village could build an addition to the present station and retain a larger percentage and lease the building to the district to pay for the addition. Ideally we could purchase a piece of property and build there. Should there be a lease for the building and equipment?

Bill: Yes, there should be. Insurance would then be the district. I need to research this. The village would also need to have an ordinance to lease the building & equipment to the district.

Trustee Likley: We want to do this to best of our ability.

Martha: The one insurance policy comes due in Feb. and we would change the name then. Bill agreed. The equipment insurance can be paid by the district.

Trustee Likley: Can we encumber insurance premium, Martha answered yes.

Trustee Oiler: Will the Health Insurance change? Martha will call the agent. Bill stated possibly they would work with us.

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Trustee Likley suggested we establish all polices. Martha suggested we do a piece at a time as the end of the year is coming up rather rapidly and there will be many items that need to be done. I will have the Resolution for the Sunshine Law ready for Wednesday evening.

Trustee Harris made a motion to adjourn at 7:20 pm, seconded by Trustee Oiler. Unanimous

Approved December 17, 2012