

VILLAGE OF FARMERSVILLE
Minutes of Village Council Meeting
February 7, 2012

The Farmersville Village Council met in a special work session to discuss the fire contract on February 7, 2012 in the Village of Farmersville Council Chambers at 117 E. Walnut St. Mayor Jeffery Morneault called the meeting to order at 6:03 pm. with a roll call.

COUNCIL MEMBERS PRESENT: Mr. Cottman, Ms. Gisewite, Ms. Attaway.

COUNCIL MEMBERS ABSENT: Ms. Morgan, Mr. Weller, Ms. Walton. Mayor Morneault reported that Ms. Walton would be attending the meeting but would be a few minutes late.

EMPLOYEES: Tom Sears, Amy Schenck.

Others in attendance: Chief Wallace, Law Director Ryan Brunk.

Mayor Morneault opened the meeting by reminding everyone that the purpose of the meeting was to review and discuss the fire contract. He stated that he had met with Chief Wallace and believed there was an interest from the Fire Association to work out the problems that had recently developed.

Chief Wallace stated that the Fire Association was not asking for the \$4,200. He commented that many things had been said outside of the meetings that had hurt the relationship between the Village and the Fire Association and that the Association wanted to let the issue drop for the sake of the community; the community was the first priority. He stated that the Association wanted the Village to consider putting the money toward a new automatic tornado siren for the Village.

Ms. Walton arrived at 6:07pm.

He provided additional information about the proposed siren which would provide more DB's and could be heard by a larger area; he commented that the west part of the Village could not always hear the current siren. He discussed the purchase price of approximately \$12-13,000; the opportunity to bid it through Montgomery County EMA to get the best price, grant opportunities, and approximate installation costs of \$1,500. He discussed the automatic feature that would allow for the siren to be activated by the dispatch center and would be linked to other surrounding communities. The group discussed the current siren pole, the three phase wiring, and how the old siren might be reused.

The Council discussed and confirmed a desire to initiate the project for the safety and security of the Village and asked about the availability of funds; the Fiscal Officer responded that Council sets the priority for spending; there was additional discussion. Council decided to add the cost of the siren to the amended permanent appropriations and to discuss at the next Finance Committee meeting and then present to Council for a decision.

Mr. Brunk provided information from the Ohio Revised Code and the Ohio Attorney General's office regarding indemnification. He reported that the Village cannot enter into a contract that has an open ended indemnification clause. If the Village desired to have a valid indemnity clause then the actual dollar amount would have to be identified and the funds must be certified to have been appropriated and available. He commented that the law was developed to keep small entities from going bankrupt as a result of a large claim.

Discussion ensued about who would be liable if damage occurred while the Fire Association members were performing non-fire operations, such as hanging Christmas decorations. Chief Wallace commented that the Fire Association's insurance company stated their coverage would not cover a non-fire operation. Discussion ensued about the liability would fall based on whether the Fire Association was acting as the Village's agent or employee or as a sub contractor.

Ms. Attaway asked about the history of the contract with the Fire Association. Mayor Morneault and Chief Wallace provided background information about the contract being developed in the late 1950's and that the \$4,200 payment was originally for dispatch services and for fire hose replacement; then as dispatch fees increased the contract was changed to

be for incidental services; two years ago there was a desire to identify what specific incidental services were being provided to the Village and the contract discussion, development and review process began. Mr. Brunk provided additional information about the fire association contract for fire protection; there was some additional discussion.

Mayor Morneault asked what the Village could do to salvage the relationship with the Fire Association; he encouraged open communication between the entities and for both to work towards reconciliation. Chief Wallace expressed a sincere desire to move past this and to work together into the future.

Mayor Morneault discussed developing some long range projects and opened the discussion about setting a meeting in March to begin the process. Mr. Sears responded that he would like to develop the long range goals with the Planning Committee and work with the Service Committee and the more immediate goals; the committees could then recommend the plans to Council. Ms. Schenck informed Council that she would be out of the office for several weeks after her surgery on March 19th and would be unavailable. There was some discussion and decided to have the March Finance meeting on March 12th instead of the 26th.

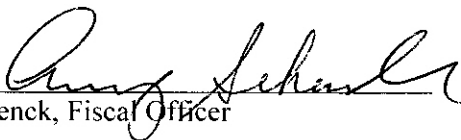
Chief Wallace shared with Council that as a result of the recent ISO inspection the ISO rating in the Village was down to a 4 and also down to an 8b in the township which could result in a lower cost for homeowner's insurance.

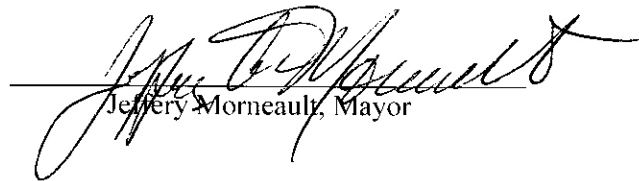
All formal actions of the Council and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

ADJOURN:

Moved by Ms. Gisewite and seconded by Mr. Cottman to Adjourn the Council Meeting at 6:45. Roll Call: Mr. Cottman: yes, Ms. Gisewite: yes, Ms. Attaway, Ms. Walton: yes. MOTION PASSED.

Attest:


Amy Schenck, Fiscal Officer


Jeffrey Morneault, Mayor