

Improving the Efficiency of Fire Services in Seven Southwestern Cuyahoga County  
Communities

A Joint Project of Area Majors and Baldwin-Wallace College

Legal Team Meeting  
September 8, 2006

Attending Meeting: Tim Dobeck, Eric Fingerhut, Kim Lammers, Bob Magee, Mike Mochan, Mary Pisnar-Sweeney, and Tim Potts.

The meeting began with a general overview and discussion on the legal structures discussed at the previous meeting.

[Later in the meeting Tim Dobeck explains these legal structures more accurately, some of the following statements are slightly off.]

Joint Fire District- the Strategy Team seemed to like the idea of a JFD

- already designed and set up

- set procedures on entering and leaving the fire district

Cons: it is already set and only way to change is to change state law

Council of Governments- completely flexible, we can create anything we wish

Cons: each city has one vote, which may be unfair proportionately to larger cities

COGs have no taxing and bonding authority

- Could funding be on a long term contractual basis?

It could be in theory; we will need to ask Tim for more specifics.

The Strategy Team felt that JFD was the best. The Finance Team did not feel comfortable with a 501C3. Bob Magee added that the union may be uncomfortable with a 501C3 because at any time people firefighters could be replaced. It was explained that the 501C3 was only an option, but does not need to be used. It was suggested as something to use in conjunction with other models.

Q: If the firefighters would no longer be employed by the city who would they be employed by?

A: The legal structure that we will be creating will be a self-governing body; the "district" would be the employer.

Tim Dobeck presents the team with a packet which overviews the following legal structures: Private Fire Company, Regional Council of Governments, Joint Fire District, Joint Ambulance District, and Fire and Ambulance District.

**Private Fire Company**- we would create in conjunction with a COG- probably not what we want.

Pros: this legal structure has sovereign immunity

Cons: no taxing or bonding authority, would be funded by the cities through contracts

Q: Could a contract be long term? A: Yes

**Joint Fire District**- a charter would be developed that the team can personalize to the cities' as long as the charter met the minimum requirements already set by the statute. The charter would discuss how the district would be financed. A JFD already has laid out how cities can join and exit the district, but we could add a statute to the charter penalizing a city with a fee or penalty of some kind if they choose to leave the district. This will limit the vulnerability of having cities coming and going. The minimum requirement for the governing is that each city has one representative. The team could add more but the JFD limits the number at nine leaving our team with two open spots.

Pros: is a political sub-division

has taxing and bonding authority

Cons: only covers fire

the construction of the charter will be a lot of work and negotiations

**Joint Ambulance District**- same structure as fire  
it is specific what it includes

**Fire and Ambulance District**- this district would combine the JFD and the JAD, which can be done on the same statute enacting both at the same time.

Pros: the same as JFD

Cons: section VII constricts contract lengths to three years, which is the same as JFD

It is important to know how existing JFDs handle the review process.

The group will contact some JFDs in Ohio and ask them this question along with the following:

- Date of Regionalization
- Fore of Government/Entity Structure governing the District
- Funding Source(s) for the District
- Number of Dept.'s/Communities Participating or served by District
- Resistance to District
- Support for District- Motivating Factors
- Labors position on regionalization
- Transfer of assets
- Continuing problems
- Success/Results of Regionalization

The researchers may also gather information concerning: square miles the district covers, increase or decrease in existing personnel, populations served (number and age groups), runs per year, etc.

Chief Tim Potts has called one city, Clairesville, which was regionalized in 1989 and passed by 68%. The chief there said that expectations such as the ISO being lowered were not met, but all labor expectations were met. Chief Potts and Tim Dobeck will work on calling other cities to see what their (management) experience in regionalizing has been. Mike and Bob will work on calling the union representatives in these cities to obtain the union members perspectives. Mary will look at similar models outside of Ohio. The evaluation will be mainly Ohio because it falls under Ohio codes, but the team will look to other cities outside of Ohio for innovation.

Q: What will happen to part-time employees?

A: That will be decided by the Operations Team.

**Council of Governments-**

Pros: the team would be able to create the “district” as they see fit

Cons: no taxing or bonding authority  
no immunity

It sounds like the team is moving toward Fire and Ambulance District. As long as the minimums are met we can structure it as we see fit.

Q: Will firefighters need to be a paramedic with JAD?

A: It would be based on staffing which the Operations Team will handle.

The chief suspected that the eventually the “district” would require all to be EMS providers.

It is suggested that the two additional cities’ statistics be obtained and added to the original study. Also pointed out that in the comparison cities (Syracuse and Dayton) the runs volume is dramatically different, perhaps that is due to management.

The next Legal Team meeting is October 13, 2006. The meeting will be in the Colony Room in the Union at 7:30am.

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