

The Formation of a Joint Fire District

An applied Research Project

Submitted to the Ohio Fire Executive Program

By

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ABSTRACT

The City of Harrison and Harrison Township of Hamilton County, Ohio were recently interested in exploring the possibility of forming a joint fire district. This interest was due to the increased financial needs of both parties as they related to the operation of the fire department. Consequently, additional operating capital would need to be found. It was suggested that this could possibly be accomplished through the formation of a joint fire district.

Harrison Township contracts with the City for its Fire and EMS protection. Their payments however, had grown increasingly smaller, proportionate to the city's increasing financial obligations related to the operations of the fire department. The Township Trustees have considered asking their voters to approve a public safety levy to help alleviate this discrepancy.

At a meeting called to explore additional sources of revenue, a member of the city's accountant firm asked if anyone had considered forming a joint fire district between the City and the Township. A decision was made accordingly, to determine if a joint district formation would help to alleviate the problem.

A decision was then made to contact others who had previously formed joint districts to see if we could benefit from their work. Consequently, 15 questionnaires were mailed to established joint fire districts in Ohio. The concept has also been personally discussed with several others who have gone through consolidation. Each of these methods has brought us helpful information.

We have also contacted key people from people outside the fire service as well. These people included our City Finance Department, our financial consultant, and our Director of Law. Specific information, necessary for forming a joint fire district, has additionally been obtained from the Ohio Revised Code. At this point we needed to establish and confirm our intentions. Thoughts coming from two political subdivisions could differ. We would need to be of a single accord.

Next we needed to organize ourselves. A task force needed to be formed. We would need to explore the possibility of a tax levy to determine if a joint district would be financially advantageous. If the effort would be determined to be financially advantageous, what increases in operating capital could be expected relative to our need. The answer to this expected revenue increase would initially appear to come from the proposed millage amounts of the operating levy.

As we pursued the levy concept, we were made aware that the overall assessed tax valuation of the proposed district would require 4.1 mills for each one million dollars of operating capital that we anticipated needing. At an anticipated need of 3.5 million dollars per year, the levy millage would be in excess of 14.3 mills. The committee felt that that amount was excessive and the project, for all intents and purposes, was at that point terminated.

During the process, I was able to conclude that the time and effort spent on any research project must be adequate and flexible enough to satisfactorily accomplish the desired end result. While our hopes and plans for a joint fire district are now terminated, the thought processes have gone on. New ways, including the formation of a Joint Economic Development District, are being explored to increase operating revenues. Our hope is that, though the end result was not as

we anticipated, we may still see our department benefit through other ways or means because of our desire to research the possibility of forming a Joint Fire District.

TABLE OF CONTENTS

Abstract	Page 2
Introduction	Page 6
Background and Significance	Page 7
Literature Review	Page 10
Procedures	Page 17
Results	Page 22
Discussion	Page 33
Recommendations	Page 34
References	Page 41
Appendix A	Page .
Appendix B	Page .
Appendix C	Page .
Appendix D	Page .

INTRODUCTION

The City of Harrison, Ohio currently has a full paid and part paid fire department with a combined total of forty-two (42) cross-trained employees. We also provide fire and emergency medical services, by contract, to the people of Harrison Township, Hamilton County, Ohio.

Due to rising expenses, both political subdivisions were interested in exploring the aspects of forming a joint fire district. This interest was primarily created due to the area's structural and populating growth factors. These factors had led to a significant increase in incident responses for the fire department, which in turn led directly to the need for additional fire department personnel. They had also increased the financial obligations for the operation of the fire department. These additional responses and financial obligations had become a burden for both political subdivisions. Accordingly, the purpose of this report was to provide research data that would determine if the formation of a joint fire district would help alleviate these financial burdens.

It was thought to be possible that, depending upon the applicability of the reported historical data accumulated by this research, the quality and effectiveness of the City of Harrison Fire and EMS services as related to these increased work loads might be dramatically improved. It was our hope that this could be done on a greater cost-effective basis through the accomplishment of a joint fire district.

The primary way my data was to be collected was through the use of survey forms with a specifically related combination of Action and Evaluative research questions. These questions are individually shown, along with a summary of the answers I received, in the Results section of this paper. I have also made several verbal contacts with those I knew, who had been previously involved in formation of a joint fire district. As it would turn out, this method proved to be the most effective and applicable data collection means for us.

Some of the significant organizational concerns we believed needed to be addressed at the outset of our efforts included, but were not limited to, the following:

First: What are the steps necessary to complete before the district can become a reality and in what order must these steps be completed?

Second: What are the procedures to determine if a joint district would be financially advantageous?

Third: If financially advantageous, what monetary increases in operating revenues could be expected?

Fourth: What amount of time would the actual formation of the district require to complete?

BACKGROUND AND SIGNIFICANCE

The City of Harrison had recently identified an interest, either to replace their 28-year-old aerial ladder truck, or to purchase one additional fire engine. This need, although obvious due to the age of the apparatus, was brought about primarily by a recent ISO evaluation. The evaluation

had revealed the need to provide additional pumping capability in order to meet the ISO fire flow rating of 3500 G.P.M. which had been set for the Harrison Fire Department suppression district.

In addition to the aforementioned, the city had also seen its fire department salary costs increase dramatically over recent years. This was mostly due to the need to hire additional personnel needed to meet the increasing incident volume. This increased incident volume had been created by numerous residential construction projects including the addition of four large housing subdivisions, totaling nearly 900 new homes, and several extensive condominium installations.

In addition to these residential buildings, several significant commercial additions had also been recently completed including: The Home Depot, Biggs, Tractor Supply, Holiday Inn, Quality Inn, and Cracker Barrel, to name some of the larger impact construction projects. These construction projects had made us vividly aware of the need to hire additional firefighters to keep up with the increased incident potential they were certain to create. With the provisions of NFPA 1710 becoming more and more understood each day, the need to hire additional personnel would appear to be even greater now than ever before.

The City operates two fire stations currently staffed by a total of six firefighters 24 hours per day. Of these, four are assigned to our headquarters station and two are assigned to our sub-station. One additional person is assigned to the division of fire prevention on weekdays only. The City of Harrison is committed to constantly search for ways and means to generate additional operating revenue to effectively meet the growing needs of the fire department.

The Harrison Township has no established fire department but has always contracted with the City for its Fire and EMS protection. However, the contractual amounts they paid had grown increasingly smaller proportionate to the growth of the city expenses. The township trustees have recently considered asking their voters to approve a public safety levy of their own in order to increase their portion of the funds needed to operate the fire department. This type of levy would also increase the current level of police protection that they have.

In April 2001, Harrison City Mayor, Daniel J. Gieringer, to examine financial ways or means by which an aerial truck or a fire engine might be purchased, called a meeting. Mr. David J. Conley, a Senior Principle of the Seasongood and Mayer LLC accountant firm who was present at the meeting, asked if anyone had considered forming a joint fire district between the city and the township. This question led to a very involved discussion concerning that possibility. Due to the interest in exploring the concept, a second meeting was scheduled to continue the discussion.

A Task Force was then formed which subsequently conducted several meetings. Our hope was that the end result of their efforts could provide our City and our Township with the ability to solidify their emergency services for years to come and do it on an enhanced, cost effective basis.

LITERATURE REVIEW

As anticipated, this had not been the first time anyone had looked into the possibility of forming a joint fire district. Accordingly, it was assumed since others had previously researched this circumstance, there could possibly be a wealth of information out there that had already been assembled. This turned out to be true and the literature I have examined through my research process has provided general information or certain specific excerpts from the following sources.

The Ohio Revised Code

The Ohio Revised Code has provided valuable information concerning the initial steps that are necessary to move from independent groups to a joint district. The code (ORC 505.371) expressly states that certain specific steps are required to form a joint district. Although they are numerous, my research will hopefully show the most applicable items.

The Ohio Revised Code permits any combination of all or parts of adjacent townships or municipalities in or adjacent to such townships to form a joint fire district. Certain conditions, which will be explained in basic detail in the following excerpt, must apply. The district must be given a name different from the names of participating townships and municipalities and must be governed by a board of fire district trustees consisting of one representative from the governing body of each of the participating entities.

This board has the same powers as a board of township trustees providing fire protection services, including the power to levy a fire protection tax. The following excerpt from the Ohio

Revised Code (505.371, JOINT FIRE DISTRICT; CREATION; POWERS; DISOLUTION) will describe the basic provisions the code would require to be followed in the establishment, maintenance, and dissolution of a joint fire district.

(A) The boards of township trustees of one or more townships and the legislative authorities of any one or more municipal corporations, or the boards of township trustees of two or more townships, may, by adoption of a joint resolution by a majority of the members of each board of township trustees and by a majority of the members of the legislative authority of each municipal corporation, create a joint fire district comprising the municipal corporations and all or any portions of the townships as mutually agreed upon. A joint fire district, so created, shall be given a name different from the name of any participating township or Municipal Corporation.

(B) The governing body of the joint fire district shall be a board of fire district trustees, which shall include one representative from each board of township trustees and one representative from the legislative authority of each municipal corporation in the district.

The board of fire district trustees may exercise the same powers as are granted to a board of township trustees in sections 505.37 to 505.45 of the Revised Code. This includes, but is not limited to, the power to levy a tax upon all taxable property in the fire district as provided in section 505.39 of the Revised Code. The board of fire district trustees may be compensated at a rate not to exceed thirty dollars per meeting; not to exceed fifteen meetings per year, and may be reimbursed for all necessary expenses incurred. The board shall employ a clerk of the board of fire district trustees.

(C.1) The board of fire district trustees may establish reasonable charges for the use of ambulance or emergency medical services. The board may establish different charges for residents and non-residents of the district, and may, at its discretion, waive all or part of the charge for any resident of the district. The charge for non-residents shall be an amount not less than the authorized Medicare reimbursement rate, except that if, prior to the effective date of this amendment (2-4-1998), the board had different charges for residents and non-residents.

This charge for non-residents needs to be less than the authorized Medicare reimbursement rate.

The board may charge non-residents less than the authorized Medicare reimbursement rate.

(C.2) In the resolution, creating the joint fire district, the political subdivisions that create the district may provide that any of those political subdivisions may agree to pay any charges for the use of ambulance or emergency medical services that the board of fire district trustees establishes under division C.1 of this section and that are incurred by the residents of the particular political subdivision.

Unless the board elects, pursuant to that division, to waive all or part of the charges for the use of ambulance or emergency medical services any resident of the district occurs, the residents of a particular political subdivision who has not agreed to pay the charges for the use of ambulance or emergency medical services incurred by its residents shall pay those charges.

(C.3) Charges collected under this section (C) shall be kept in a separate fund designated as "The Ambulance and Emergency Medical Services Fund," and shall be appropriated and administered by the board. These funds shall be used for the payment of costs of the

management, maintenance, and operation of ambulance and emergency medical services in the district.

(C.4) As used in this paragraph, “authorized Medicare reimbursement rate” has the same meaning as in section 505.84 of the revised code.

(D) Any Municipal Corporation or township, or parts of them may join an existing joint fire district by the adoption of a resolution requesting such membership and upon approval of the board of fire district trustees. Any municipal corporation or township may withdraw from a joint fire district created under this section, by the adoption of a resolution ordering withdrawal.

If on or after the first day of January of the year, following the adoption of the resolution of withdrawal, the municipal corporation or township withdrawing ceases to be a part of such district, then the power of the joint fire district to levy a tax upon taxable property in the withdrawing township or Municipal Corporation terminates.

The joint fire district shall continue to levy and collect taxes for the payment of indebtedness within the territory of the joint fire district, as it was comprised at the time the indebtedness was incurred.

Upon the withdrawal of any township or municipal corporation from a joint fire district, created under this section, the county auditor shall ascertain, apportion, and order a division of the funds on hand including all funds in the ambulance and emergency medical services fund,

moneys and taxes in the process of collection. The exceptions are taxes levied for the payment of indebtedness, credits, real and personal property.

Revenue could occur in money in kind, on the basis of the valuation of the respective tax duplicates of the withdrawing Municipal Corporation or township and the remaining territory of the joint fire district.

When the number of townships and municipal corporations comprising a joint fire district is reduced to one, the joint fire district ceases to exist by operation of law, and the funds, credits, and property remaining after apportionment to withdrawing municipal corporations or townships, shall be assumed by the one remaining township or municipal corporation. When a joint fire district ceases to exist and an indebtedness remains unpaid, the board of county commissioners shall continue to levy and collect taxes for the payment of such indebtedness within the territory of the joint fire district as it was comprised at the time the indebtedness was incurred.

Financial Data and Information

The City of Harrison retains financial consultant, Mr. David J. Conley, Senior Principle, who is employed by the financial consulting firm of Seasongood and Mayer LLC. He provided sound financial data for us to consider as we proceeded. The background information he used to support this financial data included all the following items.

He first established that the city wanted to expand its fire services to possibly include the township. He then correctly identified four areas of emphasis; Added staffing, Upgrading of equipment, Upgrading of facilities, and the enhancement of area service coverage.

Secondly, he stated the need for exploration of the cities financial capacity. Here he identified the city support that was currently at \$500,000.00, the limited additional operating revenues, the limited debt capacity, and the high demand from other departments. Next, he reviewed the options. Here he listed, increased internal funding, and the creation of new and distinctly different funding.

As anticipated, he indicated that the new district would require the passage of a tax levy to adequately fund its operations. The traditional procedures for the creation of a tax levy were explained categorically in his statement.

First he identified the election requirements (preconditions) as follows:

The city would first need to approve a necessity ordinance

The county auditor would then certify correct millage for the necessity

The city then needed to approve an ordinance to proceed

The clerk then needed to file with the board of election no less than 90 days before the actual election.

Then Mr. Conley pointed out that the ballot language would need to include the following:

Certain millage would need to be provided for the anticipated joint district needs

The term of the tax

A description of the services that would be provided

The actual millage amount needed to provide the tax rate.

Next, he provided a description of the levy approval conditions:

The approval will involve a simple majority (50% plus 1)

The tax would apply to ALL property

The collection would start NEXT calendar year

The income would be received in 2 parts, 50% in April and 50% in August.

Finally, he identified uses of the new revenues or the general allowable uses of the tax levy income. They would include the following:

Additional firefighters both full and part time

Other needed staffing positions and administrative personnel

All other related fire service expense obligations to the firefighter pension fund

The purchase of fire trucks and other needed vehicles

The purchase of ambulances and their related equipment items

The purchase of medical equipment and supplies

The acquisition of land

The renovation of existing facilities

The construction of new buildings.

Mr. Conley had also provided charted information that is designed to clarify his overall presentation, as well as, to illustrate the exact amount of levy millage that would be required for each one million dollars of operating revenues necessary for the new district. His charts also show the actual cost to a homeowner by showing the market value of the home along with the tax value. He then shows a breakdown of the new tax amount relative to the market value and its tax value on an annual basis as well as monthly, weekly, and daily. Copies of these charts are

provided in Appendix A of this document. The original charts are on file at the Harrison Fire Department in the office of the Fire Chief.

PROCEDURES

As stated in the Introduction, certain relational questions concerning our anticipated procedures are addressed in this report. No procedural limitations were known to exist at this point.

The First Question

What completed steps would be necessary before the district could become a reality, and in what order?

I have discovered that the absolute first step must be to determine that a local interest among all potential members of the proposed district is evident. Unless everyone is interested in the project and committed to the desired goals, there would simply be no reason to begin the effort.

Next we would need to organize ourselves. A task force would need to be formed early in the process and a leader of the group along with a secretary needed to be established. The leader would be the one who coordinates the efforts of all members of the task force. The secretary would be the one who is responsible for maintaining written records of the group's activities.

Certain other members of the task force would be needed to assume special responsibilities or complete special assignments along the way.

The Second Question

What procedures must be followed to establish a financially advantageous joint district?

This would have required someone with a working knowledge of both Municipal and Township finance control. This could have been our city finance director, the township clerk, or it may have been a hired consultant, or all three. These persons would have provided help to establish if the project would be financially advantageous to our proposed group.

They would have played a major role in the proceedings, as many different financial aspects needed to be explored. Salaries needed to be established for all involved, including the Chief and his staff, and of course, the firefighters themselves. In addition to these, certain administrative positions needed to be established and salaries set accordingly. These may have included a district clerk, a legal advisor, the trustees themselves and other associated positions.

If the effort had determined to be financially advantageous, then these persons would have provided information to the Task Force in order to answer the third question as follows.

The Third Question

What monetary increases in operating capitol could be expected and how would they be accumulated?

This would have, in most cases, required the passage of an operating levy. Being heavily reliant upon voter approval, the report should have included an accurate statement indicating the exact amount of proposed millage and how much money the millage would generate.

This should be broken down into daily amounts, weekly amounts, monthly amounts, and yearly amounts. The report should also show how the money generated by the levy would be spent.

As previously stated in the section labeled Financial Data and Information, The City of Harrison has retained the financial consulting firm of Seasongood and Mayer LLC to provide them with financial data as needed for all aspects of municipal government. This would include, in this specific case, vital information to be used in the consideration of forming a joint fire district.

The Fourth Question

What amount of time would the actual formation of the new joint district require to complete?

My research has shown that this answer varied in consideration of the many different approaches available for us to use in the actual formation of the district. This would have included the specific functions, operating procedures, station locations, apparatus amounts and types, etc., that would be desired by those who would make up the task force. Other considerations would include additional equipment purchases needed by the new district that the former political subdivisions may not have made.

Finally, sufficient time for the creation of the conditions of a tax levy, if needed, and the allowance of necessary time to complete the balloting process. Most people I have spoken with and the majority of the survey responses have indicated that, based upon their experiences, one to two years would be a realistic time period.

Definition of Terms

Joint Fire District – A fire suppression group or area, made up of two or more former political subdivisions.

Political Subdivision – A City, Village, or Township commonly located within the same State, generally referring to the structure of government.

Cross-trained – An employee of the fire department who is trained to perform as a firefighter, and an emergency medical technician.

Insurance Services Organization – A national group organized to provide a rating system for fire departments that is used to establish local insurance premiums.

NFPA 1710 – A standard set forth by The National Fire Protection Association to provide staffing parameters for career departments.

Task Force – A group of people assigned to the research of a specific concept. In this case, the formation of a joint fire district.

Township Trustees – The governing body of a Township as established by the Ohio Revised Code.

Fire District Trustees – A group of appointed people responsible for the administrative function of a joint fire district per ORC 505.37.

Medicare Reimbursement Rate – The allowable rate of monetary reimbursement for expenses associated with emergency patient transfers. (ORC 505.84).

Municipal Corporation – A City or Village operating in accordance with the provisions of the Ohio Revised Code.

Township – A subdivision of State or County government operating in accordance with the Ohio Revised Code.

Questionnaire – A form used to gather pertinent information to be used for the completion of a specific project or process.

Survey - A process used to gather pertinent information to be used for the completion of a specific project or process.

Full Time Paid – A circumstance where an employee is paid an hourly rate or salary with additional benefits.

Part Time Paid – A circumstance where an employee is paid an hourly rate or salary, but is usually not provided additional benefits.

Operating levy – A voter approved amount of tax used for the express purpose for which it was defined on the ballot.

Millage – A term used to define the amount of money that an operating levy would provide.

Assessed Tax Valuation – The total assessed monetary value of all structural components making up a political subdivision or district used to establish the anticipated revenues per each mill that would be generated by a tax levy.

Fire Contract – An agreement with a specific political subdivision to provide Fire and EMS coverage where no fire department exists.

Joint Economic Development District – A district formed in accordance with the provisions of the Ohio Revised Code to be used for certain economic advantages through the combining of two or more political subdivisions.

Safety Services Levy – A process to be placed on a ballot, for approval by the voters, which would provide revenues for both police and fire departments.

RESULTS

The results of my research are inclusive of certain data that was reasonably anticipated and it also produced some unexpected data as well. This unexpected data, which will be explained in detail later in Recommendations, will play a major role in the conclusion of my project.

In the research process, I have also talked with several other Chiefs who have been willing to share much pertinent information with me, both verbally and in the form of their actual written documents. The information I have received from them has been, on an overwhelming basis, indicative of their need for additional operating revenues. They have stated by forming a joint district, they have been able to increase their overall operating revenues as compared to remaining separate political subdivisions.

However, as indicated by our local experience, not all desires to form a joint fire district have been successful. For obvious economical reasons unique to us, we were ultimately forced to make a decision to discontinue our efforts to form a joint fire district. These reasons are addressed in detail in a later portion of this report.

Additionally, not all formed joint fire districts have remained a success. I have discovered that in at least one case, the failure to remain committed to the intent of the new district has led to its eventual dissolution. This dissolution has apparently taken place when the members of the former political subdivisions, or even the involved fire departments, did not agree on conditions necessary to remain united. My research has shown this is the case when the former groups would try to cling excessively to certain conditions of their past, or if the new district trustees would remain faithful to their previous political convictions, instead of being committed to the intent of the new district.

In light of my findings in this area, it became obvious to me, it should be considered critical for all prospective parties to establish a firm commitment to the intent of the new district prior to their beginning work on its creation.

In addition to the discussions I have had locally, I also compiled a survey form which has been mailed to fifteen (15) Ohio fire departments who have previously explored the possibility of forming a joint fire district, or consolidation as some of them have referred to it. These departments were selected from the list of joint districts found in the Ohio Department of Commerce, Ohio Fire Department Directory, 2001.

The surveyed departments were selected on a priority basis in order to get a good cross section of efforts at all professional levels. This would include volunteer departments, part-paid departments, and full-paid departments. The results of my research are obviously limited by the comparatively small number of joint fire districts that have actually been formed, and their

willingness to respond to my survey. But, in spite of this limitation, I am confident I have accumulated specific, accurate, and helpful data.

As of this date five (5) joint districts (33% of those surveyed) have responded either by returning the form, talking with me in person, or providing formation materials or documents that they actually used in their processes. All of them have stated the primary reason they began the process was to increase the overall operating revenues of their jurisdictional responsibilities.

They were willing to share; however, that the success of their efforts was directly proportionate to the overall assessed tax valuation of their respective communities. Simply put, if the overall tax valuation of the combined political subdivisions was high enough to provide acceptable increases in operating capital at a level of levy millage which would be favorable to the voters, then the project should have gone forward. If not, then the efforts needed to be re-evaluated prior to continuing. Ironically, it was this very circumstance that eventually stopped our efforts to form a joint fire district.

Survey Questions and responses

This section will provide evaluative statements showing the combined results of my survey findings by listing each survey question and a summary of the responses I received for each. The actual survey form I used is included in this document as Appendix B.

The first survey question

What reason(s) initially brought about your interest in forming a joint district?

My findings show that five out of five departments responding to the survey have indicated that the primary reason for their initial interest was inadequate funding to operate their growing fire and EMS services at the anticipated or desired levels of their respective communities. One department also indicated that in addition to the funding aspect, their initial interest was motivated by their desire to provide emergency medical services at a higher level by adding full time personnel at the EMT-P (paramedic) level.

One department indicated that it had always been a joint district and that all organizational files had been discarded. They did state that their reason for consolidation was thought to be financial in nature.

The second survey question

Were the previous independent districts all providing fire and/or EMS services on an independent basis prior to the formation of the new district? If not, please explain your circumstances.

I had a very specific reason for asking this question as stated. Our city has a fire department, and our township does not. I was concerned about the potential problems, which may arise from one party owning buildings and apparatus or equipment and the other not. Two of two departments reporting, said that one former member had an existing fire department and one did not. They additionally indicated that a considerable effort took place to determine ownership of the existing properties.

One way they solved the problem was to first establish a value of all existing properties. The party owning the properties then collected one half of the appraised value from the other party.

A second way the problem was solved seemed to be somewhat simpler. The party owning the equipment simply deeded the buildings and apparatus over to the new district.

A third way to deal with this potential problem was for the original owner to maintain ownership of all or part of their original assets and lease them to the new district. It appeared that this approach was most popular in those situations where the future of the new district may remain in some degree of doubt.

The third survey question

If your reason(s) were associated with finances, please explain why and how you felt the new district would help improve your overall operating revenues.

All of the survey forms returned to me, and all the individuals I have talked to, indicated that finances played a major role in their initial interest. Most indicated that current financial means were inadequate, and there was significant reason to consolidate. They felt by combining two or more political subdivisions, they could realize substantial increases in operating revenues, provided the voters would approve a tax levy in appropriate millage amounts. As their research process continued, they began to realize that the increased income would be proportionate to the projected costs associated with the operational aspects of the new district as compared to the combined current assessed tax valuations of their respective political subdivisions.

If the valuations were high enough, the proposed levy millage would be low enough to obtain voter approval. If not, and this turned out to be the case in the City of Harrison and Harrison Townships interest, then the desire to form a joint district would not appear to be possible to become a reality.

The fourth survey question

If your formation involved NFPA 1710, please explain your approach to correlating your project to the provisions of 1710.

One department said that 1710 did not play a role in their formation because they had formed prior to the initiation of NFPA 1710. Two departments stated that the threat of having to add personnel due to 1710, and the additional costs associated with the threat, was involved in their decision to explore a joint fire district. It was interesting to note that everyone expressed that they were already understaffed and stated that their need for additional personnel existed regardless of NFPA 1710.

The fifth survey question

If your previous political subdivisions overall property evaluations were a factor, please explain in reasonable detail, how these factors influenced your decision.

The response to this question was unanimous. All the responding departments agreed that the overall valuations of the interested political subdivisions were the main factor. They stated voter approval to their requested tax levies was critical to the success of their efforts and low valuations creating higher millage amounts would be a deterrent while higher valuations creating

lower millage would be an asset. Only one of the returned surveys indicated the valuations were too low for realistic millage to be placed on the ballot for voter approval.

The sixth survey question

Please include a narrative explaining any pertinent data or information that you encountered which, in your opinion, might be of interest to me as I complete this research.

Several suggestions came from this question, but the general thought was best summarized by one statement. “You must show that the formation of a fire district will benefit both entities with the service you will provide and show an overall cost savings by consolidation.”

The seventh survey question

Did your efforts result in the formation of a joint fire district? If not, please provide details explaining the reason(s) the proposed joint district did not become a reality.

Other than our own effort, only one survey showed their efforts failed. As previously stated in this report, the primary reason for them was internal political fighting. Simply put, one or both sides could not turn loose of their former ideas, procedures, buildings, apparatus, and many other less significant issues. A district had actually been formed but in a short time had disintegrated completely.

A lesson learned was that, unity in thought and process needed to be a critical first step if success were to be desired.

The eighth survey question

If you have any other documentation or information that would assist me in my research, please feel free to include it.

This turned out to be the most valuable question for me as several joint districts sent me their entire file on their formation. My personal thanks to Chief Greg Pinney, of the Pleasant Valley Joint Fire District, for sharing his complete file with me. (Robert Leonhard 1992, School of Public Policy and Management, Ohio State University) My congratulations to Chief Pinney and his entire staff on a job obviously well done in the formation of their joint district.

The City of Harrison Finance Department

Our cities Director of Finance, Mary Lou Dawson, has been of great help in assisting me in establishing projected budget amounts for the new district as well as providing assistance in maintaining our current financial concerns during the research period. Her department provides a monthly report that shows a complete breakdown of each line-item expenditure and also a list of the finances received from all sources of income. To completely understand this sub-section, and the effect it has on this report, it should be re-emphasized for clarity that the city currently receives annual income from the township through the provisions of a contractual agreement for fire and emergency medical services provided to them.

This agreement is re-negotiated every three years or at a different time that is agreed upon by both parties. Consequently, the township currently has little to do with financial planning for the operations of the fire department.

In addition to the monies received from a 7 mill-operating levy, the city's general fund, and the township, the city also has other smaller contractual arrangements with the Village of West Harrison and Dearborn County, Indiana.

The current salary and operational budget for the City's fire department is roughly 1.9 million per year. Of this amount, about \$100,000.00 is received through the contracts with these other political subdivisions. Of the remaining amounts, approximately \$ 900,000.00 comes from the cities general fund, and \$900,000.00 comes from the 7-mill levy currently in place.

The City of Harrison Department of Law

Mr. William M. Deters, (Ennis, Roberts and Fisher Co, LPA Cincinnati, Ohio), currently serves as the City of Harrison Director of law. He has provided critical information from a legal standpoint which must be considered applicable if desiring to form a joint fire district. He specifically references The Ohio Revised Code 505.371 and ORC 505.37, as providing precise data required from a legal perspective.

I have researched the aforementioned sections of the Ohio Revised Code and have previously explained the ORC references in detail in the Literature Review section of this research sub-titled Ohio Revised Code. In consideration of specific legal counsel for a joint district, he refers to OAG 85-071, which states, the board of trustees of a joint district may employ such legal counsel as is necessary for the performance of its functions.

He also pointed out, that in accordance with OAG 85-071, a county prosecuting attorney has a duty to act as a legal advisor to a township trustee who serves as a representative to a board of

fire district trustees. It is specifically provided therein (OAG 85-071) that these matters must relate to the activities of a joint fire district, which arise from such individual's position, as a township trustee.

The National Fire Academy

It was my original intention that the National Fire Academy at Emmitsburg, Maryland might provide certain historical data, which might be of value to me in compiling this research.

However, a thorough search of their Web Site revealed no helpful information. I did, however, discover first hand what our lead instructor, Dr. Ted Darrow, had spoken to us during our second class when he said that many previously successful research projects conducted at the National Fire Academy's Executive Fire Officer Program were on file there. I found that most of them were very interesting and to some degree were helpful, but none of them specifically addressed the formation of a joint fire district.

After about four months work, the desire to form a joint fire district appeared to be in doubt. The major reason for this doubt was based on specific information provided by Mr. David J. Conley indicating, due to the combined property valuation of both political subdivisions being so low, we would have to ask for a millage rate of approximately 14.35 mills. The task force then considered that 14.35 mills would be considered excessive and that it would probably be unrealistic to ask the voters to approve it. Ironically, and certainly with no intended disrespect, Mr. Conley was the same financial consultant who had originally suggested we explore the possibility of forming a joint district.

Conclusions

Over the last 20 years, the City of Harrison has asked for and received approval for 3 separate Fire levies amounting to a total of 7 mills. In previous research, concerning the conditions associated with the passage of fire levies, we have discovered that the concept of reasonable millage is critical to voter trust and that in most cases, the voters will tend to approve reasonable millage amounts for fire and EMS protection. We have also discovered that it is critical not to lose public confidence when asking for additional operating revenues through the balloting process. A summary of our findings during this research process would seem to indicate that this possibility could have very well become reality.

The associated statistical data Mr. Conley has compiled shows that the overall assessed tax valuation for the proposed joint district would be \$241,563,448.00. Based upon that assessment, we would have needed to approve 4.1 mills for each one million dollars of anticipated operating revenues. At an estimated maximum annual need of 3.5 million dollars for fire and EMS protection, the new district would have needed the voters to approve the aforementioned levy amount of 14.35 mills. Conceptually, the thought of asking for 14.35 mills at one time seemed to be unreasonable and, in our opinion, would erode voter trust in our department.

With Mr. Conley's applicable data in the forefront, we were then able to conclude that a request of that proportion would be unacceptable to the voters and consequently, would not be passable at the polls.

On Tuesday August 21, 2001, the Joint Task Force voted to discontinue the process and terminate our efforts to form a Joint Fire District.

DISCUSSION

As previously described in this report, our failure to form a joint fire district was directly related to the overall assessed tax valuation of our proposed new district. Mr. Conley has since informed me that the combined structural assessments of each political subdivision will comprise the overall valuation. It has consequently become obvious to me that there are significant differences involved from community to community. In our case, we simply did not have a combined valuation high enough to support voter acceptable millage. It is also obvious to me that other communities may have acceptable valuation levels to provide support for their desired millage amounts. These communities fortunately have the main ingredient needed to begin work on their joint fire district formation. This new knowledge has provided comfort to us as we are attempting to understand and accept the results of our efforts.

Conclusions

In spite of my findings, all is not to be considered lost, for my recommendations will show some alternatives that we are now committed to pursue. Additionally, I have gained some valuable knowledge concerning the research process. Accordingly, it is fair to say that there is one beneficial concept that this research has firmly implanted in my mind. It is that the success of any research project will be directly proportionate to the intensity of the effort. The time spent in any type of research, no matter how little or how much, must be adequate or flexible enough to produce applicable data that would subsequently provide an opportunity to satisfactorily accomplish the end result. In our case, the end result would include some unexpected findings.

I am reminded of the advice provided by Dr. Ted, as he prepared us for our respective research projects, when he said that it would be a good idea to establish checkpoints along the way to keep our work on schedule. I think he was trying to suggest to us that no one should expect the pieces to just fall into place. I am also confident that both he and Dr. Warmbrod were encouraging us to compile data that would present a clear and complete picture of our respective projects before a final decision could be made. I believe we accomplished that with our research.

I can now say with confidence that in consideration of any worthwhile research project, “One must begin with the end in mind.” I have determined that if we cannot initially accept this simple concept, then it is fair to say that we are probably not adequately motivated to accomplish a satisfactory conclusion of our efforts. Things do not always turn out the way we anticipate.

RECOMMENDATIONS

As previously stated in the Results section of this report, my research has revealed that our combined overall local tax valuation, as compared to the operating millage it would require, is too small for our proposed joint fire district to become a reality. This new information has caused us to “Go back to the drawing board” so to speak. In other words, we still have the same existing problem, so what do we do now?

The City of Harrison

The City of Harrison has since decided to approach our problem from other perspectives. They will include asking the city voters to approve an additional operating levy of smaller millage.

This would occur within the city to supplement the existing 7-mill levy.

We will begin exploring the possibility of billing the applicable insurance companies, of all of our EMS patients, for emergency treatment and for transport services. (We currently bill non-residents only)

We will re-evaluate the current city income tax levels to determine if they are adequate to support the rising needs of the fire department as well as all other applicable divisions of our city. The current income tax is calculated at .01%

We are also currently researching the possibility of enacting a local sales tax. This tax would be approximately one half percent which would be used expressly for increased levels of personnel and additional equipment in the fire department.

The Harrison Township

The Harrison Township Trustees have also been actively pursuing ways and means to create additional funds for fire and EMS protection. They have since decided to ask the voters to approve a public services levy of their own. We have pledged our support to the township in their effort and will assist them in any way we can, in asking their voters to approve their levy.

If the voters pass their levy request, we will then ask the trustees to consider a fair contractual amount to be paid to the city which would in turn allow the city to continue to provide excellent fire and emergency medical services to them.

Conclusions

At the time of this report, it has not been established which or how many of the aforementioned possibilities our council and trustees will pursue or approve. It has been determined, however, that the formation of a joint fire district is not feasible for the people of the City of Harrison and the people of Harrison Township at this particular time.

In consideration of this new information, it has additionally been determined that the independent governments of each political subdivision shall remain committed to providing its citizens with the very highest level of emergency care available. Accordingly, the City of Harrison shall remain considerate to the needs of the township residents by negotiating annual contracts with the township trustees that are fair and reasonable in consideration of their emergency service needs.

In support of this concept, we may also look at the provisions of the Ohio Revised Code (ORC 505.37) which permits townships and other political subdivisions to join in the purchasing, maintaining, using, and operating of fire-fighting and EMS equipment. The City of Harrison and Harrison Township have cooperated very well at this level in the past and in spite of our unsuccessful efforts to form a joint fire district we will, no doubt, continue this cooperative attitude in the future.

The attitude of excellence in cooperative government I have previously referred to has become even more evident recently as our City Mayor, Daniel J. Gieringer and the Township Trustee President, Larry E. Kinnett have now announced their intentions to research the formation of a Joint Economic Development District (JEDD). This JEDD would enhance the

cooperative attitude already in place between the two parties and would help alleviate some of the financial constraints throughout the entire realm of government, not just the fire department.

For the purpose of understanding this concept as it is compared to a Joint Fire District, it is necessary to know that the JEDD would not provide the same level of monetary benefits for the fire department as would the provisions of a joint fire district. It would, however, bring certain limited benefits to the operations of the fire department through an expanded version of the current income tax program.

In December of 2001, in accordance with the provisions of ORC 715.72, the City and the Township entered into a memorandum of understanding which could result in the eventual formation of a Joint Economic Development District of the two political subdivisions.

The JEDD would also provide a long-term agreement for fire and EMS services to the Township. This agreement would include a 5% increase in the Township contract fee each year and would automatically renew each 3-year period.

In addition, the JEDD would provide that the Township would continue to receive Fire & EMS protection 24 hours per day, 7 days per week. The Township would also have a representative on the City's Fire Committee of Council.

If the Township would be successful in passing their Safety Services Levy, the balance of generated funds, after the payment of the contract fee, would be placed in a separate account to be used for the purchase of safety services equipment. This equipment would be in support of all

safety services for the district. The Township and the City would meet to determine the need for capital equipment based on existing and specific criteria. Included would be; the amount of funds in the account, the specific equipment being purchased, the importance of the proposed equipment to the Township, and any other consideration which may be significant to the use of township funds at the time. The Township would retain ownership of any equipment they purchased through the provisions of the JEDD.

Obviously, the provisions of a Joint Economic Development District are not limited to fire & EMS alone (see Appendix C). Comparatively, it would involve all aspects of local government including police protection. For the purpose of this report however, I have exposed only those associated factors favoring the intent of this research document.

And finally, in response to our newly acquired understanding of a Joint Fire District and in consideration of the disappointment that it would not work for us, it is appropriate to say that certain consequential conclusions have become necessary for us and accordingly, are being drawn.

Significantly among them, the City of Harrison Mayor and Council and the Harrison Township Trustees have reaffirmed their daily attitude concerning quality customer service by remaining committed to the same standards of excellence in cooperative government that our citizens have become so accustomed to. These standards have been very evident during each day in the past and are anticipated to remain equally evident during each day in the future.

This cooperative attitude of making the best of each day God gives us is certainly well exemplified by the words of an unknown author in his or her work called simply, "Today".

Due to my belief that our governing bodies are committed to this idealistic daily approach, with regard to the capability and success of the Division of Fire and Emergency Medical Services, I have chosen to close my paper with the author's appropriate words.

Today

This is the beginning of a new day. God has given me this day to use as I will. I can waste it or use it for good. What I do today is important, because I am exchanging a day of my life for it. When tomorrow comes; this day will be gone forever, leaving something that I have traded for it. I want it to be gain, not loss; good, not evil; success, not failure; in order that I will not regret the price that I paid for it.

The Author is unknown.

This small verse then, shall provide appropriate meaning to our commitment to each other as we encounter each new day in the life of our City and our Township.

Chief Alan R. Kinnett

Director, Division of Fire and Emergency Medical Services

City of Harrison, Ohio

REFERENCES

Consolidating Rural Fire Protection:

An Analysis of the Formation of a Joint Fire District

Robert Leonhard 1992

School of Public Policy and Management, Ohio State University
Approval, Dr. Anand Desai, Faculty Advisor

Seasongood and Mayer LLC

David J. Conley, Senior Principle

414 Walnut Street, Cincinnati Ohio 45202

Baldwin's Ohio Revised Code Annotated

Title V. Townships

Chapter 505. Trustees Fire and Police Protection

*1003 Ohio Township Law

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Based on original work by William B. Shimp, B.A., J.D. (FNb)

Ohio Fire Department Directory 2001

Ohio Department of Commerce

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Madeira Indian Hill Joint Fire District

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Cincinnati, Ohio 45243-3310

Chief Steven Ashbrock

Dear Park-Silverton Joint Fire District

7050 Blue Ash Road

Silverton, Ohio 45236-3721

Chief Donald Newman

Fairfax-Madison Place Joint Fire & Rescue

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Cincinnati, Ohio 45227-3340

Chief Thomas Driggers

Loveland-Symmes Fire Department
126 South Lebanon Road
Loveland, Ohio 45140
Chief James D. Hunter

Today
Author unknown