

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Special Meeting
Friday, November 11, 2011

Meeting called to order: 11:00 a.m.

Members Present: Trustee Lynda Bowers, Trustee Bryon Macron, Fiscal Officer Shirley Bailey.

Also Present: Fire Chief Jeff Hall, Regina Moore (Cost Recovery Corp.), Jennifer Baldwin (Cost Recovery Corp.), Joy Turpin

Mr. Macron explained that the township is looking at the possibility of billing for fire department services. Cost Recovery Corporation (CPC) has been contacted to share how the process would work. Ms. Moore stated that as long as there is a resolution that outlines the wishes of the township, the costs can be recovered. She feels the process is worth it as it sends the message that the township is trying to alleviate the taxpayers from subsidizing for insurance investigations, and reporting. The fire department is often times taken out of service to care for crashes that involve non-residents. CPC recommends following the same protocol and process that the federal government has as it relates to EMS. Billing would only occur for the at fault party – never the victim. Federal law states that a claim should still be submitted to insurance of residents to eliminate any claim discrimination. The Office of the Inspector General stated in 2000 that the taxpayers could be exempted from any out of pocket costs. This is the same as the township's current soft billing policy for EMS. The bill to the insurance company would be for time and material that was utilized, the actual costs. CPC's fee is added on top of the fee for the services and paid for by the insurance company. The payments would be sent to a lockbox and then CPC would send a check once a month as well as a report. CPC does not do EMS billing.

If there is any type of unusual situation it should be noted on the report that is sent to CPC so they can seek reimbursement. The wages that are billed would also include any benefits paid so that it is the real cost of business.

Discussion was held on whether to charge for structural fires. What to charge for is determined by the township.

A police report is helpful but not mandatory. The Prosecutor has stated that the township may not charge for the police services. The Fire Department would need to follow up with CPC letting them know who is at fault in an accident. It also needs to be noted if the party(s) are residents or not. It is possible to make distinctions in the billing by whether the incident was a criminal act, etc. The applications must be applied equally.

All services up to the EMS transport are billable. A personal vehicle responding to the scene with fire personnel is billable.

Discussion was held that if insurance funding is available, it should be pursued as opposed to the alternative of raising taxes. Residents are already paying for that insurance coverage and the only winner would be the insurance company. Raising taxes would affect all of the residents. Ms.

Moore explained that the insurance rates would not go up due to billing for fire services. If a party is negligent, that would be the cause for any change to their rates.

Discussion was held on commercial property billing and County owned properties. A concern that the fire department has is that repeat offenders may disconnect smoke detectors to avoid claims, thus putting them in more danger. Ms. Moore stated that typically repeat offenders will be charged after the third incident.

Ms. Bowers suggested having the Finance Committee review the past years reports to see what fires would have been reimbursable if this policy was in place. They can discuss the issue and send a recommendation to the Board. The Board can then address the issue in a newsletter to the residents.

Mr. Macron would suggest moving forward with two separate resolutions – one for the MVAs and a separate one for fires.

Ms. Moore offered that they can prepare a mock report if they are supplied with a fire report. Billing can be done for mutual aid calls but only for the services done by our department. It was noted that there was concern about listing the rates and amounts of recovery since this information may be proprietary. Ms. Moore suggests stating in the resolution that what will be charged are actual costs, usual and customary rates. These would be based on the budget numbers.

A contract would be required to start this service. This will need to be reviewed by the Prosecutor.

Chief Hall discussed the hard billing, such as for open burns, and the soft billing. The public will need to be educated. Ms. Bowers stated a matrix can be prepared that shows the amount that could be reimbursable as compared to tax millage. This would be helpful in determining the amount that would be necessary to ask for in a proposed tax levy as the five year forecasting has indicated may be necessary.

Ms. Moore indicated that any type of negligence would be billable. The difference between hard billing and soft billing is determined by resident vs. non-resident. Residents could be hard billed if the department is called out for a nuisance complaint. The amount to be billed will be determined by looking at the budget. It will be usual / customary and reasonable rates. The costs of the equipment, maintenance, fuel...the actual cost will be determined. CRC will be the party that is asked to prove that the numbers are correct by the insurance companies. It will take approximately 18 months to have a handle on what to expect for reimbursements.

Ms. Moore would like to receive a copy of the press release when one is prepared. The Board indicated that the press had been invited to come to this meeting.

During mutual aid, reports are exchanged between fire departments. Discussion was held about billing for a structure fire in mutual aid circumstances. Discussion was also held about if there is a standard regarding how many personnel may respond to a circumstance. Ms. Moore replied that common sense would need to be used and to be honest about what is needed.

Mr. Macron indicated that a resolution would be drafted that combines the presented resolution from CPC and one the township has prepared. CPC is available for any questions or complaints that may come in. They are located in Dayton, Ohio. Ms. Bowers and Mr. Macron suggested having CPC get in contact with the Ohio Township Association to share information with them.

Meeting adjourned at 12:00 p.m.

Approved: _____

Lynda Bowers, Trustee

Nanci Shanley, Trustee

Bryon Macron, Trustee

Shirley Bailey, Fiscal Officer