

# RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:                 REGULAR MEETING  
HELD ON:   MAY 13, 2010  7:00 PM**

NOTES: These minutes are a summary of the township business meeting and are not a word for word account of the discussions which took place.

Chair Scott Miller called the meeting to order at 7:05 p.m. with a welcome. Board Members present were John Faulkner Scott Miller, and Jim Reed. Also in attendance were Fiscal Officer Seiter, Zoning Inspector Painter, Public Works Superintendent Shuey, Fire Chief Meyers, Deputy Fire Chief Fox, Fire Admin. DeVoe. Residents Tim and Susan Spradlin were in attendance. See the attached sign in sheet. All participated in the Pledge of Allegiance.

**MINUTES:**

Miller requested the approval of the regular meeting minutes of April 22<sup>nd</sup> be tabled to allow further time to review as he just received them. Others agreed.

**FINANCE:**     Fiscal Officer Seiter provided the following:

A request for approval of bills and payroll in the amount of \$70,144.61 a copy of the payment registers are attached to these minutes and made a part hereof. Faulkner moved to approve said payments. Motion seconded by Reed. Resolution No. 2010-92

Roll Call                                     Ayes: Faulkner, Reed and Miller                                     Motion Carried

Attendees discussed the pending Gerald Matthews invoice for additional work on the remodeling project. The balance due at this time is \$10,430. There are still unpaid funds on the original purchase order leaving a balance needed of \$8,580 per Seiter. Trustees confirmed all work is complete and discussed obtaining waivers/release of liens from all vendors involved. Seiter advised funds would need transferred to cover the project overrun. Faulkner moved to approve a transfer/supplemental appropriation for the \$8,580 from General Fund Other 1000-110-599-0000 to 1000-760-740-0000. Miller seconded the motion. Resolution No. 2010-93

Roll Call                                     Ayes: Faulkner, Reed and Miller                                     Motion Carried

Faulkner moved to approve a then and now purchase order to Matthews for \$8,580 for the additional and to pay the final invoice of \$10,430 upon contractor providing lien waivers. Reed seconded the motion. Resolution No. 2010-94 Trustees advised to process check, but hold it until release of liens have been received. Miller will contact Mr. Matthews.

Roll Call                                     Ayes: Faulkner, Reed and Miller                                     Motion Carried

Faulkner reported on a recent conversation with Representatives Widener and Martin about Township’s ability to use credit unions as an authorized depository due to changes in regulations. Seiter confirmed she knew Credit Unions were not a permissible option due to lack of securities. Faulkner moved to provide a letter of support for their future use. Miller seconded the motion. Resolution No. 2010-95

Roll Call                                     Ayes: Faulkner, Reed and Miller                                     Motion Carried

Report that the current fund status reports are in the correspondence file for Trustee’s review.

**ZONING:**     Inspector Painter provided the following:

Permits issued since April 22: None

Zoning Commission: Met on May 6 to discuss adult entertainment. Commission requested a work session with the Trustees regarding the same. Joint work session set for Tuesday, May 25<sup>th</sup> at 6 pm.

Request to declare 839 Jasper Road, Bob Booth, a nuisance for junk, garbage, and debris. Painter reported the Board first declared the property a nuisance in July 2009. Mr. Booth has been work on it but not making progress. The Prosecutor has recommended the Board pass a second declaration this year. Trustee Reed asked several questions about the condition of the property and other methods to help. Painter reported on the project over the past year. Reed asked to delay action to allow time to work out a plan by the next meeting. Reed will work with the property owner. Trustees agreed to give until June 15<sup>th</sup> to see at least the driveway area cleared per the last plan. Trustees also tabled Painter’s request for a purchase order for debris removal on the same property.

Painter will conduct well field inspections will be on May 17 with the manager of the Xenia City water treatment plant. Reed advised he has been contacted by residents in that area about people being on their property without notice. Painter explained how the inspections have been taking place for six years; each resident is mailed a written notice of the date of the inspections as well as invited to the meetings, which many have attended.

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**ROAD DEPARTMENT:** Public Works Superintendent Shuey provided the following:

Attendees discussed the discontinuation of using the Leaming rental storage space. There is a 30 day notice clause in the agreement. Trustees requested Seiter and Shuey to draft a notice letter for Chair Miller's signature with an effective date of June 30<sup>th</sup>.

Request for a purchase order to John R. Jurgensen for the annual 448 asphalt paving program jointly with Greene County for up to \$127,000. There will be eight roads in the Amlin Heights area to be completed. Miller moved to approve the request. Faulkner seconded. Resolution No. 2010-96  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

**FIRE DEPARTMENT:** Chief Meyers provided the following:

-Notice of verbal resignation from Bruce Marcum, ff/chaplain, due to working out of State. Seiter advised Mr. Marcum was last paid as a volunteer. Miller moved to accept the resignation. Motion seconded by Reed. Resolution No. 2010-97 A letter of thanks is to be sent.  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-Request for a 90 day leave of absence from Brian Bigham, ff/pm as a POC employee due to accepting a position with the Columbus fire department. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-98  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-Report and request to assign Richard Baker as a permanent captain from acting, POC. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-99  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-Report and request to appoint Jeff DeVoe as a captain, still performing as the fire administrator, effective May 16th. He would be an officer on the scene(s) now as well as in the office. Meyers and DeVoe provided a history of his duties and abilities with 31 years of service to the department. The pay would increase from the fire fighter rate of \$11.59 to the captain rate of \$12.82. There will be three captains. Faulkner moved to approve said request. Motion seconded by Miller. Resolution No. 2010-100  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-A purchase order request to National Business Furniture for a commercial type kitchen table for \$788 including delivery. Budgeted in 2282-760-740-0000. Meyers is still working on chairs. Miller moved to approve said request. Motion seconded by Faulkner. Resolution No. 2010-101  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-A report and purchase order request to Adaptable Office Concepts for two work stations for \$4,920 to complete the final touches and make the front entry look good. Meyers advised there would be additional costs of approximately \$200 for electric wiring in the 67" wall between the desks. The old furniture could go to the road department or station 2. Reed noted he felt bad about giving Superintendent Shuey a rough time about the \$500 desk he requested compared to this request. Faulkner asked about funding. Seiter advised she did not show it budgeted, but the funding is there at this point. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-102  
Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

-Jeff DeVoe provided a report and purchase order request to Xenia Glass for up to \$1,600 to re-key the buildings per prior discussions. He has developed a key schedule. Attendees discussed types of locks including keyless entry, electronic and computer based, areas to be re-keyed and responsible parties for maintaining the keys. Seiter noted it is an un-budgeted project. Meyers recommended staying with the key method. Action tabled for 30 days in order to get bids for keyless locks.

-The tanker is ahead of schedule. Value of the existing tanker (512/T51) needs determined for sale. Attendees discussed options for method of sale, i.e. auctions and OTA magazine advertisement. Put on next agenda for action.

**GUESTS:** 8:45 pm

Tim Spradlin advised he had met with Chief Meyers regarding re-employment. Meyers is to review his qualifications and will get back with Spradlin in a couple weeks. Spradlin advised he wanted to be on the next agenda again and that he has a public records request for the Fiscal Officer.

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### **COMMITTEE REPORTS:**

Miami Valley Reg. Plan. Com.: Faulkner reported on the last meeting re: other areas in Ohio, main topic was sewer & waste water. There were project reviews: i.e. 35 through Beaver creek.

---Technical Advisory Committee: No Report per Miller, next meeting next week.

Greene Co. Reg. Plan. Coordin. Com.: No Report

District Advisory Council of Health District: No Report

Water & Wastewater Adv. Committee: (quarterly) Met April 28 No report, Faulkner double scheduled.

Source water: Next meeting June 8 at 7 pm at Xenia Township, Sheryl to put on schedule, where?

Xenia Economic Growth Corp.: Miller reported on the May 11 meeting. Main topic was the City's levy not passing. H & A wrap up of clean up environmental study and two possible renters. Long term: i.e. insurance & commercial, DP&L reduce cost to commercial moves by 10-20% for 36 months with parameters. Painter advised building on Tecumseh school is to start this summer with the architect. No permits have been received yet. Trustees talked about lack of activity-response from Xenia City for a JEDD. The Board will work with other jurisdictions since Xenia won't. Painter will talk to Yellow Springs and Faulkner will talk with Jim Percival of Xenia City.

County Managers and Officials: No Report

Safety Council: Shuey reported on the May meeting. The topic was "Safety-top to bottom" and providing the correct tools to do a safe job. BWC representatives were the speakers. Painter to attend in June. Trustees and Shuey talked about reviewing the safety manual (and training) and including it as a chapter in the personnel policy. Shuey noted BWC representatives are free – use them – prevent claims.

### **OLD/UNFINISHED BUSINESS:**

Lease agreement for Charles Brennan of Network Experts/Greene Wireless to place antennae on tower at Station 52: The Township needs a network connection, not an individual one. Painter advised the sample agreement is pending before the County Prosecutor's Office. Tabled.

Prosecutor's opinion to permit Board to waive fees: i.e. BZA guidelines for fire department's attendance at a public function on private property. Still waiting on response. Miller reminded if the BZA needs the fire or road departments' actions in the future, they should include them in the planning meetings.

Resolution for fire services fees including FEMA rates: The resolution(s) was passed at the last meeting, but a formal reference document needs created. Seiter and Faulkner will prepare it.

Miller acknowledged the Township fire levy passage by a resounding margin and thanked all who worked on it. Discussed briefly.

### **NEW BUSINESS:**

Faulkner suggested the township host one of the Toast of the Towns. Reed advised it is booked up for a year, but he would make contact to put us on the list.

Attendees discussed when Xenia Township could host the Greene County Township Association meeting. We will offer for September. Spring Valley has June and Sugar creek has July.

Painter reported on the list of properties with vacant houses she recommended the Board declare a nuisance due to high grass. Painter explained the process to Reed.

Miller moved to declare each property a nuisance, thus calling out each by location. Faulkner seconded each motion. All voted Aye as follows:

1086 Hillcrest	Resolution No. 2010-103
1257 McGinnis	Resolution No. 2010-104
920 Jane Drive	Resolution No. 2010-105
1164 Brush Row Road	Resolution No. 2010-106
1477 US Rt. 42 East	Resolution No. 2010-107
1481 US Rt. 42 East	Resolution No. 2010-108
1523 US Rt. 42 East	Resolution No. 2010-109
Lots 45 & 47 Arthur (Keller)	Resolution No. 2010-110
Lots 48 & 49 Arthur (Johnson)	Resolution No. 2010-111
885 Hook Road	Resolution No. 2010-112
750 Hook Road	Resolution No. 2010-113
800 Murray Hill	Resolution No. 2010-114
1157 Upper Bellbrook Road	Resolution No. 2010-115

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**UPCOMING MEETINGS:**

- Land Use Presentations:
  - May 19, 6:00 pm At the Greene County/Xenia Library
  - May 20, 1:00 pm At the Xenia Township building
  - May 20, 6:00 pm At the Apolistic Gospel Church
- May 20, 8:00 am Monthly Work Session \*\*Moved to May 19<sup>th</sup> at 1:00 pm\*\* due to a conflict with The MVRPC monthly meeting. Topics: Outstanding projects before the Board.
- May 27, 7:00 pm Board of Trustees' Regular Meeting \*\* Moved to May 26<sup>th</sup> at 8:00 am\*\* due to a conflict with Fiscal Officer's schedule.

**CORRESPONDENCE IN FILE:**

A complaint e-mail was received by Jason Glenn dated April 23<sup>rd</sup> regarding the condition of the properties in Wilberforce now owned by the township. The four properties need mowed around the non wooded areas and trash previously dumped removed. Trustees requested the road department crews mow as much as possible and remove all debris, i.e. furniture, trash. Shuey advised it would probably be next week due to the recent rain. An e-mail response is to go back to Mr. Glenn of the plans to clean up the properties.

- From County Auditor, May 11, working documents for the 2011 Tax Budget
- From Xenia Municipal Court, May 12, partial payment on restitution for medic damage on 2/5/10.
- From Seiter, April bank reconciliation, balanced, \$1,909,725.96
- From Henry & Cathy Williams, May 3, re: ATV's on Thrash property.
- From Roger & Renee Siervogel, April 21, re: ATV's on Thrash property.
- From Jason Glenn, May 18, e-mail to Painter, re: condition of properties on Hickman Road. Also, e-mails between December 8, 2009 and now between Painter and Glenn re: purchase and sale of same.
- From Ohio Twp. Assoc, May 2010 Grassroots Clippings newsletter.
- From Heidi Fought of OTA, May 3 e-mail of legislative updates & info. regarding census.
- From Ohio EPA, April 19, copy of letter to Mont. Co. re: land application of biosolids program for Beam property east of Hook Road and Bickett Road.

**ADJOURN: 10:20 pm**

There being no further business, Faulkner moved to adjourn. Reed seconded the motion.

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SCOTT W. MILLER, CHAIR

ATTEST:

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JOHN D. FAULKNER

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SHEILA J. SEITER, FISCAL OFFICER

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JIM REED