

## RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING  
HELD ON: MAY 26, 2010 8:00 AM**

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 8:05 a.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, and Fire Chief Meyers. Resident Susan Spradlin was in attendance. See the attached sign in sheet. Larry Johnson arrived later during the meeting per Trustee's request. All participated in the Pledge of Allegiance.

### MINUTES:

Faulkner moved to approve and dispense with the public reading of the minutes of the regular meeting on April 22, 2010 due to the Trustees reading them prior to the meeting. Reed seconded the motion. Roll Call: Ayes: Miller, Montgomery and Faulkner Motion Carried

Miller moved to approve and dispense with the public reading of the minutes of the regular meeting on May 13, 2010 due to the Trustees reading them prior to the meeting. Reed seconded the motion. Roll Call: Ayes: Miller, Montgomery and Faulkner Motion Carried

Faulkner moved to approve and dispense with the public reading of the minutes of the work session on May 19, 2010 due to the Trustees reading them prior to the meeting. Miller seconded the motion. Roll Call: Ayes: Miller, Montgomery and Faulkner Motion Carried

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

A request for approval of bills and payroll in the amount of \$63,163.08 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- 116

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Attendees discussed the pending invoice for work on the remodeling project. Trustees confirmed all work is complete and discussed obtaining waivers/release of liens from all vendors involved.

Report that the current fund status reports will be in the correspondence file Friday for Trustee's review.

### ZONING: Inspector Painter provided the following:

Permits issued since May 13:

1749 Woodside Way, Adrian Sargent, pole barn

1465 Foust Road, Nicholas Carrera, addition

449 Wilson Drive, Michael Watkins, shed

Painter conducted well field inspections on May 24 with the manager of the Xenia City water treatment plant. She advised the proposed scope for the study for private wells has been received from the Xenia City Engineer's office. The next well field meeting is June 8<sup>th</sup>.

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

Report and request for approval of a resolution to support the Greene County Commissioner's letter against the EPA's new rulemaking and in opposition of the new survey to strengthen the storm water program. Shuey reported on the effects to the Townships and County, June 8<sup>th</sup> deadline and EPA's 47 page document with lack of time to review. Trustees tabled until later in the meeting to allow for review.

Request for a purchase order to Select Building Products for the partition for the men's restroom for \$875. Attendees discussed in detail. Several quotes were reviewed. Faulkner moved to approve the request. Reed seconded. Resolution No. 2010-117

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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

-Letter of resignation from Nathan Chumney due to being transferred to Florida for military duty. Trustees and Chief discussed their desires to consider Mr. Chumney's educational agreement commitment satisfied due to the circumstance of his leaving. Miller moved to accept the resignation and forgive the obligation. Note: he only had two weeks left on the time obligation and has been a dedicated employee. Motion seconded by Faulkner. Resolution No. 2010-128 (note: error in numbering originally used 117 twice.) A letter of thanks is to be sent.

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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Reed asked Meyers if the training mannequins had been received yet. Meyers advised yes. Reed asked if individuals could take them for training, charge and the individual would profit, not the Township. Meyers advised the intention is to train. Reed asked if they won't allow personnel to take them out and make a profit. Reed noted how now we can charge a fee for services. Meyers stated it is not a money making project, the cards are \$2. The end result is if costs are incurred by the Township, it will be reimbursed for such costs. Susan Spradlin advised she just finished taking a class at the hospital and the cards were \$4 and you could borrow the books. Comments were made about a policy to address concerns and no individual use. Reed asked Spradlin if she was here and didn't it happen. Spradlin said yes it happened in the past. Reed commented that the items could come back damaged.

### COMMITTEE REPORTS:

Miami Valley Reg. Plan. Com.: Faulkner reported on spring dinner meeting. Faulkner and Dr. Washington met on May 17<sup>th</sup> with MVRPC planners and Executive Director Spang on the Bickett road project.

---Technical Advisory Committee: Miller reported on meeting last Thursday. Updates on projects. The Bellbrook bike project was pulled due to costs and adjoining property owners. There will be a free work session soon in Cincinnati regarding highways, Shuey to attend.

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

District Advisory Council of Health District: No Report

Water & Wastewater Adv. Committee: (quarterly) Met April 28 Next meeting in July.

Source water: Next meeting June 8 at 7 pm at Xenia Township

Xenia Economic Growth Corp.: Miller reported on May 25<sup>th</sup> meeting. Discussed H & A, new GMH facility and industrial park businesses.

County Managers and Officials: Miller advised he talked to County Admin. Poston about revamping to increase participation and meeting as needed. The original purpose of the group was the dispatch center. Poston's response was favorable.

Safety Council: Painter to attend the June meeting.

### OLD/UNFINISHED BUSINESS:

Wilberforce Township properties (4) clean up status and plan for sale: Shuey advised the crews removed a couch and 3 tires today and would mow Friday if dry enough. Shuey reported on a tire pickup program from Rumpke that he has utilized. Attendees discussed tire problems throughout the Township. Tire removal may be made a part of the community clean program. A no dumping sign is to be put up in the R-O-W at Lincoln and Douglas Streets. Wilberforce property sales table to the end of the meeting.

Seiter requested clarification and approval for The Kitchen Place invoices. She explained how the main invoice was \$131" higher than the purchase order. She also noted there was another invoice for lights and a faucet as approved by Meyers that she would pay for using a blanket certificate. Miller advised he would contact The Kitchen Place to determine the difference. Trustees discussed getting release of liens from each vendor who worked on the project. Attendees reviewed Meyer's concerns of no training on how to operate the hood system and the garbage disposal originally did not work, but is now ok. Seiter noted the garbage disposal was not listed on any invoice and asked where the warranties were for all of the appliances. Meyers will check on all supporting documents. Faulkner advised the wall in the ladies room had not been repaired by J & J yet, but is due this week.

### NEW BUSINESS:

Painter reported on a second list of residential properties with vacant houses and recommended the Board declare each of them a nuisance due to high grass. Faulkner moved to declare each property a nuisance, thus calling out each by location. Reed seconded each motion. All voted Aye as follows:

1309 Mason	Resolution No. 2010-118
1165 Brush Row Road	Resolution No. 2010-119
1150 Simpson	Resolution No. 2010-120
1304 Wilberforce-Clifton Road	Resolution No. 2010-121
47 Sexton Drive	Resolution No. 2010-122
967 Old Springfield Pike	Resolution No. 2010-123
161 Robert Lane	Resolution No. 2010-124
253 Hardacre	Resolution No. 2010-125

Employee pay raises: Trustees and Seiter discussed. Seiter advised she had sent an e-mail showing 2009 payroll amounts and possible costs for various percent increases and another regarding raises at a flat rate. Not all Trustees saw the e-mails. Reed advised he spoke with residents and they couldn't believe we would give raises in this economy, noting the City's condition. Miller and Seiter explained how the Township(s) are different than the City in funding sources and expenditure management. Faulkner talked about when the new policies are put in place they will have the tools to give raises by merit and

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evaluation. Faulkner also noted he was in favor of the historical across the board raise method. Attendees discussed using hire dates vs. annual one time date for all. Painter pointed out the three changes the employees have voluntarily participated in to save costs: BWC drug free work place, health care program changes and Ohio Plan safety program. She looks for cost saving measures. Miller noted the need to determine facts on rates and to go with the date recommended by Seiter of the end of June. Faulkner agreed the end of the quarter is best. Faulkner and Reed said across the board. Spradlin asked why the hurry. Seiter advised it was not a hurry, there have been discussions between she and the Trustees and they want to start at the best time. Miller advised the revised hand book should be done in 30 days to 6 months. Faulkner and Reed talked about the revised policy. Seiter reminded she needs direction for the final method of raises, but not the night before the meeting as she needs time to do the calculations. The subject was tabled to the end of the meeting for an executive session.

Jeff DeVoe provided a request for a purchase order to Midwest Computer Design for additional maintenance hours for computer/server support for a block of 50 hours for \$4,150. Faulkner noted the block of 50 should last into February 2011 to cover the fiscal period change over and at a lesser rate. Faulkner moved to approve the request. Reed seconded. Resolution No. 2010-126

Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

Miller advised he had a subject not on the agenda. He talked about the Honor Flight and work with veterans. Miller moved to give Honor Flight recognition for what they do for our community, especially on the Memorial Day weekend. Faulkner seconded the motion. Resolution No. 2010-129 (note: error in numbering due to not being on the agenda)

Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

Faulkner reported for the record: area veterans participate in the program and the Fire Association has, in history, helped sponsor the program.

### **OTHER UNFINISHED BUSINESS:**

Seiter reminded the formal Resolution for fire services fees needed signed. Miller talked about not providing an exact rate. Seiter reminded that was the wording of Faulkner's motion at the time the resolution was passed. However, a new resolution could be passed. Faulkner talked about doing one for costs for the road department. Attendees discussed doing a replacement resolution including all.

Recess: 10:14 am              Returned at 10:50 am

10:50 am              Returned to Shuey's request for approval of a resolution to support the Greene County Commissioner's letter against the EPA's new rulemaking and in opposition of the new survey to strengthen the storm water program. Faulkner moved to approve the Resolution as provided. Reed seconded. Resolution No. 2010-127

Roll Call                      Ayes: Faulkner, Reed and Miller                      Motion Carried

10:55 am              Miller moved to go into Executive Session to discuss sale of public properties of the parcels in Wilberforce owned by the Township (Land Reutilization Program.) Faulkner seconded the motion. All voted aye. The following were included: Seiter, Shuey, Painter and Meyers.

11:17 am              Return to regular session. Moved by Miller and seconded by Faulkner.

Miller summarized the following for the properties for sale by the Township: Information to be put on the township website; signs to go up on the properties (Reed will get them); Painter is the point of contact; prices are firm; two lots on Coleman are \$5,000 each, but must be combined; two lots on Hickman-smaller one is \$5,000 and larger one is \$9,000; and the buyers are responsible for all closing costs.

11:25 am              Invited guest: Larry Johnson of Swartzel Affiliated, the Township's liability insurance. Mr. Johnson provided a verbal and written report of the townships coverage. The following are some of the items discussed in further detail: 1) There is no coverage for regular content at this time, if we want it; we need to give a figure for total contents. i.e. \$200,000 of contents may be est. \$600 in premium. 2) Provide report of all new inventory purchased over the past year to add to insurance. 3) The Township does not have flood insurance due to conditions such as rain and creek overflow. However, it does have coverage in case such as pipes breaking, etc. 4) Put "hold harmless" clause on all contracts and put additional insured on all. 5) Only township employees are covered in township vehicles. Any person not an employee riding in a township vehicle (for non emergency reasons) is not covered by insurance. Employees responsible for such vehicles should sign a statement acknowledging they know that fact and will abide by the policy.

1:48 pm Mr. Johnson finished.

1:55 pm              Miller moved to go into Executive Session to discuss pay raises. Faulkner seconded the motion. All voted aye. Seiter was included.

2:23 pm              Return to regular session. Moved by Miller and seconded by Faulkner.

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**CORRESPONDENCE IN FILE:**

- From Greene County Board of Elections, certificate of results of fire levy passage.
- To John Garland of CSU, from Trustees, May 25, request for meeting to share the Land Use Plan.
- To Jeff Leaming, from Chair Miller, May 25, notice of discontinued use of the rental building.
- To Xenia Gazette, May 17, news item notice of May 20<sup>th</sup> monthly work session and May 27 regular meeting changes and work session with the zoning commission on May 25.
- From Trustee Faulkner, May 13, e-mail re: meeting with City Manager Percival re: JEDD/school.
- To Hans Jindal of ODOT, from Faulkner, May 27, re: acquisition of State property.
- To Caesarscreek Twp. from Seiter, May 20, invoices for 2010 Fire/EMS services agreement.
- From Seiter, copy of letter to go to all new vendors providing tax exempt and W-9 forms as well as guidelines for invoicing.
- From residents Craig & Mary Conrade, May 10, letter of complaint on ATV's on Thrash property.
- From Seiter, to Trustees and Dept. Heads, May 20, e-mail re: conversation with Larry Johnson re: non employees in Twp. vehicles – not covered by insurance.
- From Nodie Washington, to Painter, May 17, e-mail thank you for providing a dumpster for Wilberforce community clean up in April.

**UPCOMING MEETINGS:**

- June 1                                Greene County Twp. Assoc. @ Spring Valley
- June 10, Noon                      Land Use Planning Meeting
- June 10, 6:00 pm                  Board of Trustees' Regular Meeting
- June 16, 8:00 am                  Monthly Work Session
- June 24, 6:00 pm                  Board of Trustees' Regular Meeting

**ADJOURN: 2:25 pm**

There being no further business, Miller 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