MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING HELD ON: JANUARY 27, 2011 2:00 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 regular meeting to order at 2:10 p.m. 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 Chief Fox, Fire Administrator DeVoe and two residents. All participated in the Pledge of Allegiance.

Fiscal Officer Seiter advised she was recording the meeting and that she has seen that someone else is also recording. She noted those in attendance had the right to know they would be recorded. She further stated she did not mine, just wanted to advise others in attendance.

GUESTS:

Willie Washington provided a history of his request for reduced speed limit on Bickett Road in the Wilberforce area. Washington explained that he disagreed with the opinion of the County Engineer. Washington reported further on hunting concerns in the Wilberforce residential areas. He advised of his conversation with ODNR Officer Hunt, the hunter and neighbors. The hunter will give notice. Washington requested the zoning resolution be amended to include language with restrictions with respect to distance of hunting around residential properties. Reed asked the size of the property being hunted on. Washington advised approximately one acre off Winifred. Miller talked about his discussion with Officer Hunt and that it did not appear to be a problem to ODNR. Attendees agreed the zoning will be reviewed.

Susan Spradlin advised she has been following the meetings on line. She advised she is still waiting on training records for Jeff DeVoe and Richard Baker from her earlier public records request. Attendees discussed the type and dates of records she requested last year and now. Spradlin explained what she wanted. Seiter pulled the original request letter. Miller read from the letter and advised the Board address. Spradlin advised the training records would complete the list. Spradlin asked about the recording of meetings and what the benefit would be to the residents to restrict it. Seiter explained her opinion of not hiding anything, providing an official complete, unedited; copy if needed vs. the opportunity of a guest only taping part of the issue. She noted how someone advised Painter they had a copy of a zoning hearing they provided to an attorney, but it was unknown on the completeness of the recording. She and Painter provide recordings as part of their duties.

Spradlin asked about prior actions at the reorganization meeting of realigning three people and approving without job descriptions. Miller explained how it was a payment method change, administrative and how they are in the middle of other changes. The other Trustees agreed. Chief Meyers explained how he used the prior full time position by breaking it down. Brief discussion followed.

FIRE DEPARTMENT: Chief Meyers provided the following:

Introduction and recommendation for appointment of Joshua Erbaugh as a paid on call fire fighter/EMT. Faulkner moved to appoint Mr. Erbaugh per Chief's recommendation. Motion seconded by Reed. Resolution No. 2011-13

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Recommendation for appointment of Joel Hall as a part time fire fighter/paramedic dated. Mr. Hall was unable to attend that evening due to work on another department. Faulkner moved to appoint Mr. Hall per Chief's recommendation. Motion seconded by Reed. Resolution No. 2011-14

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Recommendation for appointment of Stephen "Shane" Horne as a paid on call fire fighter/EMT. Miller moved to appoint Mr. Horne per Chief's recommendation. Motion seconded by Faulkner. Resolution No. 2011-15

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Detailed report and purchase order request(s) for the annual FDIC conference/training for a total of \$7,013.92. Discussed in detail. Reed asked about benefit of attendance last year. Meyers explained training and knowledge learned from vendors regarding equipment purchases. Seiter explained the purchase order is needed for \$6,485.92 for Keybank MasterCard for the training, hotel, food, parking, etc for the week and a blanket certificate would be used for any reimbursements to individuals' gas reimbursement(s). Miller moved to approve the purchased order for the MasterCard. Motion seconded by Faulkner. Resolution No. 2011-16

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING HELD ON: JANUARY 27, 2011 2:00 PM

Miller reported Deputy Chief Fox has advised one of the members terminated at the last meeting would like to resign instead of being terminated. Miller moved to rescind Resolution No. 2011- from January 13th to terminate Roy Aaron Pendleton. Motion seconded by Faulkner. Resolution No. 2011-17

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Miller advised he would extend the same courtesy to the other two employees terminated as well at the last meeting, with a 30 day time limit. Other Trustees agreed.

Chief Meyers provided a letter of resignation from Roy Aaron Pendleton. Faulkner moved to accept the resignation by Roy Aaron Pendleton as a POC employee effective January 26, 2011. Motion seconded by Reed. Resolution No. 2011-18

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Meyer advised John Cain has advised he needs to drop out of the EMT Basic class at Sinclair due to family issues. Therefore, he further advised he has got the costs cancelled and requested the educational agreement be voided. Trustees advised to table the matter to the next agenda.

MINUTES:

Faulkner moved to dispense with the reading of the minutes of the work session on January 13, 2011 due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes. Miller seconded the motion.

Roll Call: Ayes: Faulkner and Miller

Absent: Reed Motion Carried

Faulkner moved to dispense with the reading of the minutes of the regular meeting on January 13, 2011 due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes. Miller seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Miller moved to dispense with the reading of the minutes of the monthly work session on January 19, 2011 due to the Trustees reading them prior to the meeting. Miller further moved to approved said minutes. Faulkner seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

ROAD DEPARTMENT: Public Works Superintendent Shuey provided the following:

Report on soil borings test on the Union Road property. The final report showed there was three feet of fill in places, from the earlier highway construction, that would not allow for a structure to sit. Shuey estimated a cost of \$10,000 to \$40,000 to compact the area(s), but advised it can be taken care of. Building can take place on other areas. Attendees noted that depending on the type of building; the ground may need moved anyway. Trustees agreed to move forward.

Report on EPA storm water permit time. The information is to go into a newsletter this spring. Attendees discussed various needs for a township newsletter. Faulkner recommends addressing the storm water education to those affected now. Other agreed. Shuey estimated 25 residents. Info to be put on the website also for other residents' benefit. Trustees asked Shuey to have a draft ready for the next meeting. Shuey advised Karen Hawk is retiring in April so the County is pushing the project back to the townships. Shuey advised he would handle on Xenia Township's behalf.

ZONING: Inspector Painter provided the following report:

Permits issued since January 13: 1051 Old US 35, single family dwelling

Zoning Commission:

- -Public hearing continued on February 3, 2011 regarding text amendment for adult entertainment.
- -Reorganized for the year: Willie Washington is now Chair and Virgil Ferguson the Vice Chair

FINANCE: Fiscal Officer Seiter provided the following:

Approval of bills and payroll in the amount of \$55,648.78 a copy of the payment register is attached to these minutes and made a part hereof. Miller moved to approve said payments. Motion seconded by Faulkner. Resolution No. 2011-19

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING HELD ON: JANUARY 27, 2011 2:00 PM

Detailed report and request for approval of the final annual budget appropriations for 2011 based on prior requests from Trustees and department heads. Faulkner thanked Seiter for her attention to details in the budget preparation and further moved to approve adopt the proposed document.

Reed seconded the motion. Resolution No. 2011-20

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Reports will be in the correspondence file next week.

Letter of resignation of her position as fiscal officer effective February 28th. Miller read the letter (see attached.) Miller regretfully accepted the resignation and moved to accept the same. Faulkner seconded the motion. Resolution No. 2011-21

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Miller advised he confirmed with the Prosecutor's Office that the Board of Trustees has 30 days from vacancy to fill the position.

OLD/UNFINISHED BUSINESS:

Attendees discussed services and costs from Kleingers for Phase II of the 6119 Water District. Trustees advised to continue with the hourly basis at this time. Miller moved to approve a purchase order to Kleingers for \$2,500 for this purpose. Faulkner seconded the motion. Resolution No. 2011-22 Roll Call

Ayes: Faulkner, Reed and Miller

Motion Carried

Faulkner provided a second report on a proposed advertisement in the Xenia Chamber Community Profile Book. After further discussions, Faulkner moved to approve a purchase order to Hampton Publishing Company for \$549 for a ¼ page advertisement. Reed seconded the motion. Resolution No. 2011-23 Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Faulkner advised Steven Brodsky will be the school employer's representative on the Tecumseh/Arnovitz JEDD board.

NEW BUSINESS: None

UPCOMING MEETINGS:

February 1, Tuesday, 7:00 pm

Trustee's Public Hearing Re: rezone and zone text amendment
Regular Trustee's Meeting- rescheduled from Feb. 10 due to

attendance at the Ohio Twp. Assoc. conference

February 16, Wednesday, 8:00 am Monthly work session Re: Personnel Policy and Seiter

Recommended discussing her replacement, Board agreed.

February 24, Thursday, 2:00 pm Regular Trustee's Meeting

COMMITTEE REPORTS:

Miami Valley Reg. Plan. Com.: Faulkner advised he attended the public meetings on annual projects.
--Technical Advisory Committee: Miller reported on the meeting last Thursday. It was short regarding the annual list of projects.

Greene Co. Reg. Plan. Coordin. Com.: Reed reported on the meeting on 25th. An MVRPC presentation. District Advisory Council of Health District: No Report

Water & Wastewater Adv. Committee: (quarterly, last Wednesday of Month) Next on January 26 Source water: Next meeting June 28, 201

Xenia Economic Growth Corp.: Miller advised they met Tuesday. The schools were the biggest discussion. The closings were not clear on the news. The buildings are being closed due to the new construction being so close to the current structures.

County Managers and Officials: No Report

Safety Council: (1st Wednesday per month) Shuey reported on the January 5th meeting regarding CPR. Presentation by Red Cross. Shuey requested the road crews be trained. Attendees discussed fire department providing the training to all township staff.

Reed advised there is a small grant of up to \$1,000 available through the Health Department to promote health and safety. It is due February 28th.

Faulkner moved to go into **Executive Session** for the purpose to discuss contracts and public property purchase per ORC 121.22 (G). Reed seconded the motion. **4:12 pm** All voted aye. Seiter, Painter, Shuey, Meyers, Fox and DeVoe were asked to stay, Meyers and Fox. **4:50 pm** Faulkner moved to return to regular session. Miller seconded the motion. All voted aye.

MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING HELD ON: JANUARY 27, 2011 2:00 PM

Attendees discussed to clarify Mrs. Spradlin's records requests. Board of Trustees will do a letter to finalize the public records request.

Faulkner moved to go into **Executive Session** for the purpose to discuss a personnel item, regarding Painter, per ORC 121.22 (G). Miller seconded the motion. **5:10 pm** All voted aye. Seiter and Painter were asked to stay. **5:25 pm** Faulkner moved to return to regular session. Reed seconded the motion. All voted aye.

CORRESPONDENCE:

- -From Willie Washington on behalf of WCPOVA, to Road Superintendent Shuey, c: Trustees, Dec. 29: follow up letter regarding the speed limit on North Bickett Road.
- -To Derek Dennehy, Jan. 21, re: run review requirement for meeting.
- -From Gr. Co. Treasurer/Auditor, Jan. 21, estate tax notice for \$52,308.00
- -From MVRPC, tentative agenda for January 25th meeting.
- -From Sheila Seiter, Jan. 27, letter of resignation as fiscal officer effective Feb. 28.

ADJ	OURN:	6:09 1	om

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

	Scott W. Miller, Chair	
ATTEST:		_
	John D. Faulkner	
	<u> </u>	_
Sheila J. Seiter, Fiscal Officer	Jim Reed	