

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:
HELD ON: OCTOBER 13, 2011**

**REGULAR MEETING
7:00 pm**

NOTE: These minutes are a summary of the meeting and are not a word for word account of the discussion. The proceedings were electronically recorded on tape, but limited by the quality of the recording equipment. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio. This was a regularly scheduled meeting on a date established during the reorganization meeting. No additional notices were given.

Chairman Scott Miller called the meeting to order at 7:05 pm. All participated in the Pledge of Allegiance.

PRESENT: Amy Lewis, Trustee; Scott Miller, Trustee; Jim Reed, Trustee; John Faulkner, Fiscal Officer; Rhonda Painter, Zoning Administrator; David Shuey, Public Works Superintendent; and Chief Daryl Meyers

GUESTS: Tim and Susan Spradlin, Dennis Painter, Larry Johnson

PUBLIC COMMENT ON ACTION ITEMS:

Larry Johnson of the Swartzel Agency presented an insurance plan to the Trustees two weeks ago at a work session and he is available to explain or answer any questions. Miller asked for a description of the difference of how claims are made between the two plans. Johnson explained and gave examples. The Trustees agreed they will have to discuss before they make a decision.

Tim Spradlin, Hilltop Road, spoke and made note that he is not here on duty but here as a tax payer. Spradlin said he listened to the tape of the last meeting and said that Mr. Painter is not a tax payer here, not a resident and doesn't know him and Spradlin refuses to dignify his remarks with a response. What he would like to do is endorse Amy Lewis as Trustee, saying she has integrity, accountability and appreciates the fact that she makes decisions without an agenda; he also endorses Barb Miller as Fiscal Officer, noting that she was busy and couldn't be here, but she manages a farm and the Pumpkin Barn and she is the Business Manager they are hoping to make another positive change in the Board. He then announced Susan Spradlin as Trustee candidate in two years. Spradlin then talked about the American Veteran Traveling Tribute to be displayed at the Fairgrounds October 10-14, 2012. He spoke about the committee and that the first organizational meeting will be held next week. He has asked Dean Fox and Roy Collburn to help with the fundraising area. There will be a formal ceremony October 13, 2012. Spradlin thanked Jim Reed for allowing them to escort the World Trade Center steel for the parade. He thanked John and Amy and he would like to see that piece put somewhere in the city or somewhere everyone can enjoy.

MINUTES:

Regular Meeting—August 25: The transcript from this meeting was received yesterday, no one had time to review, and the minutes were tabled. Reed asked the cost of the transcript and Faulkner said it was in the neighborhood of \$850.

Work Session—September 14: Lewis moved to approve the minutes. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Regular Meeting—September 14: Lewis moved to approve the minutes. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Regular Meeting—September 22: Lewis moved to approve the minutes. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Special Meeting—October 11: The minutes are not prepared yet and were tabled.

FISCAL OFFICER/FINANCE: John Faulkner

Faulkner does not have bills or payroll for approval today, and asked the Trustees to be available next week to sign checks. Reed asked about the total cost for the banking incident, Faulkner said it was about \$150.

Faulkner discussed ADP, the payroll company that he would like to use for paychecks. ADP will prepare paychecks as well as monthly and quarterly taxes and W2's. This is what Mrs. DeWine did for the Township before she retired. They do have a few more things to work out with the UAN system first. The fee per pay period is \$270. Lewis asked what was being paid to Mrs. DeWine; Faulkner said it was around \$270 a month. However, they will be doing more than Mrs. DeWine did. Miller added that this will also be changing the banking habits and money may be saved in bank fees for not processing as many checks. Lewis asked what it would be saving the Township, Faulkner said it will not be saving but it will cost about \$150 a month. Reed said having someone doing minutes and payroll that should give Faulkner more time to focus on other duties. Faulkner said that it should keep him from spending 50-60 hours a week doing this job. Miller made a motion to approve ADP as a vendor for payroll services. Motion died for lack of a second. Reed would like the motion to include a maximum dollar amount. Reed moved to approve the request for payroll services from ADP not to exceed \$5000 annually. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-153.**

Faulkner requested money transfers to increase funds by \$1000 to account #1000-110-330-0000 for travel and meeting expense; to increase funds by \$2,000 to account #1000-110-345-0000 for advertising; and to increase funds by \$3600 to account #1000-110-370-0000 for payment to a political sub division. Transfers to reduce funds by \$7600 come from account #1000-110-315-0000. Reed moved to approve the transfers. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-154.**

Request of a \$2000 transfer from account #1000-110-599-0000 other with \$1000 going to account #1000-110-510-0000 dues and fees and \$1000 going to account #1000-110-410-0000 office. Reed questioned what dues and fees. Faulkner explained they include Ohio Township Association and Miami Valley Regional Planning. Miller moved to approve the transfers. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-155.**

Request of a \$3300 transfer from account #1000-120-190-0000 salaries with \$600 going to account #1000-130318-0000 training, \$800 to account #1000-130-330-0000 travel, \$500 to account #1000-130-342-0000 postage, \$800 to account #1000-130-345-0000 advertising, and to \$600 to account #1000-130-410-0000 office supplies. These requests are concerning zoning expenses associated with the rezoning hearings. Lewis moved to approve the transfers. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-156.**

ROAD DEPARTMENT: David Shuey

Request of a PO to Hartley Oil for motor oil and transmission oil for \$765. Reed moved to approve the PO. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-157.**

Request of a PO for Detroit Tire to replace two front tires on the dump truck. Reed asked if Shuey had checked with other companies or online because in his experience Detroit Tire has not been the cheapest. Shuey said he did a price check online. Reed asked if he would check an online site that would ship them to you and then take them somewhere to get mounted. Shuey said he is not comfortable with doing that and the tires need changed by Thanksgiving. Reed asked if he would check with the other companies in Xenia or they table it till next meeting. Shuey would like to get it resolved before he has to put the plow on. Reed moved to approve the purchase but not to exceed \$712 and leave the vendor open so Shuey can check other vendors in Xenia. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-158.**

Request of a PO to RL Parsons for a hydraulic manifold and seal kit for the Bomford arm mower for \$1100. It's leaking and needs repaired. Reed moved to approve the purchase. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-159.**

There is a right of way issue on the corner of Woodland and Lamplighter on the line of right of way and personal property. The spring rains have washed away part of it and he has pictures for the Trustees. They will review this at the next work session.

Hedges Road, Bickett Road, W Enon Road, and Hawkins Road all had spots that were milled out and new asphalt this week.

ZONING DEPARTMENT: Rhonda Painter

The following permits have been issued since September 22:

- 257 Jacoby Road, Kenneth Slagle, 612 sq ft accessory structure

Board of Zoning Appeal:

BZA met on October 6 and approved the agreement between the attorneys for Kil-Kare and the Prosecutors Office. There were no changes to the agreement that the trustees have already seen; they just need to sign the original copies. This is a court order which is a consent decree ending the civil action suit between Board of Trustees and Kil-Kare. Reed moved to approve the Kil-Kare Agreement. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-160.**

Zoning Commission:

On September 20 the Zoning Commission had their final public hearing for the request for rezoning by CEMEX. The Zoning Commission approved the request and they have outlined several conditions that they would like to see the Trustees recommend. Now that this has been given to the Trustees they have 30 days to hold a public hearing. Rhonda recommended they hold the meeting somewhere else due to the number of people. CEMEX and the Robeson Center at CSU are available on November 9 however the room needs to be vacated by 9:30. The Trustees scheduled the Public Hearing for November 9 at 6:00 pm.

Alan King has been on Zoning Commission for a little less than two years as an alternate. He recently took the basic zoning test and he passed at 90%. It is his desire and Painter's recommendation to appoint King as a regular member of the Zoning Commission. Reed moved to approve King's appointment. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-161.**

Painter discussed the illegal dumping at 902 Dayton-Xenia Road. Stephanie said that they can discuss at a work session next week. That way she can check with the other agencies and have that info with her.

Wellfield inspections are scheduled for October 20 for businesses.

Reed suggested that Painter purchase the software and a recorder that cost about \$300 and is something that she can use for transcription of meetings. Reed explained that the software is designed to transcribe and can be used for zoning hearings. Reed made a motion to purchase this software. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Abstain; Reed-Aye. Motion passed 2-0. **RESOLUTION #2011-162.**

FIRE DEPARTMENT: Daryl Meyers

With regret Meyers needs to accept the resignation of Doug McDaniel, he has been a part-time fire firefighter for over a year and he has been named Chief at New Jasper Township. Miller moved to approve his resignation with a letter. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-163.**

Meyers requested that Scott Kacho be hired as a part-time fire fighter, paramedic. Reed moved to approve. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-164.**

The annual ladder inspection is coming up. The company will be in the area within the next two to four weeks. The cost of the inspections is \$4.16 a foot the same as last year. The difference is that this year they will also inspect the A frame ladders. Last year the cost was \$612. The cost this year should be under \$750 dollars. Reed questioned the Chief if this is state mandated, Chief replied that it is. Miller moved to approve the request for Underwriters Laboratories for ladder testing. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-165.**

Meyers put a letter to each Trustee in their mailboxes about things that are going on with the Fire Department he would be happy to discuss if they want or it could be discussed at a work session.

TRUSTEES OLD BUSINESS:

Liability Insurance: There are two different plans and the difference is in the way they approach the coverage. Faulkner has reviewed the plans and Faulkner recommends staying with the current plan The Ohio Plan and Larry Johnson. The last claim was for the phone system and was paid with no problem. The Ohio Plan is \$861 less and as Fiscal Officer Faulkner recommends staying with The Ohio Plan.

Miller's opinion with The Ohio Plan if they choose to move later there are no problems and his opinion he thinks they should stay with The Ohio Plan. Reed asked if they should go into executive session. All agreed to hold until the end of meeting and go into Executive Session to discuss.

Health Insurance: Currently on month to month, Miller didn't think anything needs to be done at this point; they can do at a work session. Painter suggested that month to month means they can drop the Township at anytime and she suggested that it not be continued at month to month. Reed suggested discussing in the executive session.

Township Association meeting on November 1: There has been no decision yet on food. Lewis suggested a decision be made. Lewis said she will take care of getting the food from a caterer. There should be new tables by then and everything else is taken care of. Lewis made a motion for up to \$500 to host the Greene County Township Association on November 1. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-166.**

TRUSTEES NEW BUSINESS:

Discussion of resolution to amend the Xenia Township Zoning Resolution for a language change pertaining to political signs. Miller suggested tabling until all of the documents are in place. Stephanie Hayden said she can bring proposed text to the work session and they can approve at the next meeting.

UPCOMING MEETING DATES:

October 19, 2011, 4:00 pm	Work Session
October 27, 2011, 4:00 pm	Board of Trustee's Meeting
November 1, Tuesday, 6:30 pm	Greene County Township Assoc, Xenia Twp
February 25, 2012, Saturday	Chamber Awards Dinner

COMMITTEE REPORTS:

Miami Valley Regional Planning	Met on October 1 and the topic was Going Places. There will be some local meetings, one on Oct 17.
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Technical Advisory Committee	Meet next week
Greene Co Regional Planning Committee:	No report
District Advisory Council of Health Dist:	No report
Water & Wastewater Advisory Committee:	No report
Source Water (1-2 per year):	Will notify of a new date
Xenia Economic Growth Corp:	Had the last meeting and effective the end of October the group is being dissolved. They are being absorbed by the City and will move to the Tower Road facility.
County Managers and Officials:	No report
Safety Council:	Painter will attend the November 2 meeting. Xenia Township received a 2% rebate for \$718 for attending Safety Council.
Chamber of Commerce:	Painter placed information in the read file for nominations for awards for people and businesses who contribute to the community.

Miller discussed that there is a lot of talk about the City and the Township fire departments combining and that it absolutely not the case and these are just rumors. Miller asked that people and employees be respectful and courteous to the public if anyone hears rumors that are not true.

EXECUTIVE SESSION:

Lewis moved the Xenia Township Trustees retire to Executive Session to conference with attorney, on this day October 13, 2011, at 8:28 pm. This is an exception to the Open Meeting Act as permitted by the ORC 121.22 (G). Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. Those in attendance include Trustees Amy Lewis, Scott Miller, and Jim Reed; Fiscal Officer, John Faulkner; Zoning Administrator, Rhonda Painter; and Assistant Prosecuting Attorney, Stephanie Hayden.

Reed moved to return to regular session at 8:54 pm. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Miller moved the Xenia Township Trustees retire to Executive Session to discuss personnel matters, on this day October 13, 2011, at 8:55 pm. This is an exception to the Open Meeting Act as permitted by the ORC 121.22 (G). Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. Those in attendance include Trustees Amy Lewis, Scott Miller, and Jim Reed; Fiscal Officer, John Faulkner; Zoning Administrator, Rhonda Painter; and Assistant Prosecuting Attorney, Stephanie Hayden.

Lewis moved to return to regular session at 9:15 pm. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

The Board discussed the issue of General Liability Insurance coverage for the Township. Miller moved to approved to renew and continue with The Ohio Plan and Larry Johnson. Reed seconded the motion. Roll call vote: Lewis-Nay; Miller-Aye; Reed-Aye. Motion passed 2-1.

RESOLUTION #2011-167.

The Board discussed Health and Accident Insurance coverage. Proposals were received from Montgomery Insurance, Reichley Insurance, and Frank Harmon Agency. All expressed initial interest only Frank Harmon furnished a proposal and offer for health insurance. Lewis moved to continue the current health insurance program with the Frank Harmon Agency as quoted. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

RESOLUTION #2011-168.

ADJOURNMENT:

Having completed all of the regular business, Lewis moved to adjourn at 9:17 pm. Reed seconded the motion, all Trustees voted aye and the meeting adjourned.

Scott Miller, Chairman

Amy Lewis, Trustee

Jim Reed, Trustee

ATTEST:

John Faulkner, Fiscal Officer

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