

**RECORD OF PROCEEDINGS  
REGULAR MEETING  
DECEMBER 6, 2012  
8:30 P.M.**

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:**

Note: These minutes are a summary of the meeting and are not a word for word account of the discussion. Present were: Amy Lewis, Scott Miller, Barb Miller. Absent: Jim Reed.

The Pledge of Allegiance was given.

Amy Lewis start with Ms. Miller, Fiscal Officer, and the bills.

**FISCAL OFFICER/FINANCE**

Barb Miller, Fiscal Officer reported a problem with the computer and is unable, at this time to print out any of the bills or resolutions. She will be able to tomorrow after contacting UAN and then the problem resolved.

Directed attention to Item Number Three., There is a way we can move the monies from one line item to another. The problem from last week was that there was insufficient monies in one fund to make payroll. According to Local Government Services (the Trustees) I can do this as long as the transfer is from one line item to another within the same fund without a resolution. I cannot move if from Fund to Fund. Nothing to sign at this time. Discussion followed regarding requirements of the ORC and Local Government. After discussion Scott Miller made the following motion:

To allow the Fiscal Officer to move funds from one line item to a separate line item within the same Fund to cover expenses as needed with the caveat that it is brought to us at the next Trustees Meeting and that the Trustees be made aware that the transfer did take place. This does not give permission to transfer from Fund to Fund; those requests must still come before us. Amy Lewis, seconded, with all voting aye. For the record Mr. Reed is absent.

**RESOLUTION NO. 2012-321**

Next on Fiscal Officer agenda is Item Six, "Consistency of Sick, vacation, holiday pay with Sandy Morrison. She is being paid for Holiday Pay, she works 3 hours a day and she is hired part-time. Current benefit package provided by Trustees for current secretary includes vacation, sick, and holiday pay. Barb's research does not indicate these benefits for all part-time hires. This research was brought to the Administrator's attention, and Sandy was not paid for the holiday at the time. But is being brought up for review by the Trustees. Resolution 2000-2 uses language for part-time secretaries will be given equivalent holiday pay as for hours worked (3 hours worked/3 hours paid, 5 hours worked/5 hours paid for holiday). Discussion followed regarding the similar positions but the different hours. Suggested to table issue until 2013. Suggested all Trustees be in attendance to discuss. Amy Lewis proposed that the Trustees re-read the resolution and table the issue until the next meeting. Scott Miller agreed. Amy Lewis then asked about the 2013 Revenue Certificate.

Barb Miller stated the Revenue Certificate for 2012 was never turned into the auditor. A 2012 certificate will have to be completed. Previous Fiscal Officer never completed some items and has to re-construct. Amy Lewis asked regarding potential penalties for turning in the documentation late to the auditor. Barb responded that there will be no penalties. Scott Miller stated it does impact the us as the Revenue Certificate does dictate how much revenue money we do receive. Fiscal Officer needs to know what 2012 started with. Help is coming but not certain that it will help with this.

**ROAD DEPARTMENT**

Amy Lewis brought up the \$520.00 needed for May-Shedd Road. Barb Miller responded that Maintenance needs a purchase order for the lubricant. Alan Stock added that it is a 55 gallon drum of 50/40 weight motor oil. Scott Miller made the following motion:

To issue a P.O. to May-Shedd for \$520 for lubricant described. Amy Lewis seconded the motion. Roll was called with all voting aye. Motion carried.

**RESOLUTION 2012-322**

Motion by Scott Miller to:

Approve a P.O. to Kleem for an amount not to exceed \$5,000 for replacement warning signs to re-stock our supply for the Road Department. Amy Lewis seconded the motion. Roll was called with all voting aye. Motion carried. **RESOLUTION 2012-323**

Amy Lewis questioned whether these needed for 2013 or are they needed now. Alan Stock responded that the signs must maintain a certain level of reflectivity. Within two years all must be compliant and David is well on the way to meeting that deadline. Discussion ensued regarding when to purchase. P.O. can be issued but will not be paid until 2013.

Question from audience: Can we still use charge card? Response from Fiscal Officer be careful using charge card for tracking purposes for ongoing expenses.

Alan Stock brought forward a request from Dave by siblings to move an infant from one of our cemeteries. The infant was buried in the early 1960's. Siblings would like to move the infant to a family plot. This has to go through Judge Hagler. The wording of the approval is as follows:

I, Dave Shuey, Public Works Director and friends, Ellis family, cemetery trustee and stating on behalf of all Trustees of said cemetery we have no objection to the disinterment of infant Richard Mason who is Jennifer Mason Stryker and Gary Mason's sibling and Gary Mason and Jennifer Mason Stryker have accepted all fiscal responsibility for the disinterment and re-burial. The judge would like for the Trustees to approve. Amy Lewis says she has a form for disinterment. The application for this process has been filed in probate court. Dave was given a form to sign but would not sign without Trustee permission.

Scott questioned whether this was appropriate for the siblings to request but not the parents. Parents may have pre-deceased the siblings. Let probate court decide.

Amy Lewis made a motion to:

Either the prosecutor or Dave Shuey to proceed in that capacity pursuant to the wishes of the Greene County Probate Court judge. Scott Miller Seconded. Roll was called with all voting aye. Motion carried. **RESOLUTION 2012-324**

## **FIRE DEPARTMENT**

Amy Lewis recognized Fire Chief regarding application for Rachel Surls. She is a registered nurse at Kettering Hospitals. She is an EMT-B, volunteer fire fighter with Cedarville since 2010. She recently married Logan Surls. They live in Cesar Creek Township and she has applied at Xenia Township. During her 14 months at Cedarville she attained the rank of Lieutenant and has received a glowing recommendation from Chief Scot Baldwin of the Cedarville Township Fire Department. At this time I am requesting Rachel to by-pass the preliminary steps of the application process and be offered conditional offer of employment upon completion of a background check and a medical exam. Requesting Board of Trustees to approve this recommendation. Amy Lewis made a motion to:

Appoint Rachel Surls to the Xenia Township Fire Department on the condition that she pass the background check and the medical examination. Scott Miller seconded. Roll was called with all voting aye. Motion carried. **RESOLUTION 2012-325**

Chief's Report on fire on Faust Road fire:

8:30 a.m., Saturday, December 1, 2012 dispatched to 1465. Received mutual aid from several departments. Fire was brought under control at 10:46 a.m. Three firefighters received medical treatment.

**Commendation:** Xenia Township and neighboring responding departments employees and thank Mr. Stock for providing very needed refreshments to the crews.

Side mirror crash with justification with no investigation report. Following discussion Amy Lewis suggested the Chief go back to Randy and offer a 50/50 split to pay for damages to the vehicles. Scott Miller volunteered to go with the Chief. Township vehicle damage \$285.80,

Randy's Towing vehicle \$688.17.

Resignation of Dick Baker. Scott Miller made a motion to:

Regrettably we will accept his resignation, commend him for all the service he has provided to Xenia Township and the residents and the communities around us and thank him wholeheartedly for that service. Seconded by Amy Lewis. Roll was called with all voting aye. Motion carried. **RESOLUTION 2012-326**

Purchase Order for radio for Station 52. Lt. Miller stated process for radios for trucks that need to be replaced and reprogrammed has been completed. To re-program dispatch consoles cannot be done because no longer produced and parts not available. Not able to re-program the consoles. Mutual assistance with Xenia City Fire Department, XCFD will depend on Xenia Township for communication until November, 2013. They will rely on us for tones within their stations. Scott Miller we have applied for a grant can this wait. Current equipment will not function after January 1, 2013.

Amy Lewis made a motion to:

Purchase a radio for Station 52 for no more than \$600. Question: Why can't Xenia get their own system – Response: We share their 800 system. Discussion followed. This is over and above previous W/S Electronics project. Scott Miller seconded. Roll was called with all voting aye. Motion carried. **RESOLUTION 2012-327**

Update on Cesar Creek Township meeting. Positive credibility of our Fire Department is exceptionally high. Contract with them will be completed December 31, 2013. Concerned with cost continuing to rise. Going forward we will hold quarterly meetings. May request help with levy. Scott Miller suggested we find out when their levy comes up for renewal so we will be prepared to notify them if additional increase is necessary.

#### **UPCOMING MEETING DATES:**

December 20, 2012 – 8:30 a.m. Public Hearing Text Amendment Agribusiness  
December 20, 2012 – 9:00 a.m. Trustee Meeting  
December 20, 2012 – 11:30 a.m. Annual Township Christmas Luncheon

Amy Lewis raised the issue of a one-half day holiday on December 31. Alan Stock stated that he had not looked further into that in regard to the ORC and common practice among townships.

Amy Lewis introduced Fiscal Office Audit issues. Requested individuals prepare their questions in preparation for the auditor's visit. Concerns about the UAN system were discussed previously with Barb Miller. Give questions/concerns in writing to Barb Miller. Bellbrook does not use UAN. Barb Miller stated that problems not corrected now will carry forward into 2013.

Question: Chief has some additional hearings for dismissal that we have to address. Do you need a specific date to be working toward since this date did not work for some. Amy Lewis suggested 14 days or the next Trustees meeting at 8:00 a.m. whichever is sooner unless the employee requests a continuance.

#### **COMMITTEE REPORTS:**

Miami Valley Regional Planning Committee: No Report  
Greene County Regional Planning Coordinating Committee: No Report  
District Advisory Council of Health District: No Report  
Water & Wastewater Advisory Committee: No Report  
Source Water Protection: No Report  
Safety Council: Subject was Christmas light safety, LED lights more energy efficient, next meeting January 9, 8:00 a.m.

Alan Stock asked for consensus on the meeting date and time for the Reorganization meeting on Thursday, December 27 at 9:00 a.m. Barb Miller said she would try.

Scott Miller made a motion for an Executive Session to discuss possible litigation at 9:38 p.m. Seconded by Amy Lewis. Roll called with all voting aye. Motion carried.

**RESOLUTION 2012-328**

Amy Lewis made a motion to come out of Executive Session at 10:05 p.m. Scott Miller seconded. Roll called with all voting aye. Motion carried.

**RESOLUTION 2012-329**

Scott Miller made a motion to return to Executive Session at 10:05 p.m. for legal issues to discuss Fire Chief's retirement. Amy Lewis seconded. Roll called with all voting aye. Motion carried.

**RESOLUTION 2012-330**

Scott Miller made a motion to come out of Executive Session at 10:14 p.m. Amy Lewis seconded. Roll called with all voting aye. Motion carried.

**RESOLUTION 2012-331**

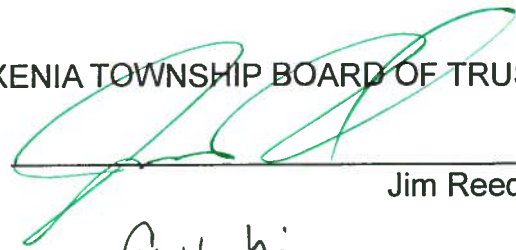
Barb Miller given a bill to reimburse a firefighter for a course taken at Sinclair Community College – the course was paid for by a Pell Grant. The Auditor said if not out-of-pocket expense it should not be reimbursed. Discussion tabled until next meeting.

Scott Miller made a motion to adjourn the meeting. Amy Lewis seconded. Roll called with all voting aye. Motion carried. *(Should this really be assigned a resolution number? - the example did not assign a resolution number to an adjournment motion.)*

**RESOLUTION 2012-332**

Meeting adjourned at 10:18 p.m.


XENIA TOWNSHIP BOARD OF TRUSTEES



Jim Reed, Chair



Amy Lewis



Scott Miller

ATTEST:

  
Barbara Miller, Fiscal Officer

\*There was conversation from attendance in the audience, but the persons were not identified, so therefore no conversation is recorded in these minutes.