

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
APRIL 16, 2015 7:00 PM

Note: These minutes are a summary of the discussion and are not a word for word account of the discussions. The proceedings were electronically recorded. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio.

Chair Susan Spradlin welcomed everyone and called the meeting to order at 7:08 p.m. All participated in the Pledge of Allegiance. Roll Call: Susan Spradlin, Chair; Daniel O'Callaghan, Trustee; Barbara Miller, Fiscal Officer; Alan Stock, Administrator. Mr. Miller was absent from the meeting.

This was a Regular Trustees Meeting advertised on the Xenia Township website within 24 hours of scheduling this meeting.

READ FILE:

GC Council on Aging, April/May
City of Bellbrook Newsletter, April
Buckeye Farm News, April
GC Interfaith Hospitality Request

TRUSTEES' BUSINESS:

Mr. O'Callaghan made a motion to approve the Public Records Request form as presented by Fiscal Officer Barbara Miller, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-095

A credit card policy was presented. Mr. O'Callaghan said the form has some grammatical errors in it and they needed to be fixed; he said he is okay with it otherwise. Mrs. Spradlin asked for comments. Mr. Stock had a question about the Road Superintendent being told how he is to do his work, i.e. gas card can only to be used Monday through Friday and all fuel tanks to be kept at no less than $\frac{3}{4}$ tank at the end of each work day. He said this has gone past credit card policy. He said in this policy the only time a credit card can be used is when the Fiscal Officer is available to give the credit card to them which puts a lot of burden on the Fiscal Officer when a purchase needs to be made. He said it appears the credit card purchase can only be made with the Fiscal Officer's approval. He also questioned withholding or deducting from the paycheck any unauthorized purchases on the credit card—he would like to hear from legal counsel about this. There was discussion about the policy. Mr. O'Callaghan recommended tabling the policy until the next meeting. He said he would meet with all parties concerned to make it a workable policy for everyone. He said it is not ready for a resolution at this point. Ms. Hayden said she will have a legal opinion about it by the next meeting.

Mrs. Miller provided a Records Inventory Worksheet (from Ohio Department of Administrative Services). Mrs. Spradlin said the Historical Society may have an interest in records we have. She said they need to get policies together for public records requests and records disposal. Mr. Stock suggested having Secretary Sheryl Blackaby help with the process. Mrs. Spradlin said these forms need to be added to the next Work Session Agenda.

Mrs. Spradlin made a motion to amend the previous resolution (Resolution No. 2015-095) to include the documents for the Public Records Request, titled PR100A, PR100B, PR100C and CPRF100A, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-096

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Mrs. Spradlin said there was discussion at the Work Session about a Purchase Order Policy being enacted. She said Mrs. Miller has made numerous requests for approval of the policy. She said a purchase order is mandatory as outlined by the ORC and will provide better control of finances and improved accuracy in accounting practices to Mrs. Miller and will satisfy her duties as an elected official. Mrs. Spradlin said currently there are two Xenia Township resolutions of record that authorize officers, managers and employees to incur obligations on behalf of the Township in the amount up to \$500 and the Administrator is authorized to incur obligations up to \$3,000. She added with those resolutions currently in place, they conflict with the ability to achieve Mrs. Miller's request, they provide a broad opportunity for spending and they contain too few parameters. Mrs. Spradlin said she would like to revise and combine the current Xenia Township resolutions. Mrs. Spradlin made a motion that the Township Trustees authorize the individual Trustees, Fiscal Officer, Fire Chief, Deputy Chief, Road Superintendent or Administrator the authority to spend up to \$500 in the event of an emergency that would render the Township unable to provide services if the funds are not spent in order to mitigate the emergency; verbal notification must be given to the sitting Chairperson of the Board of Trustees as soon as practical, preferably before or immediately following the emergency expenditure, a purchase order will be submitted to the Fiscal Officer from the authorized purchaser; the Fiscal Officer will certify the funds and issue a then and now purchase order to submit to the Trustees at the next regular meeting; the expenditure emergency circumstances and justification will be placed on the agenda of the next regular meeting for discussion. She asked for any discussion. Mr. O'Callaghan gave a scenario and asked how it would be handled with this motion. Mrs. Spradlin said they could get a purchase order. Ms. Hayden said the person would have to wait until the next Trustees' meeting where they ask for approval, the Trustees would have to pass a resolution, then the person can get a purchase order—the Fiscal Officer cannot authorize expenditures on her own. Mr. O'Callaghan said the motion is too restrictive. It was discussed whether this could be amended tonight. Questions were presented to Legal Counsel. Mrs. Spradlin asked to withdraw her motion for that meeting but would like to see a resolution for this issue at the next Trustee Meeting.

Mr. O'Callaghan made a motion to nominate Scott Miller as the Xenia Township representative and Carrie Smith of Spring Valley Township as the alternate to the Ohio Public Works Commission District 11 Integrating Committee seat, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-097

FIRE DEPARTMENT:

Mr. O'Callaghan made a motion to approve SOP 100-001, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-098

Mr. O'Callaghan made a motion to approve SOP 100-002, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-099

Mr. O'Callaghan made a motion to approve SOP 100-015, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-100

Mr. O'Callaghan made a motion to approve SOP 900-001, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-101

Deputy Chief Beegle gave a public statement of appreciation for Tim Spradlin's Officer 1 Class and explained what they did and how they helped with the SOPs.

ROAD DEPARTMENT:

A discussion was held about either purchasing or renting a water softener or iron filter. Mr. O'Callaghan said he definitely wants to purchase as it is more cost effective. Mrs. Spradlin would like to rent one for Station 52 because the water is so bad there and she thinks a purchased system will need repaired or replaced sooner. This issue was tabled until the next work session.

Mr. O'Callaghan asked if they had received the other electrical work information. It had not been received yet. The generator purchase was tabled until Mr. Miller's return. Mr. O'Callaghan and Mrs. Spradlin agreed on a Kohler generator.

Mr. Stock reported the Township received an award notification from the ODOT Safety Program in the amount of \$38,881.67.

FISCAL OFFICER/ FINANCE:

Mrs. Spradlin made a motion to approve the bills as presented, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-102

Mrs. Spradlin made a motion to approve the Regular Meeting minutes from April 2, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan-Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-103

Mrs. Spradlin made a motion to approve the Work Session minutes from April 2, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-104

Mrs. Spradlin made a motion to approve the Regular Meeting minutes from March 19, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- . Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-105

Mrs. Spradlin made a motion to approve the Special Meeting minutes from April 6, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-106

The Trustees signed the Budget for Mrs. Miller for her records. The Budget was already turned into the Auditor at the end of March 2015.

Mr. O'Callaghan made a motion to approve the Xenia Township Public Records Request Policy PR100 dated 04/2015 as presented, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-107

TOWNSHIP ADMINISTRATOR:

Mr. Stock thanked Chief Fox and Deputy Chief Beegle for their work with the Ohio Bureau of Workers' Compensation in making sure employees are attending the right classes and doing things correctly. Xenia Township received a certificate from the Ohio Bureau of Workers' Compensation for 2014 for its effort in preventing accidents and injuries in the work place.

Mr. Stock spoke about a Shared Services Agreement. He said it has already been reviewed by Xenia Township's legal counsel, Beaver Creek Township's legal counsel

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and by the Beavercreek Township Trustees. Mr. O'Callaghan made a motion to accept the Shared Services Agreement as presented in the example between the Townships of Beavercreek and Xenia Human Resources as a template for future Shared Services Agreements with the provisions that all such agreements are brought before the Trustees for approval before execution. Mrs. Spradlin said she did not care for the wording in some areas and Ms. Hayden's signature was not on the agreement. She would also like to see changes in the termination language. Ms. Hayden then explained the details of getting out of an agreement if necessary. The issue was tabled to be able to amend the agreement. The motion was withdrawn.

COMMITTEES:

Greene County Regional Planning and Coordinating Commission—there have been no meetings since the last meeting.

Health District Advisory Council—meets once a year.

Water & Wastewater Advisory Committee—meets last Wednesday of the month and Mr. Pile will attend.

Source Water Protection—the meeting will be in June.

Inspection for the one year time-of-travel Water Protection—inspection of residential will take place May 29, 2015.

Safety Council—Chief Fox reported it was on the Bureau of Workers' Compensation. He said Xenia Township is following the proper standards.

Chamber of Commerce—the meeting will be the next Tuesday.

TRUSTEES' BUSINESS CONT:

Xenia Township will be hosting the Greene County Township Association Meeting on June 9. Mrs. Spradlin said the Veteran Services Board Commissioners will sponsor it and they will provide the meal. The Commissioners prefer to hold the meeting at their office on Ledbetter as they have reserved their meeting room and they can show their exhibits and office. There had been discussion about holding the meeting at the Orchard Banquet Center. The Trustees agreed to this meeting being held at the Veteran Services Office. It will be catered.

GUESTS:

Richard Kolozsi said the Township should have a credit card policy and that credit cards should not be used for personal use. Mr. O'Callaghan clarified that credit cards are not being used for personal use--that is already in the policy. He said the policy needs clarified to how the credit cards can be used. The Trustees said they hope to have the policy by the next Trustees' Meeting.

Rick Miller commented that it is his paycheck that gets deducted when purchases are made out of Township accounts, not from the paychecks of those who do not live in Xenia Township. He said someone who is trying to save money for the Township should not be criticized for it and others should not make a big deal about it. He realizes it will never be perfect.

EXECUTIVE SESSION:

Mrs. Spradlin made a motion to go into Executive Session for pending or imminent court action, for reviewing negotiations or bargaining and also a session for reviewing compensation of public employee and to gain advice from legal counsel, pursuant to ORC 121.22 (G-3, G-4, G-1). Those in attendance were Mr. Stock, Mr. O'Callaghan, Mrs. Spradlin, Mrs. Miller, Chief Fox and Ms. Hayden. Mr. O'Callaghan seconded. Roll Call: All voted Aye. Executive Session began at 8:28 p.m.

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Mrs. Spradlin made a motion to exit the Executive Session, Mr. O'Callaghan seconded. Roll Call: All voted Aye. Executive Session ended at 9:57 p.m.

Mrs. Spradlin made a motion to pass a policy, pending the revision of the employee handbook, for employees who separate from service from Xenia Township to be paid out at 100% accrued vacation time, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin-Aye, Mr. O'Callaghan- Aye, Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-108

Mrs. Spradlin said an employee has separated from employment from a full-time position to a paid-on-call position, and the Trustees need to pay out the benefits. The calculation they were given as far as vacation leave was 74.425 hours which will be paid out at 100% with vacation total of \$1,086.61. Additionally during her time prior to separation, she incurred 19 hours of overtime. The overtime hours will also be paid \$499.89. As far as sick leave the Trustees need to make a decision as the current handbook says Trustees may pay out 0-25% only for employees who are retiring. Currently they do not have anything for employees who are separating. Mrs. Spradlin recommended paying 0% of the sick leave. Mr. O'Callaghan agreed. Mrs. Spradlin made a motion to pay Elizabeth Evans a total of 100% on vacation leave, 0 hours on the sick leave and the 19 hours overtime for a total amount of \$2,360.29. Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye, Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-109

Mr. O'Callaghan made a motion for Xenia Township to enter into an agreement with an attorney specializing in finance to advise and assist the Township in dealing with some current issues, Mrs. Spradlin seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-110

FISCAL OFFICER CONT.:

Mrs. Spradlin made a motion to approve the payroll as presented, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Motion **PASSED** by roll call of 2-0.

RESOLUTION NO. 2015-111

TRUSTEES' BUSINESS CONT:

Mr. O'Callaghan wanted to go on record with the following: Xenia Township did file an objection to the City of Fairborn's proposed annexation of Cemex owned property on two counts related to the street and they were procedural. He said Xenia Township objected to what they were allowed to object to by the Ohio Revised Code. He said the Ohio Revised Code does not allow the Township to object to the fact that property values will be devalued as a result of this annexation. He said the Ohio Revised Code does not allow the Township to object to the fact that no additional services are going to be provided by this annexation, and in fact, fire services time will probably be reduced because it is farther away. He said the Ohio Revised Code does not allow the Township to object to the fact that 100% of the residents of the Township who attended public hearings were against this annexation. The only thing the Ohio Revised Code allows the Township to object to is if the company and the city doing the annexation did not follow procedure. He said the Board of County Commissioners' hands are tied as well because the Ohio Revised Code states they don't have a say in it as long as procedure is followed. As long as procedure is followed, the Board of County Commissioners has to approve the annexation. He added if Township residents would like to see annexation law changed to give local government a say again, he strongly recommends they write or contact in any way possible their representation in Congress, both in House and Senate, because that is the only way this bad law will be changed.

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ADJOURNMENT:

There being no further business, a motion to adjourn was made by Mr. O'Callaghan, and seconded by Mrs. Spradlin. Roll Call vote: All voted Aye. Meeting was adjourned at 10:10 p.m.

_____	XENIA TOWNSHIP BOARD OF TRUSTEES
Resolution # _____	
_____	_____
Date Approved	Susan Spradlin, Chair
ATTEST:	_____
	Daniel O'Callaghan
_____	ABSENT
Barbara Miller, Fiscal Officer	_____
	Scott Miller

MLP