

RECORD OF PROCEEDINGS
MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING
HELD ON: JUNE 9, 2011 7:00 PM

Notes: These minutes are a summary of the Xenia Township regular business meeting and are not a word for word account of the discussions. 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 7:07 PM. All participated in the Pledge of Allegiance.

Board members attending also included Jim Reed and Amy Lewis. Others from the Township included Fiscal Officer John Faulkner, Zoning Administrator Rhonda Painter, Public Works Superintendent David Shuey, Fire Chief Daryl Meyers and Captain Dean Fox.

GUESTS:

Harold Snyder, 1353 Foust Rd.

PUBLIC COMMENT ON ACTION ITEMS:

None

MINUTES:

May 12 Public Hearing--tabled
May 26 Regular Meeting--tabled

This completed the reading & approval of previous meeting minutes.

FISCAL OFFICER/FINANCE:

Scott Miller asked for a motion to approve the bills and payroll for the current period. Vendor checks totaled \$44,945.74. Payroll, including taxes totaled \$29,714.13.

At the May 26 meeting bills and payroll were approved for \$ \$38,150.91. Reed moved to approve. Lewis seconded the motion.

Roll call: Ayes: Lewis, Reed & Miller. Motion passed, resolution #2011-109

Faulkner gave a financial summary: For month of May we received \$62,856.09 in revenues, we had vendor checks \$122,585 and payroll checks of \$59,800, including net check to us as employees as well as payment to the respective taxing districts.

This concluded Fiscal Officer Faulkner's report.

ROAD DEPARTMENT:

Public Works Superintendent David Shuey said they were doing road patching last week and just beginning to mow again—8 days on the south route and 5 days on the north route and 2 days on plats.

This concluded Superintendent Shuey's report.

ZONING DEPARTMENT:

Zoning Administrator and Inspector Rhonda Painter gave this report.

The following permits were issued since May 26:

1. 1831 Hook Rd., Gary Smith, above ground pool
2. 1461 U.S. 42 E., Central State University, 6' privacy fence

The Board of Zoning Appeals may possibly meet June 21 at 7:30 p.m. re possible pool variance and request for possible expansion of non-conforming use by Kil-Kare.

Zoning Commission will have a Public Hearing for a rezoning request from Cemex on Thursday, June 16 at 6:00 p.m.

This concluded the report and action items of the zoning department.

FIRE DEPARTMENT:

Fire Chief Daryl Meyers requested executive session for 2 personnel issues. This was held at the end of the meeting.

This concluded Chief Meyer's report.

TRUSTEES' OLD / UNFINISHED BUSINESS:

Kil-Kare update was to be done in executive session. Reed asked Painter about upcoming event (July 3) at Kil-Kare. Painter said there is a proposal to have a car show, a race, a concert and vendor tents. She told them they could have a car show and a race, but not a concert and vendor tents. Rick Chrysler came into office and met with Painter. He wants to meet with the Trustees but time has not been set. Actually our attorney should talk to his attorney.

Faulkner prepared a letter regarding clustering mailboxes in Old Town. Miller asked Faulkner about numbers on the form that will go to residents. Faulkner answered they were possible locations for the clusters of mailboxes—possibly one on the west side of the roadway and two on the east side because there more residents on the east side. No Trustee action was required at this time.

TRUSTEES' NEW BUSINESS:

Workers' Compensation: Painter provided an update on a meeting with Andy Frank our representative for Workers' Compensation: We were in a high-risk category, but last year we went into a retrospect group rating where other entities in the same position are in the group with us and our premiums went way down because of joining that group. However, we assume that risk that if someone in that group has a major event our premiums will go up. As long as everyone in the group doesn't have any injuries, our premiums will stay low; in fact we will get rebates. Because our accident rate is zero for time lost, we will be getting an invitation to go back into the Ohio Township group very soon (probably August). We will have a choice whether to go into the group rating or we can stay in retro. One of the down sides of retro is we do not get the Safety Council discount—we will get it for last year. If the retro group performs very well, we will get up to \$8,000 rebate—but the whole time we are assuming that risk. If we go into group the premium will stay the same, \$25,521 and will stay there. There is no group risk involved in it. Reed said if there is a claim by any municipalities involved in the retro, there would be a substantial increase because we are absorbing their cost. Painter added there is a ceiling on what we would have to pay based on our table. Whichever group we are in the premium will be paid in 2012. In retro the premium is \$26,081—with the possibility of going up. Because were in retro we are required to take 2 hours of safety training by webinar—such as slips, trips and falls, avoiding back trauma, etc. It is free. At least one Township employee has to take it. If the training is required for the job, it doesn't count. Shuey just took an 8 hour refresher class on safety; Painter will see if his class counts. Also, Painter will check on Safety Council attendance. If two are missed in a year, we are not eligible for the discount. However, we can attend a workers' comp session in Dayton to make it up.

Adopt-a-spot: Painter reported Greene County Environmental Engineering runs the Adopt-a-Spot program. We have a number of people who have adopted Township roads. Prosecutor's opinion says that picking up litter on a Township road is actually on our property so we have to give permission to allow people to pick up litter on our roads. Reed asked if we have to provide workers' comp on those people because they are

volunteers. Painter said when the people sign an agreement with Adopt-a-Spot, they are signing that they have their own health care and there is no liability to anyone else. The Township is held harmless. They hope to expand the program since there is no longer litter control. They ask that we prioritize our roads in terms of which ones really need litter pick-up and which ones are too dangerous to have people on. If the program is approved, Shuey will be in charge of paperwork. The Trustees want a copy of the legal opinion and a copy of the contract/liability waiver before they approve. They would also like to know the age of the children allowed to participate. Shuey will provide a list of roads for the program.

Coleman Road properties: Miller moved that both Coleman Road properties be classified as tax exempt, back to the date of purchase so paperwork can be completed. Reed seconded the motion.

Roll call: Ayes: Lewis, Reed & Miller. Motion passed, resolution #2011-110

Painter asked if Township should still pay street lighting assessment. The Trustees agreed those the Township would pay the street lighting assessment.

UPCOMING MEETING & EVENT DATES:

June 10 th , Friday @ 11:45 AM	Groundbreaking Tecumseh School
June 13 th , Monday @ 3:30 PM	6119 Project with Jay Stewart & Frank Leone
June 15 th , Wednesday @ 2:30 PM	Work Session--Budget
June 18 th , Saturday @ 10:00 AM	Wills for Heroes – Xenia Twp first responders
June 23 rd , Thursday @ 4:00 PM	Board of Trustees' Meeting
June 23 rd , Thursday @ 5:00 PM	Public Hearing—text amendments
June 28 th , Tuesday @ 7:00 PM	Sourcewater meeting @ Trustees' office

COMMITTEE REPORTS:

Miami Valley Regional Planning Committee:	Executive Board met, went to Going Places (package of information in the read file).
MVRPC – Technical Advisory Committee:	Meeting next week.
Greene Co. Planning Coordinating Com.	No report.
District Advisory Council , Health Dept.	No report.
Water & Wastewater Advisory Com	Meeting 6/29/2011 @ Noon
Sourcewater	Next meeting 6/28/2011 @ 7:00PM
XEGC	Meeting next week.
Safety Council	Next meeting 7/6/2011.
Chamber of Commerce	Next meeting 6/21/2011.

At the Greene County Township Association, Faulkner volunteered Xenia Township to host the meeting in November. The consensus of the attendees was to disband the Christmas party and have smaller meetings more often. Ross Township had citizen who through a trust had made a large parcel of land available for a natural preserve. Kids will be involved. First presentation: Environmental Engineering received a scrap tire grant—more information will be coming out in September. A second presentation was given by Charles Brennan, Greene Wireless. He provided a map which shows proposed coverage all over Greene County. This would give approximately 123 homes in the north area of Xenia Township the chance for internet service which are not serviced at this time. Sugarcreek Township will host in August. The County will host in September. There is no problem with obtaining speakers for the meetings. They are always the first Tuesday of the month.

CORRESPONDENCE:

Faulkner provided a Then and Now PO for Kleingers in the amount of \$6,750 for services for 6119 Project, Phase II—this is the final charge.

EXECUTIVE SESSION:

Miller moved the Xenia Township Trustees retire to “Executive Session” to consider personnel matters. This is an exception to the Open Meeting Act as permitted by the ORC 121.22 (G) #1. Today’s date and time is June 9, 2011, 7:52 p.m. Reed seconded.

Those invited to attend included Trustees Amy Lewis, Scott Miller and Jim Reed, Fire Chief Daryl Meyers and Captain Dean Fox.

Roll call: Ayes: Lewis, Reed & Miller.

Reed moved the Xenia Township Trustees return to an open and public meeting. Today's date and time is June 9, 2011, 8:13 p.m. Lewis seconded.

Roll call: Ayes: Lewis, Reed & Miller.

Miller moved the Xenia Township Trustees retire to "Executive Session" for conference with attorney. This is an exception to the Open Meeting Act as permitted by the ORC 121.22 (G) #3. Today's date and time is June 9, 2011, 8:13 p.m. Reed seconded. Those invited to attend included Trustees Amy Lewis, Scott Miller and Jim Reed, Zoning Administrator Rhonda Painter and Public Works Superintendent David Shuey.

Roll call: Ayes: Lewis, Reed & Miller.

Lewis moved the Xenia Township Trustees return to an open and public meeting. Today's date and time is June 9, 2011, 8:31 p.m. Reed seconded. Lewis made a motion to authorize the Prosecutor's Office to proceed with filing of the injunction to address the July 3, 2011 Kil-Kare event for those events that are outside the permitted use of the zoning ordinance. Miller seconded.

Roll call: Ayes: Lewis, Reed & Miller.

ADJOURNMENT:

Having completed all of the regular business, Amy Lewis moved to adjourn @ 8:40 PM. Jim Reed seconded the motion and all Trustees voted aye. Meeting adjourned.

Scott Miller, Chairman

Jim Reed

ATTEST:

Amy Lewis

John D. Faulkner, Fiscal Officer