

# RECORD OF PROCEEDINGS

**MINUTES OF THE  
XENIA TOWNSHIP TRUSTEES:**

**REGULAR MEETING  
August 17, 2017                      5:00 P.M.**

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 was held at the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio. This was a Regular Trustee Meeting advertised on the Xenia Township website within 24 hours of scheduling this meeting.

Chair Steve Combs called the Regular Meeting to order at 5:00 p.m.

ROLL CALL: Scott Miller, Trustee; Steve Combs Trustee, Chair; Susan Spradlin, Trustee; Sheila Seiter, Fiscal Officer; Alan Stock, Township Administrator.

All participated in the Pledge of Allegiance.

**IN THE READ FILE:**            GCCHD Report /Press Release (1), GCCHD Council on Aging Aug/Sept, Village of Bellbrook Aug., Xenia Daily Gazette article.

## **FISCAL OFFICER/FINANCE**

Mrs. Seiter presented the payroll. Mr. Miller moved to approve the payroll as presented, Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

### **RESOLUTION NO. 2017-154**

Mrs. Seiter presented the bills. Mrs. Seiter advised that Mrs. Spradlin had a question on the training house bill. Mr. Stock advised that the training house was donated from Martin Marietta and he explained what was involved and the bill was for supplies to make sure everything was ready for the burn. Mrs. Spradlin asked where the house was located and Mr. Stock explained it was on Dayton-Xenia Road.

Mrs. Spradlin asked about the OPEC bill and the funds. Mrs. Seiter explained that this was billed separately and monthly. They receive two bills, one is just the premiums and the other is for the reimbursements. There was discussion about this bill.

Mrs. Spradlin moved to approve the bills as presented. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

### **RESOLUTION NO. 2017-155**

Mrs. Seiter advised there were two sets of minutes one from the July 20<sup>th</sup> Regular meeting and one from June 13, 2016 Special meeting.

Mr. Combs moved to approve the minutes from July 20, 2017 Regular meeting. Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

### **RESOLUTION NO. 2017-156**

Mr. Combs moved to approve the minutes from June 13, 2016 Special meeting. Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

### **RESOLUTION NO. 2017-157**

## **ADMINISTRATOR:**

Mr. Stock asked the Trustees to consider a Purchase Order to Wanda Carter, Annexation attorney, for \$3,000.

Mr. Miller moved to authorize a Purchase Order to Wanda Carter for legal services regarding annexation in the amount of \$3,000 from 1000-110-319-0000. Mr. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

### **RESOLUTION NO. 2017-158**

Mr. Miller advised that a meeting should be set up with Mrs. Carter as soon as possible to discuss the Central State University annexation issue during an Executive Session. There was discussion about the meeting.

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Mr. Stock stated that there was a need to purchase Crack Fill and was asking for a Purchase Order not to exceed \$10,000. There was discussion how long the product lasts and how much was used since the last purchase.

Mr. Combs moved to authorize a Purchase Order to DJL Materials for crack fill not to exceed \$10,000 from 2231-410-420-0000. Mr. Miller seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2017-159**

Mr. Stock advised that he had given the Trustees an update regarding the summer road paving. He advised to the progress of the work.

Mr. Stock stated a second brine tank had been purchased for the Road Department. Mr. Stock explained the purchase to the Trustees.

Mr. Stock advised to a nuisance property located at 1587 US 68 N, and explained the need for a resolution. Mrs. Spradlin noticed a realty sign in a after photo and asked if the Township had tried to call the realtor and talk to them about the property. There was discussion about the property and talking to the realtor. Mrs. Spradlin advised Mr. Stock to check if a realtor had an exclusive listing contract and to wait on mowing and advertising this property until an answer could be found because this could save the Township money.

Mr. Miller moved to declare a public nuisance for property mowing at 1587 US 68 N, M36000100130005100 a nuisance for tall weeds/grass. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2017-160**

Mr. Stock advised that there would be a Joint Trustee and Zoning Boards meeting on August 29, 2017 and asked if the Trustees had any topics they wanted to have added to the agenda. There was discussion about topics of discussion for this meeting. Mrs. Spradlin advised it would be good to review the signs policy due to election season coming up as well as open air commercial amusement.

**TRUSTEES BUSINESS:**

Mr. Stock advised to a Township Towing policy. He stated that the policy would read, "Xenia Township hereby accepts the scope of public safety regulations afforded to the Ohio Public Utilities Commission under HB 341 for all companies providing such services in Xenia Township." He asked for a resolution for this policy. Mrs. Spradlin stated that the wording sounds perfect but can the Township make it an ordinance or a motion to adopt it. Mr. Stock explained what was needed.

Mrs. Spradlin stated that this would be accepting the Public Utilities Commission under HB 341, but goes by the Ohio Revised Code. Mr. Stock advised that it does. Mrs. Spradlin stated that her concern was with mass casualties/event and the public could get gouged because there are people that are not on the call list coming into the township due to a major event.

Mrs. Spradlin moved to accept the scope of public safety regulations according to the Ohio Public Utilities Commission under House Bill 341 for all companies providing such services in Xenia Township. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2017-161**

Mr. Stock advised about the performance bond for 125 Fairground Demolition, he directed everyone to a copy of the draft to Badger Construction. He explained the bond in detail and his conversation with Badger Construction. Mr. Miller advised to concerns about the hazardous materials and runoff during the demolition. Mr. Combs asked if there was a bond with Badger Construction on the first building that was demolished. Mr. Stock stated that there was not one for that project. Mr. Miller stated that the first building was not the same as this building and has differences. He stated that he questions the contract being able to cover everything. Mr. Combs stated that he feels

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the Township is covered, but if Mr. Miller wanted to make a motion for a performance bond he could.

Mr. Miller moved to require as part of the contract with Badger Construction to have a performance bond in the amount of \$150,000. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – nay, Mr. Combs – nay. Motion **FAILED** by roll call of 1-2.

**RESOLUTION NO. 2017-162**

Mr. Combs moved to continue the Regular meeting until after the public hearing at 5:55 p.m. Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

Mr. Combs continued the regular meeting at 6:40 p.m. Mrs. Spradlin advised they were still discussing the performance bond under Trustee Business on the Agenda.

There was discussion about the contract and whether a resolution was needed to accept the contract. Mrs. Spradlin advised that she felt they needed to accept the contract and who will be authorized to sign it. There was discussion about things needed to be added to the contract.

Mrs. Spradlin moved to accept the proposal for demolition of property located at 125 Fairground Road with the addition of the two noted items of silt fencing during demolition and that the Township does not want to use any of the material for backfill and to authorize Alan Stock to be the authorized signature for Xenia Township. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2017-164**

**UPCOMING MEETING DATES:**

August 22, Zoning Commission  
Aug. 29, Joint Zoning Commission/Trustee meeting  
Sept. 7, Trustee Regular meeting

**COMMITTEE REPORTS:**

Chamber of Commerce, no new issues during meeting.

**GUESTS:**

Janis James, 691 N. Bickett Road, apologized for being late and wanted to know if the Purchase Order had been approved for the annexation attorney. Mr. Combs stated that it was approved. Mrs. James thanked the Trustees for this.

Mr. Stock advised to some pictures showing a line of sight issue and explained the problem in detail. Mrs. James stated that she attended a meeting in Wilberforce and this was brought up. She stated that the building is considered a hazard because people cannot see if vehicles are coming from that direction. There was discussion about what could be done to fix the issue. Mrs. Spradlin stated that this concerns her and does not understand why anyone would want a roof over a utility meter, would there be another reason for it being there. There was discussion about the reasons why this roof was there.

Mr. Combs read an email(attached) from resident, Cookie Newsome. Mrs. Spradlin stated that Wilberforce Switch Road was being completed and was being chip sealed, but are waiting for a finalization date from the company. Mrs. Spradlin asked about people of color working for the Township. Mr. Stock advised that two of the summer interns were people of color. Mrs. Spradlin advised that turnover was very low at the Township and the only applications currently being accepted was for Fire/EMS staff. Mr. Combs stated that he wanted to be sure that all rules and regulations for hiring and firing were being followed so that he could follow up with the resident regarding this. Mr. Combs advised that the Township has done minimal hiring in the past year and all hiring has been done by federal law.

Mrs. Spradlin advised that the email also mentioned a neighbor with numerous cars on a parcel, and that she did not believe the owner had complied with the Township order

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to reduce the number of vehicles. Mr. Stock advised that he has until the end of August to remove the vehicles and assured that he was aware of the issue.

Mrs. Spradlin stated that the other issue in the email was about the cars blocking driveways along private property on Wilberforce Switch Road in order to attend CSU's homecoming. Mrs. Spradlin asked if there was anything the Township could do to help with this. Mr. Combs advised that he spoke with the company that towed cars last year and was told that there were cones and signs there but people parked there anyway. Mr. Miller stated that they could contact the Sheriff's Office and asked that they patrol that area on that Saturday to see if that would help.

Roy Colbrunn, Wilson Drive, stated that they had done something similar earlier this summer when Pinecrest had a swim meet. He stated that the Sheriff's Office provided them with signs, were told to put the date on them, and this helped the Sheriff's Office to be able to ticket and tow cars that were in this area. Mr. Combs asked Mr. Stock to pass this information on to the resident.

Mr. Combs moved to enter Executive Session at 7:10 p.m. for R.C.121.22(G)(2) To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit. Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0. Those included in this Executive Session were all elected officials and Township Administrator.

Mr. Combs advised they had exited Executive Session at 7:35 p.m.

Mrs. Spradlin stated that during Executive Session they discussed the sale of property. Mrs. Spradlin asked Mr. Stock if he had a preference of a realtor, and Mr. Stock stated he preferred Irongate from Beaver creek.

Mrs. Spradlin moved to accept Irongate Beaver creek with agent Patty Neely for a six-month listing for the property located on Union Road in Xenia Township. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2017-165**

Mr. Combs moved to enter Executive Session for R.C.121.22(G)(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official at 7:40. Mr. Miller seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0. Those included in the Executive Session were the three trustees and Township Administrator. Mrs. Seiter stated that she would remain in the building if she were needed.

Mr. Combs advised they had exited Executive Session at 8:17 p.m.

**ADJOURNMENT:**

Mr. Miller moved to adjourn, Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by a roll call of 3-0. The regular meeting was adjourned at 8.18 p.m.

**Xenia Township Board of Trustees**

Date Approved: \_\_\_\_\_

\_\_\_\_\_  
L. Stephen Combs, Chair

Resolution # \_\_\_\_\_

Attest:

\_\_\_\_\_  
Scott Miller

\_\_\_\_\_  
Sheila J. Seiter, Fiscal Officer  
MEH

\_\_\_\_\_  
Susan Spradlin