

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:
HELD ON: SEPTEMBER 22, 2011**

**REGULAR MEETING
4:00 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 4:09 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: Dr. David Carter, Greene Memorial Hospital; Dr. Lynn Bailey, Greene Memorial Hospital; Carrie Smith, Krepps Road; Susan Spradlin, Hilltop Road; Dennis Painter; Dean Fox, Fire Dept

PUBLIC COMMENT ON ACTION ITEMS:

Dr. David Carter of Greene Memorial Hospital spoke regarding the Issue 15 Renewal Levy for GMH which would cost most home owners \$1.25 a month or \$15 a year per \$100,000 home. The current levy expires December 31, 2011, and the renewal levy is for five years. This is specific to GMH and satellite facilities such as the Beavercreek Surgery Center--it does not support the Kettering Health Network. Dr. Carter said the hospital is in need of this renewal levy. Reed said some residents expressed concerns about the decrease in services and staff. Dr. Carter said he did not know of any numbers of the reduction in staff, but it is nowhere near 50%. The only service provided by GMH that has been done away with is the OB unit. Dr. Lynn Bailey stated that the emergency room has more patients. They both said that employees are not being transferred to the new hospital in Beavercreek. Reed expressed concerns that the emergency department may go away because of the new facility in Beavercreek, and Dr. Carter and Dr. Bailey both said they do not see that happening and the goal is to maintain the emergency department and the to make sure the hospital stays successful. Dr. Carter then passed out a flyer of information about the levy and a sign-up sheet if anyone is interested in having a GMH levy sign in their yard.

Dennis Painter, a concerned resident of Ohio, spoke and started by saying that he thinks that the Trustees are doing a good job and he knows that it is not an easy job. He expressed his concern about some of the things going on and how it is disruptive to the citizens, and those elected to Xenia Township. He is appalled and compelled to speak about people speaking of unfair, undeserved, false and malicious allegations of the Trustees at public meetings. He is here to speak out against the waste of valuable time and resources by a couple of citizens that have made a game out of public records requests for no apparent purpose other than to disrupt and punish the Township Trustees for political gain and for not hiring one of them in positions of the Fire Department and as a consultant for the Township. Mr. Painter made clear that his comments tonight are as a concerned citizen and he is not here on behalf of the Township Association of which he is a member. He explained that as part of his job he has to deal with work place bullying. He then gave a list of the signs of a work place bully because public meetings are considered part of the Trustees workplace. In 2000 there was a campaign on workplace bullying and Mr. Painter gave a list of signs of a bully (1) public intent to humiliate; (2) seeking to do battle when and where they choose; (3) the need to compete to make themselves feel good; (4) control resources and time unnecessarily in order to keep you from being successful; (5) undermining people and setting them up to fail; (6) constant personal and verbal assaults on character; (7) name calling, belittling, and destruction of confidence in your abilities; (8) attempt to align with higher ups to show power. Mr. Painter asked if any of these sound familiar. If so, that means you are dealing with a bully. Mr. Painter said to John Faulkner that he has known him for a number of years and that in all those years he has made decisions and acted honestly, fairly, with integrity and always with the good and the welfare of the citizens in mind. Based on his record Faulkner and the citizens should be very proud. The unprofessional, false, malicious and selfish allegations of a couple people cannot change that. However, false allegations that are

allowed to go into the record unchallenged could be considered truth to those who do not know you as Mr. Painter does. He urged that the allegations be challenged and not to let it go into history that way. Mr. Painter then spoke to Scott Miller and said he has also know him a number of years and he has never been anything less than honest and dedicated and he is to be commended. Unfortunately, he has also been attacked by bullying citizens, Tim and Susan Spradlin with the allegation of political theft in office for the work done on Kinsey Road. Mr. Painter said that he does not believe that allegation and that he does not believe Miller made a decision for any reason other than for the good and the welfare of the Township. He said that saying nothing is not ok and he urges Miller to also not let these things go unchallenged. Mr. Painter then spoke to Daryl Meyers, who also has been attacked by the Spradlin clan bullying. Mr. Painter said that former Chief Cliff Beegle had barely been retired before Spradlin started running him down and stabbing him in the back. He told Meyers that when Spradlin stabs him in the back he suggested he think of Chief Beegle and say to himself that he is in good company. Mr. Painter said he did not mention Trustees Amy Lewis or Jim Reed, because he has not had the pleasure of their association as he has the other Trustees; he said from everything he has heard they have both served the Township with dedication and honesty. However, even though they have not been specifically named does not mean that they have not been the focus of bullying. Mr. Painter then commended them on the decision to not rehire Tim Spradlin; the undermining of the Township leadership he is doing at Township meetings would be his mode of operation 8 hours a day 5 days a week and it would be the worst thing that could happen to the Township—to have that type of atmosphere. On August 25, 2011, Spradlin made accusations of a hostile work environment and Painter feels that he—Spradlin—is the one that is creating a hostile work place. At that meeting, Spradlin said “I too have an attorney, Mr. Faulkner, and you will get to know him in the coming months”. Mr. Painter said that it is not in the interest of Xenia Township to have people employed who do nothing but undermine the community and the leadership as the Spradlins have done. He said that you do not have to allow a person to bully you and to allow it at a public meeting. Not only are you being bullied but so is everyone sitting in the meeting, and that should not be allowed. Mr. Painter said there is nothing wrong with asking for records and questioning but only when done with integrity and for the right reason. He questions the validity and sincerity of the requests. Mr. Painter said that at some point people lose the right to make these accusations based on “my sources say,” Mr. Painter feels that is just childish. He felt the need to come forward and say on record that the things being said are not true, and that he feels that there are people that do not support the type of abuse that they are being subjected to. Mr. Painter appreciated them letting him speak here and hopes he has not offended anyone. Reed asked Mr. Painter where he was a resident of, and Mr. Painter said the State of Ohio.

Susan Spradlin, Xenia Township resident, stated that she appreciates that he (Mr. Painter) can come to a Xenia Township meeting and voice his opinion and he can voice all these accusations and he can make anything he wants to say a public record. She then said to Mr. Painter that to question what her husband and she does as a Township resident is none of his business and she would like to know where he gets off with that and where he thinks he has the right to do that. Mrs. Spradlin then said that if she were to tell him everything that they know and have it wouldn't be a surprise. Her rights as a Township citizen are being violated and she is tired of all of you guys trying to go to her husband's place of employment, she then directed her comments to Mr. Faulkner and Mr. Meyers. Meyers said he did not go there. Mrs. Spradlin said she has a copy of an email from him. She then said she is not going to do this, she is tired of doing this also and all she wants is honesty and integrity.

MINUTES:

Regular Meeting—August 25: The transcript of these minutes will be ready in another week to ten days. The estimated cost of the transcription is \$40 a listening hour and \$5.75 a page. The approval of the minutes was tabled until the transcript is done.

Work Session—September 14: The minutes are not ready. The approval of the minutes was tabled until they are done.

Regular Meeting—September 14: The Trustees did not have a chance to review the minutes. The approval of the minutes was tabled until they have a chance to review.

FISCAL OFFICER/FINANCE: John Faulkner

Approval of bills and payroll for the last period of vendor checks, \$172,885.64, payroll of \$26,616.61 for a total of \$199,502.25. The vendor total is so large this period partly because of the new SCBA equipment previously approved for by the Trustees. Lewis moved to approve the bills and payroll. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-149.**

Faulkner requested approval of a transfer from the General Fund to the Machinery Equipment-Capital Fund. This was for the dump truck which was a budgeted item and this is the formal process for the transfer. Miller said that they have taken the Fire Department to where they are self funded through their revenues for their capital purchases. The Road Department is not in the position to do that and the levy that is coming up will address the costs to cover the Road Department but does not address the needs for the capital purchases. Reed asked when this truck is scheduled to be replaced and Shuey said 2012 but he is going to push it to 2013. Miller said that this is just a partial payment to set aside for the purchase of the truck and this is the last payment. Miller moved to approve the transfer. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-150.**

Faulkner told the Trustees he has been meeting with bank reps regarding the banking activities for Xenia Township. PNC Bank is one he has met with and they are offering competitive rates and even interest income. They could also handle the possible relocation of the building and the purchase of new equipment. They also have a relationship with a payroll company who Faulkner met with this morning. Faulkner compared the cost of the payroll company and an employee to do payroll and having the payroll company do the payroll would not cost anymore than what the employee cost. They would also take care of quarterly tax reports and W2's. Faulkner said he wanted to get a feel for it and any opinions, and support. Miller said if going from zero interest income to something then he sees no problem with it.

ROAD DEPARTMENT: David Shuey

They will be doing paving next week. Fawcett Road was chip sealed. They also completed four miles of crack fill. They have started road mowing this week. Roger Morris is still in the hospital, and Shuey will let them know how he is when he knows something.

ZONING DEPARTMENT: Rhonda Painter

The following permits have been issued since September 14:

- Fairground, Greene County Ag Society, three 12x12 tents and one 40x30 tent
- 1032 Trianon Dr, Rosalyn Loxley, chain link fence

Board of Zoning Appeal

- Continued Public Hearing, October 6, 6:00 pm, for 1166 Dayton Xenia Road request for Administrative Appeal from Xenia Township Zoning Inspector's decision.

Zoning Commission

- Update on September 20, rezoning from A to M3 by Cemex at the Robeson Auditorium, CSU. The Zoning Commission approved unanimously the rezoning request by Cemex. The minutes and a resolution will be given to the Trustees for the October 13 meeting, there will be 30 days to hold a public hearing.

Painter requested a PO for tables and chairs at the last meeting and would like to have this approved to have by November 1 for the Township Association meeting. The requests were for 8 foot tables, 6 foot tables and 70 chairs, and lockers for the ladies room. Faulkner said they did the work to find the best price for the tables in the area as well as catalogs. Painter said that they have purchased from this company before and the quality is good. The 6 ft tables and the lockers are used. There was a discussion if all the tables and chairs were needed. It was decided that the chairs are needed for the November 1 meeting. Reed suggested just getting chairs today and getting tables later and also asked what fund the money is coming from. Faulkner said that the

proposed budget at the beginning of the year they were to come from the General Fund. Reed suggested splitting the cost from General Fund and Fire Fund. Lewis moved to approve the purchase of 70 new chairs at \$1890. Reed seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-151.**

Lewis made a motion to purchase 10 new 8 ft tables for \$1200. Miller seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2011-152.**

FIRE DEPARTMENT: Daryl Meyers

Meyers wanted to clarify the incident discussed at the last meeting with the call on Stover Drive. It was said at the meeting that it took 11 minutes; Meyers said that it was faster than that. It was also said that there were two people on duty at CSU and there was only one medic on duty which went out of service at 7:37 pm--the call came in at 8:53 pm. He said he just wanted to clear up that misunderstanding.

Reed asked about an incident that happened on Sunday and if there was no coverage from Xenia Township. Meyers said there was no incident where they were not available. Meyers did say there was an accident at Bell Road on Sunday with a head-on crash and a helicopter was called. In the middle of that they had an injury at the soccer fields and they sent New Jasper to that. Faulkner said that Captain Fox was at the Bell Road and U.S 68 accident, and did an excellent job. Chief Meyers was there shortly after and did a good job clearing the area for the helicopter. Lewis asked how many Xenia Township people were there, and Fox and Meyers said there were 11 and 3 of those were paramedics.

TRUSTEES OLD BUSINESS:

Liability Insurance: Miller will set up a time for a meeting with the vendor. Faulkner received the invoice for the second monthly extension.

Health Insurance: Also waiting on vendor to come back to meet.

Township Association meeting on November 1: Painter and Lewis are working on the menu; Painter just got a menu from Nick's and spoke to Brian Miller from the Fire Dept about contributing to the meal. Rhonda will nail down plates, napkins and silverware. Faulkner heard from Heidi Fought and she will be the guest speaker at the meeting as well as the Greene County Career Center will be here to give a short presentation about their levy.

Chamber of Commerce: Painter explained that only the voting members would constitute a quorum, and as a non-voting member, they would not be needed for that quorum. Miller suggested that they mark the Xenia Township ballot to approve the Chamber's language change. There was a lengthy discussion on if the Board seat has the right to vote, and who gets to vote at Chamber of Commerce meetings. Painter explained that the Chamber wants to give the right to vote only to the businesses and not to the schools and local governments as there are more schools and local governments and they could always vote out the businesses. Reed is concerned that the businesses may do what is best for them and not for the better of the community. There was a long discussion about Route 35 and the lights and businesses and votes. Painter also explained that the Chamber seat would be given to the Township and not just one person and that anyone from the Township could attend the meetings. She explained that the Chamber still wants the participation and input from the schools and local government organizations. The Trustees agreed to abstain from voting on the new language.

At the last meeting it was discussed that the Old Timers would like to display the World Trade Center artifact at their festival over the weekend. Shuey, asked where it is going, Reed has the contact person and will give Dean Fox the information. It will be displayed morning until dark and then be driven back the Xenia Township garage.

TRUSTEES NEW BUSINESS:

No report.

UPCOMING MEETING DATES:

October 4, Tuesday	Greene County Township Assoc—CANCELED
October 7, Friday	Chamber Golf Outing
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	No report
Technical Advisory Committee	No report
Greene Co Regional Planning Committee:	No report
District Advisory Council of Health Dist:	No report
Water & Wastewater Advisory Committee:	September 28 (Will confirm)
Source Water (1-2 per year):	Next meeting October 18, 2011, 7:30 pm
Xenia Economic Growth Corp:	Final meeting is September 27 and then will no longer exist as they are being absorbed by City.
County Managers and Officials:	No report
Safety Council:	October 5—Environmental Assessment
Chamber of Commerce:	No report

CORRESPONDENCE:

Faulkner received a News Release from MVRPC regarding the 2040 transportation long range plans. There is a public participation meeting scheduled for October 11, 2011, at the Greene County Library on the second floor from 4:00-6:00 pm. The Going Places and the preferred scenario for the transportation plan. Faulkner suggested that Xenia Township should finalize the Land Use Plan so that it can be incorporated into the final product of the transportation plan.

ADJOURNMENT:

Having completed all of the regular business, Lewis moved to adjourn at 5:27 pm. Miller 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

ccs