

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING HELD ON: MARCH 25, 2010 7:00 PM

NOTES: These minutes are a summary of the township business meeting and are not a word for word account of the discussions which took place. (Recorder files 11 and 12)

Chair Scott Miller called the meeting to order at 7:05 p.m. with a welcome and introductions. Board Members present were John Faulkner Scott Miller, and Jim Reed. Also in attendance were Fiscal Officer Seiter, Zoning Inspector Painter, Public Works Superintendent Shuey, Fire Chief Meyers, and Deputy Chief Fox. Several residents were in attendance. See the attached sign in sheet. All participated in the Pledge of Allegiance.

GUESTS:

Mary Grace Luttrell was in attendance to be sworn in as an alternate Zoning Commission board member. Fiscal Officer Seiter performed the duty honor.

Seven guests were in attendances to speak against the all terrain vehicle activities on their neighbor’s, Mr. Thrash, property located on W. Enon Road. All guest spoke. Each guest spoke about their concerns with noise, dust and business type activities. Attendees discussed various concerns including, but not limited to, a noise ordinance, Sheriff Deputy’s responses, 30-40 ATVs, up to 50 cars, etc. Painter advised of the option of a cease and desist order through zoning as a minor misdemeanor with a court fine, but no action would happen to stop the activity. She also advised a noise ordinance would apply to the whole Township and is neither enforceable nor recommended by the Prosecutor’s Office. The other option for the residents is a civil action in court on their own. Documentation would be needed. Painter noted the property owner has rights to use their property also. Miller advised the case went through the BZA; it was turned down and has not been through the Trustees. Painter advised she has already spoken to the Assistant Prosecutor (Township legal counsel) for an opinion. Miller advised the Board would investigate further and table the situation until a future meeting.

MINUTES:

Miller requested approval of the minutes of the regular meeting on March 11th be tabled to allow him time to review. Other Trustees agreed.

Faulkner moved to approve and dispense with the public reading of the minutes of the work session with zoning boards on March 17. Reed seconded the motion. All voted aye. Motion Carried

FINANCE: Fiscal Officer Seiter provided the following:

A request for approval of bills and payroll in the amount of \$109,875.37 a copy of the payment registers are attached to these minutes and made a part hereof. Miller moved to approve said payments. Motion seconded by Reed. Resolution No. 2010-58

Roll Call	Ayes: Miller, Faulkner and Reed	Motion Carried
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A purchase order request to the State Auditor’s Office for the 2008/2009 audits at a projected \$6,709. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-59

Roll Call	Ayes: Miller, Faulkner and Reed	Motion Carried
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Report that the current fund status reports are in the correspondence file for Trustee’s review.

ZONING: Inspector Painter provided the following:

Permits issued since March 11: None

Zoning Commission: Next meeting April 1 to discuss adult entertainment. The Zoning Commission will hold a joint meeting with other townships’ commissions regarding the sunshine law and ethics on April 15th at 6:30.

ROAD DEPARTMENT: Public Works Superintendent Shuey provided the following:

A purchase order request to Hartley Oil for equipment maintenance oils for \$1,411.35. Faulkner moved to approve the request. Reed seconded. Resolution No. 2010-60

Roll Call	Ayes: Miller, Faulkner and Reed	Motion Carried
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A purchase order request to Miami Valley International Truck for a replacement muffler and clamps for the 1974 dump truck for \$600. Miller moved to approve said request. Motion seconded by Faulkner. Resolution No. 2010-61

Roll Call	Ayes: Miller, Faulkner and Reed	Motion Carried
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FIRE DEPARTMENT: Chief Meyers provided the following:

A purchase order request to Sinclair Community College for fire school tuition for John Cain for \$608.40. Tim Spradlin questioned why an agreement was not provided. Chief Meyers advised an agreement was not needed for this type of class and there are not enough people interested to hold a separate class at the Township. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-62
Roll Call Ayes: Miller, Faulkner and Reed Motion Carried

A report and purchase order request to Sinclair Community College for additional increased tuition and book charges for three employees' paramedic training, approved at the last meeting, for a total of \$649.35. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010-63
Roll Call Ayes: Miller, Faulkner and Reed Motion Carried

COMMITTEE REPORTS:

Miami Valley Reg. Plan. Com.: No Report per Faulkner

---Technical Advisory Committee: Miller reported on the meeting last Thursday. Reed advised Martin Kim has requested a resolution to endorse Going Places.

Greene Co. Reg. Plan. Coordin. Com.: No meeting.

District Advisory Council of Health District: Miller advised information from the meeting last week is in the read file. The health issues in DC will affect locally and we will probably need a future levy.

Water & Wastewater Advisory Committee: (quarterly) No report

Source water: Next meeting June 8 at 7 pm.

Xenia Economic Growth Corp.: Miller reported on the meeting last Tuesday. Two topics were discussed: school buildings and a new superintendent due to Dr. Lewis' retirement. Bio Source may be up for sale.

County Managers and Officials: No report

Safety Council: Reed is to attend the April meeting with presentation by OSHA.

NEW BUSINESS:

Painter reminded all that Greg Hanneke of the Ohio Plan (on behalf of Swartzel Insurance) will be here on April 12 at 9:30 am to inspect the township buildings and meet with the department heads. He was here last in 2006. He will review the Township for safety and policy procedures for recommendations and possible discounts.

OLD/UNFINISHED BUSINESS:

Seiter recommended a then and now purchase order to Moormans for \$1,000 for the deductible for the medic repairs. The repairs are a result of an accident during winter weather and another driver sliding into the medic. The other driver was uninsured and has gone to court for restitution. Faulkner moved to approve said request. Reed seconded the motion. Seiter will get a final invoice for repairs as covered by the Township's insurance. Resolution No. 2010-64

Roll Call Ayes: Miller, Faulkner and Reed Motion Carried

US 68 South and Union Road property: Faulkner moved to go into executive session to discuss purchase or sale of public property per ORC 121.22 (g). Reed seconded the motion.

Executive Session: 8:10 pm

Seiter, all three department heads and Deputy Chief Fox were included.

Reed moved to return to regular session. Faulkner seconded.

Return to Regular Session: 9:00 pm

Trustees and Painter discussed using Jay Stewart for land and water planning purposes, etc and a work session meeting. Faulkner moved to approve a purchase order for \$1,500 to Kleingers for Jay Stewart's services, as previously budgeted. Reed seconded the motion. Resolution No. 2010-65

Roll Call Ayes: Miller, Faulkner and Reed Motion Carried

Next agenda: Inventory disposal, declare surplus items from Fire remodel. Reed and fire staff to get list for resolution preparation to Seiter.

UPCOMING MEETINGS:

-April 8, Noon Land Use Planning
-April 8, 7:00 pm Board of Trustees' Regular Meeting
-April 16, 8:20 am Annual road ride review with Public Works Superintendent
-April 22, 7:00 pm Board of Trustees' Regular Meeting

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CORRESPONDENCE IN FILE:

- From Dept. of Commerce, March 5, notice of alcohol permit expiration, renewal and objection process
- From Seiter, March 12, notice of monthly work session reschedule from March 18 to March 19.
- From State Auditor, March 24, outline of 2008/2009 Pre-audit questions for meeting on March 24.
Meeting was conducted by Auditor Chris Pluskota and attended by Seiter and Faulkner.
- From City of Xenia, March 24, copy of receipt for annexation and CEDA agreement revenue-\$1,138.74
- From Painter to resident Dan Baker, March 22, notice of sign violation in an AG district.
- From Painter to property owner John Lytle, March 22, re: 919 Jasper Road: request for meeting re: Feb. 16 letter and consideration of possible junk vehicles on the property.
- From Karen Hawk, March 25, annual storm water report.
- From MVRPC, Feb. 10, annual project survey, completed by Seiter and Shuey and returned in March.
- From Ohio Twp. Assoc, March 2010 *Grassroots Clippings* newsletter.
- From Greene Co. Dept. of Dev. March 17, information packet on annual CEBG grant. Meyers to attend April 7th informational meeting to determine if we have any opportunity for grant funds.

ADJOURN: 9:53 pm

There being no further business, Faulkner moved to adjourn. Reed seconded the motion.

SCOTT W. MILLER, CHAIR

ATTEST:

JOHN D. FAULKNER

SHEILA J. SEITER, FISCAL OFFICER

JIM REED