

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING
HELD ON: OCTOBER 14, 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.

Chair Scott Miller called the regular meeting to order at 7:00 p.m. with a welcome. Board Members present were John Faulkner Scott Miller, and Jim Reed. Also in attendance were Fiscal Officer Seiter, Zoning/Office Manger Painter, Public Works Superintendent Shuey, and Fire Chief Meyers. There were several guests, see attached sign in sheet. All participated in the Pledge of Allegiance.

GUESTS:

Ms. Carol Knox of the Greene County Health District gave the Board copies of her prior correspondence and notes and spoke regarding a Tug A Truck event on September 11, proceeds and charges by the township. Reed provided a report on the question of the township billing or waiving the fire department fees as previously discussed due to the event being a fund raiser for the Greene Health Foundation. Knox provided a summary of the history of these fund raising events with partnerships with the fire department and Sheriff. She advised the Health department staff usually handles many duties, but in this case Mr. Atley took care of everything and would not let them. Then she was only provided \$633 for their benefit-\$133 for the raffle and \$500 for rest as 50% per their agreement. Mr. Atley had advised her the profit was \$1,000 after deducting expenses, including payment to the Township. Yet, she understood the Township would waive the fee.

Seiter and Meyers confirmed they have not billed the Atley’s. Miller provided a summary of the Township’s plan and asked what the invoice was last time. Seiter went to confirm.

Ms. Nancy McKinney asked two questions, (while Seiter was looking for the prior tug a truck invoice.) One was regarding agenda and the other was about a traffic count on Hook Road. Miller advised they can ask the State to perform a count on US 68, but we need to request. Faulkner asked Shuey if he could do one. Shuey advised yes and recommended one on Old Hook Road. Ms. Judy Randall asked about the Hagler property on Hook Road and possible business activity i.e. port-a-john, trucks labeled Custom Exterior Design, activity dropped in winter, etc. Painter advised the hearing is November 3rd. Miller advised they will look into it.

Two conversations were taking place – neither audible.

Seiter advised the last invoice was for \$438, etc. for the for profit event. Faulkner noted the Township cannot tell the Atley’s how to run their business and talked about future based on history. Miller recommended more in writing with those involved in the future. Miller moved to issue an invoice to Mr. Atley for 50% of the fire department charges. Further, he moved to issue an invoice to the Health District for 50% of the charges and to waive their fee. Motion seconded by Faulkner. Seiter asked for confirmation with the Chief that the hours and staff were the same for the same \$438 fee. Chief advised yes. She further confirmed she is to prepare an invoice for half to the Health District then waive it. Miller advised yes – for the records. Resolution No. 2010-209

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Mrs. Knox advised a lot of time and new guidelines are in place now for all events to prevent this from happening again.

BID OPENING FOR SALE OF 1985 FIRE TANKER:

No bids were received as per the advertised deadline of October 13th. Faulkner moved to sell the tanker truck, per prior discussions, at the next consignment auction to be held by Ancil Dodge on November 13 with no minimum bid/no reserve. Motion seconded by Reed. Resolution No. 2010-210

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

MINUTES:

Faulkner moved to dispense with the reading of the minutes of the regular meeting on September 9, 2010 due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes as provided. Reed seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Faulkner moved to dispense with the reading of the minutes of the regular meeting on September 23, 2010 due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes as provided. Reed seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

FINANCE: Fiscal Officer Seiter provided the following:

-A request for approval of bills and payroll in the amount of \$70,653.14 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. 2010-14A (note: this item was missed during numbering process)

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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-Seiter provided a report on the additional funds needed to; hopefully, cover the unemployment costs for the balance of the year. She further requested \$5,000 be transferred within the 2111 Fire Fund in order to cover the costs. The funds are needed in the unemployment (2111-220-240-0000) line item. Seiter recommend three lines to choose from, particularly the Buildings (2111-760-720-0000) line, but up to Chief Meyers to decide. Chief agreed. Miller moved to approve the transfer. Reed seconded.

Resolution No. 2010- 211

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Seiter further requested a then and now purchase order for \$3,000 to the Ohio Dept. of Job & Family Services (unemployment bureau) to cover the outstanding month(s) charges due to be invoiced. Miller moved to approve said request. Motion seconded by Faulkner. Resolution No. 2010-212

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

-Fund status reports will be in the correspondence file Monday for Trustee’s review.

-Miller reminded the department heads that the end of the year is approaching and they should conclude any necessary purchases for 2010. Seiter thanked Miller.

FIRE DEPARTMENT: Chief Meyers provided the following:

-Purchase order request to the Greene County Sheriff’s Office for the back ground checks for new applicants for \$69 each for 12 for a total of \$828. Faulkner moved to approve said request. Motion seconded by Reed. Resolution No. 2010- 213

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

-Report and updated maintenance agreement for Physico-Control for the addition of the AED units for \$510.40. Chief advised, per Greg and the sales representative, there would be no charge or purchase order needed at this time. Faulkner moved to approve the agreement and to authorize Fiscal Officer Seiter to sign on the Board’s behalf. Motion seconded by Reed. Resolution No. 2010- 214

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

-Notice of ladder testing, repair and probably replacement of one that failed. He is getting quotes and will provide a request at the next meeting.

ZONING: Inspector Painter provided the following reports:

Permits issued since September 9:

- 1692 Union Road, Dan Porta, pole barn
- 655 Dowdell, Steven Joyce, addition
- 3100 W. Enon Road, Brenda Wolfe, chain link fence

Zoning Commission:

- work session on Nov. 4 regarding sexually oriented businesses text amendment.
- public hearing on Nov. 3 rezoning request from Roland Hagler for 658 Hook Road. Painter advised she is still confirming the location in case our meeting room is not available. The request has gone to Greene County Regional Planning for review. Nancy McKinney asked about procedures and stated she was told last time that there is a four year limit on referendums. Painter advised she has an opinion from the Prosecutor’s Office advising there is no limit and the owner can apply as often as they please. Attendees determined the date of the referendum was November 2007.

ROAD DEPARTMENT: Public Works Superintendent Shuey reported the following:

-Report on options of two fire safe storage cabinets for chemicals and paint type supplies. Shuey obtained several quotes and advised the need was recommended by the insurance review representative. Reed and Miller advised they could not get used units for much less than the, lower than expected, cost of new ones Shuey found. Shuey provided a request for purchase order to Key Bank MasterCard/Global Industrial for \$1,369 for both cabinets. Faulkner moved to approve. Miller seconded. Resolution No. 2010- 215

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Seiter reminded funds needed transferred within the 2231 Fund in order to cover the costs and recommended from the other line item to the small tools and minor equipment line item.

Faulkner moved to approve the transfer. Reed seconded. Resolution No. 2010- 216

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

-Request for a then and now purchase order to Bullen Equipment Service for \$630 for installation of the rebuilt injector pump for the Bomford arm mower tractor. Miller moved to approve the request. Faulkner seconded the motion. Resolution No. 2010- 217

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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UPCOMING MEETINGS:

-October 20, 8:00 am Trustees' Monthly Work Session Re: Fire goals, object. & budget needs.
-October 20, 6:30 pm Greene Co. EMA info meeting re: service rate increase per capita
-October 28, 7:00 pm Trustees' Regular Meeting
-November 10, 7:00 pm Trustees' Regular Meeting moved from Nov. 11 due to Veterans Day
-November 22, 7:00 pm Trustees' Regular Meeting moved from Nov. 25 due to Thanksgiving
-December 8 Greene County Township Association Meeting at Sugarcreek, assisted by Xenia Twp. and Miami Twp.

Note: After moved into executive session, but prior to all guests leaving, resident Susan Spradlin provided Seiter with a letter for the public record. (See end of meeting)

EXECUTIVE SESSIONS:

Faulkner moved to go into executive session for the purpose discussing purchase/sale of public property negotiations per ORC 121.22(G)(2). Miller seconded the motion. Seiter, Painter, Meyers and Shuey were included.

EXECUTIVE SESSION: 9:11 pm

RETURN TO REGULAR SESSION: 9:41 pm

Faulkner moved to adjourn the executive session and return to regular session. Reed seconded the motion.

Miller moved to go into executive session for the purpose of personnel. Reed seconded the motion. Seiter and Meyers were included.

EXECUTIVE SESSION: 9:42 pm

RETURN TO REGULAR SESSION: 10:21 pm

Faulkner moved to adjourn the executive session and return to regular session. Miller seconded the motion.

RECESS: 10:22 to 10:45 PM to celebrate Trustee Miller's birthday.

COMMITTEE REPORTS:

Miami Valley Reg. Plan. Com.: No report.

---Technical Advisory Committee: No report. To meet next week.

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

District Advisory Council of Health District: No Report

Water & Wastewater Adv. Committee: (quarterly, last Wednesday of Month) Next October 27

The Trustees met that morning, Oct. 14, with Xenia City re: wellfields.

Source water: Next meeting October 26 at Xenia Township office.

Xenia Economic Growth Corp.: Miller reported on Oct. 12th meeting. The XEGC Board supports the City income tax, but not Issue 10 and 11. Trustees noted their being uneasy about the XEGC Board voicing that stand.

County Managers and Officials: No Report

Safety Council: (1st Wednesday per month) Faulkner reported on the October meeting with a presentation from the OSHA Cincinnati Office. Checks were given to Council members from 2009.

CORRESPONDENCE:

Seiter advised an additional public records request had been received from Mrs. Spradlin earlier in the meeting. Seiter read the letter as requested by Spradlin. (attached) Seiter advised she had provided a majority of the documents much less than four months later. She explained how there were no certifications in Meyer's file due to him providing them to the Trustees at the interview, not attached to the resume; that she obtained all from Meyers and copies were given as requested and a set placed in his personnel file. Seiter advised she has shared the request with Chief Meyers on more than one occasion to provide the few documents he has, he has not provided them. She voiced her upset at the four month statement when it did not take her that long on most items, and the missing documents are not available to her. Seiter advised she would share this additional request with Meyers again for Baker and DeVoe's items. Seiter advised she did not know if she still has the two meetings requested on tape as she recycles them. Further, that when she did try to use them from a meeting last month, the whole tape was inaudible. The hand held unit is full and she has not been able to upload and save to CD's yet. Reed offered to help get that done. Therefore, Seiter advised she would no longer use the optional tape recorder method. Reed noted the recorders being old and poor quality. Seiter advised she purchased two new this summer for use by herself and Sheryl for land use meetings – it is just that the microphone does not pick up at any distance, the speakers do not talk loud enough, etc. (note: The only way to make a duplicate is to use the two small recorders or pay a professional to reproduce.) Miller recommended Seiter prepare a response letter to Mrs. Spradlin documenting the items requested and provided. All agreed.

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CORRESPONDENCE IN FILE:

- From Seiter: reports: Cash Summary by Fund, Revenue Status, and Appropriation Status.
- From Regional Air Pollution Agency, Sept. 28, results of 48 hour radon test in admin. office.
- To Gr. Co. Pros. Asst. Miller from Seiter, Sept.30, request for opinion on employee personnel files.
- To Gr. Co. Pros. Miller from Seiter, Sept. 30, request for opinion on elected officials benefits.
- To Gr.Pros. Miller from Painter, Sept. 22, request for opinion on rezoning of property after a referendum.
- From Gr. Pros. Miller to Painter, Sept. 22, confidential attorney reply to rezone after referendum opinion.
- From Gr. Pros. Miller to Painter, Oct. 4, additional confidential atty. reply to rezone after referendum.
- From Faulkner, copy of Time Line for Xenia Twp.-City of Xenia JEDD-1 (Tecumseh area)
- E-mails between M. Arnovitz, Asst. Pros. T. Miller and Faulkner, Oct. 7 & 8th re: JEDD participation.
- Annual newsletter from the Xenia Twp. Firefighters and Community Association.
- From Anthem, Sept. 22, re: Twp. employee health insurance continuation, annual renewal.
- From Greene Co. EMA, Sept. 30, letter and documents regarding increase in fees per capita.
- From MVRPC, Oct. 14, info. re: Federal Earmark Process for future Twp. projects. (from Painter)
- From MVRPC, Oct. 14, info. & Nov. 4 meeting invitation re: Federal Highway & Transit Funding
- From Gr. Co. Health District, Mid-Year Report and Oct. 1 Commissioner's Report
- From Ohio Twp. Assoc, October *Grassroots Clippings* newsletter.
- From XACC Pres. Liming, Sept. 30, congrats to Painter for position as rep. for Xenia Twp. on the Xenia Area Chamber of Commerce's Board of Directors.

ADJOURN: 11:23 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