

## RECORD OF PROCEEDINGS

**MINUTES OF THE  
XENIA TOWNSHIP TRUSTEES:**

**REGULAR MEETING  
APRIL 4, 2019**

**6:00 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 annually and on the Xenia Township website within 24 hours of scheduling this meeting.

Chair Susan Spradlin called the Regular Meeting to order at 5:30 p.m.

ROLL CALL: Sheila Seiter, Fiscal Officer; Steve Combs Trustee, Chair; Susan Spradlin, Trustee. Mr. Miller was expected in a few minutes.

Mrs. Spradlin moved to enter Executive Session at 5:31 p.m. for O.R.C. 121.22 (G) (1) To consider the employment, dismissal, or compensation of a public employee. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 2-0. Those included were all elected officials.

Mrs. Spradlin advised they had exited Executive Session at 6:02 p.m. and reconvened the regular meeting.

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

All participated in the Pledge of Allegiance.

### **IN THE READ FILE:**

Notice of change in representative at the County Prosecutor's Office, Promotional flyer for the Xenia Area, League of Women Voters (April)

### **GUESTS:**

John Fedarko, 920 Oak Dale, he asked what the Trustee's policy was for soft enforcement. Mr. Miller asked what it concerned. Mrs. Spradlin asked if it had to do with discipline of employee. Mr. Fedarko stated it dealt with the soft enforcement of zoning codes. Mrs. Spradlin stated this could be a term to describe the process of having someone abide by the codes with just gentle talking. Mr. Fedarko asked if that does not work then what happens. Mr. Combs stated each case would be different. Mr. Fedarko stated he had come to a meeting before to speak about his neighbor's fence, which is when he was told about soft enforcement. He stated this would take him into his other issue. Mrs. Spradlin stated whether a fence was installed properly or not would be on the home owner and the installer, then to the Zoning Inspector. Mr. Fedarko stated if the only check was done with a drive-by check then how can it be certain the installation was correct. He stated his next issue was with his 16-year-old street problem. He stated he did appreciate the work that had been done so far since the last meeting he attended. He stated that work did make a huge improvement. He stated when the street was paved, the gutter plates were paved over which has caused his water issue. He asked whose job was it to check on this project when it was completed. He asked going forward, how do we keep this from happening again. He described the problems in the neighborhood because of the gutter plates being paved over. Mrs. Spradlin stated the Township has an excellent Road Superintendent that would be sure to not let this issue happen again. Mr. Fedarko stated he had issues with getting his mail due to the construction. He stated he had damage to his flower beds and now he has water in his basement. He showed some items from his basement with water damage. He stated he was more concerned with the family photos in boxes and the basement renovations that they finished a few years ago before all this started. Mr. Combs asked if he had a sump pump. Mr. Fedarko stated he did but it was at the other side of the basement at the low point. He stated he had moved all the downspouts away from the house and a new driveway drain. He had placed sandbags to redirect water outside. There was discussion about the renovations done in the basement. Mr. Fedarko said there were no water leaks four years ago when walls

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were naked. Mr. Miller stated he did not understand how he dealt with the drainage on his own lot because he did not know how his home compared to others in the plat. Mr. Fedarko stated his house sits at the highest point at the top of Oak Dale Drive. He stated the water was coming from the next street over and the water comes down the hill and flows between the house across the street and the house with the driveway issue. He stated all the issues started when all the water started flowing through there. He stated his initial problem was identified about a week after the pavement had been done. Mrs. Spradlin asked when the street was paved. Mr. Fedarko stated he thought it was around 2001. Mrs. Spradlin stated the first time Mr. Fedarko had come to the Trustees was last year. Mr. Fedarko agreed and stated he had been trying to work with prior Road Supervisors and Code Enforcement. Mr. Fedarko stated after he came to the Trustees there was work done within two weeks to help correct the problem. He reported on his conversations with previous Road Supervisors about his problem. Mrs. Spradlin asked what the Trustees could do for him now. Mr. Fedarko asked how he was supposed to pay for everything. Mrs. Spradlin stated she was not sure since she did not know who was at fault. Mr. Fedarko stated it happened when they had severe rains because the ground was saturated and the water had no where to go but put pressure on the foundation. Mrs. Spradlin asked if Mr. Fedarko had spoken to anyone else about the issue. Mr. Fedarko said he had not, he wanted to come to this meeting first to figure out where exactly to go. He wanted to figure out if he would have to pay for this. There was discussion about the time Mr. Fedarko took to try to get this issue fixed and the people involved. Mrs. Spradlin stated she could not speak for things that happened before she was elected but the Trustees were willing to work with him and appreciate him for coming to the meetings to discuss his issue. She stated they want to represent their residents and want to help. She stated they would continue discussions with the Zoning Inspector and asked if Mr. Fedarko could attend the next meeting because they may have some answers for him at that time. Mrs. Seiter stated there should be some records of the work to the road and she would look for them. Mrs. Spradlin suggested Mr. Fedarko start an insurance claim because that may help answer some questions and may be able to stop further damage. Mrs. Spradlin suggested Mr. Fedarko hire someone to look at the damage and may be able to stop further damage and this may also show how this started. She stated he may not have had damage ten years ago but houses settle and the ground moves. She stated she was not an expert in this type of issue and the Township would have to rely on their legal counsel to help mitigate this issue. Mr. Miller stated he had dealt with a similar issue at one time and may be able to give Mr. Fedarko some insights into the repairs. Mrs. Spradlin suggested having the Township insurance company and his insurance company meet to discuss the issue together. Mr. Fedarko thanked Mr. Pile and the Trustees for everything they had done to rectify this issue.

**ROAD DEPARTMENT:**

Mrs. Spradlin asked about the 2019 Competitive Bid Contract with County Engineer for paving, 422 chip seal and centerline/edge line program. Mrs. Seiter explained they had discussed this before and this was the second step. Mr. Miller asked about the bidding. Mr. Pile stated it was close to what was predicted and reported on the bidding awards.

Mrs. Spradlin moved to enter into the 2019 Competitive Bid Contract with County Engineer for paving, 422 chip seal and centerline/edge line program as presented. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**RESOLUTION NO. 2019-055**

**TRUSTEE BUSINESS:**

Mr. Pile reported that all the trash had been picked off the ground from the Community Clean up. Mrs. Spradlin thanked the Road Department for all their hard work during the clean-up. Mr. Combs suggested for next year to have the dumpster behind the fence and monitor residency and what is being put in the dumpsters. Mr. Miller stated there needed to be a change and asked Mrs. Seiter to check how long this program has been happening. There was discussion about the materials that were left this year compared to past years. The discussion was tabled for more discussion at a later date.

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**FISCAL OFFICER:**

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

**RESOLUTION NO. 2019-056**

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

**RESOLUTION NO. 2019-057**

Mrs. Seiter reported the acknowledgement of Monthly Reports: Cash, Revenue, Appropriations and Bank Reconcile.

Mrs. Seiter reported on the Records Commission meeting she and Chair Spradlin held on March 25 for disposal of old records. She reported about an email response from the Ohio Historical Society regarding the forms she had submitted. She will be transferring the data to a different, correct form.

**TRUSTEE BUSINESS CON'T:**

Mrs. Spradlin stated the plans for hosting Greene County Township Association Dinner for April 9, 2019. She asked Mrs. Seiter to call the insurance company to confirm the plans. Mrs. Seiter agreed to get the confirmation. Mr. Miller suggested also contacting Chris Mucher to help with letting people know the particulars on the meeting.

***Ohio Township Association Conference reports***

Mr. Combs stated he took classes about nepotism, township possessions, like bidding, and outdated items. Mr. Miller stated he learned about tree canopy issues and how they affect asphalt, and another class about cemeteries. Mrs. Spradlin stated she learned about records retention, public records act and sunshine law agendas. She stated one she was very interested in was about taking on blight. She also attended a class about fiscal responsibilities for Trustees, which she was disappointed in because it was mostly Fiscal Officers in the class and they only spent a few minutes talking about the trustee side of this topic.

Mr. Miller stated he had some conversation regarding Hoop Road and some road issues. He stated there were a few properties that have piles of debris and trash. He stated he would like to go over the process for nuisances. Mrs. Spradlin asked if this was something Mr. Stock needed to look at as far as zoning and whether the address had been passed along to him. Mr. Miller will get with Mr. Stock on procedures.

Mr. Miller stated FDIC is next weekend and he wished to attend. He stated he was not sure if anyone from the fire department was planning to go but he would like the township to pay for up to four people to go.

Mr. Miller moved to approve the entry into FDIC including travel expenses up to four people with meal, using Township vehicle, no hotel stays, including employees and elected. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – nay, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 2-1.

**RESOLUTION NO. 2019-058**

Mr. Comb stated he attended the Greene County Regional Planning meeting and the main discussion was about the Trebein Road development final approval.

**UPCOMING MEETING DATES:**

April 18, Trustee meeting

April 23, Zoning Commission

April 30, Combined Trustee and Zoning Boards

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**ADJOURNMENT:**

Mrs. Spradlin moved to adjourn at 7:18 p.m. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

**Xenia Township Board of Trustees**

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

\_\_\_\_\_  
Susan Spradlin, Chair

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

Attest:

\_\_\_\_\_  
L. Stephen Combs

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

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