

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
January 5, 2017 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 on the Xenia Township website within 24 hours of scheduling this meeting.

Chair Steve Combs called the Regular Meeting to order at 5:11 p.m.

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

Mr. Combs moved to enter into Executive Session for 121.22 (G)(8):To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, or to negotiations with other political subdivisions at 5:13 p.m. Mr. Miller seconded the motion. Roll Call: Mr. Miller - aye; Mr. Combs – aye. Motion passed. Included in the session were all elected officials, with the exception of Trustee Spradlin, Administrator Stock and Chief Dean Fox. Mrs. Spradlin arrived at 5:14 p.m.

Mr. Combs moved to exit Executive Session at 6:06 p.m. Mrs. Spradlin seconded. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion passed.

Mr. Combs called the Regular meeting to order at 6:08 p.m.

Roll Call: Sheila Seiter, Fiscal Officer, Susan Spradlin, Trustee; Steven Combs, Trustee, Alan Stock, Administrator; Scott Miller, Trustee.

All participated in the Pledge of Allegiance.

IN THE READ FILE:

Nothing in read file

FIRE DEPARTMENT:

Chief Fox asked Mr. Stock to read the letter of commendation for Firefighter Simpson. The letter was written by Lieutenant Kelly Hines, and thanked Firefighter Simpson for going above and beyond the call of duty. Mr. Roy Colbrunn was in the audience and commented that Firefighter Simpson has been recognized before and has heard his name mentioned more than once for going above and beyond the call of duty.

ROAD DEPARTMENT:

Mr. Stock spoke for Mr. Pile regarding updates for the Road Department.

Mr. Stock stated that as is typical for a snow event, and explained how Mr. Pile and the road crew handled the snow event.

Mr. Stock updated everyone about the boiler installation. The boiler at Station 51 is completely installed. Chief Fox stated that Station 52 is up and running. Mr. Stock stated the installers stated they would be completely finished before the end of business today. Mr. Stock explained the efficiency of the boilers and the new thermostats.

Mr. Stock explained the fuel oil exchange amounts, and explained that the fuel oil that was taken out of the old tank would pay for the new tank and the filling of that tank.

Mr. Stock stated that the new mowers came in last week. The seats are being installed today, and they will be delivered next week. Mr. Pile will decide what day he wants them delivered.

FISCAL OFFICER/FINANCE

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Mrs. Seiter stated that she had processed the payroll through the temporary mode due to the New Year. The documents are in the drawer for Trustee to review and acknowledge. This was the standard bi-weekly payroll.

Mrs. Spradlin moved to approve the payroll as presented, 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. 2017-001

Mrs. Seiter stated that there were three sets of minutes that needed approval.

Mrs. Spradlin moved to approve the Work Session Minutes of December 15 2016, 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.

RESOLUTION NO. 2017-002

Mr. Combs moved to approve the Regular Meeting Minutes from December 15, 2016, Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by a roll call of 3-0.

RESOLUTION NO. 2017-003

Mr. Combs moved to approve the Special Meeting Minutes from December 21, 2016, Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by a roll call of 3-0.

RESOLUTION NO. 2017-004

Mr. Combs asked about the End of Year/First of Year update. Mrs. Seiter stated that she had all the year-end figures done and just had some final reports to finish processing through the system. She is in a temporary mode that allows her to work in 2016 and 2017 at the same time to accomplish different goals. She explained her process and will finish the final report of the total figures for the year that will be filed with the Greene County Auditor. The bank statement is balanced with the carryover adjustments from 2012-2015 as before until the State Auditor can direct how to clear it out. Blanket certificates are done for 2017 so the crews can go back to purchasing.

Mrs. Spradlin asked about the differences in the reports that were sent to the Trustees in an email. Mrs. Seiter explained the Temporary Appropriations Report in more detail. She asked if they could rescind the old report and approve the new one, due to over appropriation from 2016 balances. Seiter advised the first temporary appropriations was approved the same meeting all raises and incentives were given and those calculations will be included in the final budget. There was discussion about the differences and changes were made to make the accounts balance. Mrs. Spradlin advised we should amend the resolution for the Temporary Appropriation so that it did not look like this was not done before January 1. Mrs. Seiter agreed that it would be the best idea to amend the Resolution.

Mrs. Spradlin moved to Amend Resolution 2016-296 as has been presented for Temporary Appropriations for 2017 from \$2,983,190 to \$1,551,566. Mr. Combs seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion passed by a roll call 3-0.

RESOLUTION NO. 2017-005

Mrs. Seiter stated that she had one more item and apologized that it is not on the agenda. She spoke about a letter and invoice for fees and penalties from the IRS that was received regarding the 2012 W-2's not matching the figures for our federal taxes. She explained that she had sent everything asked of her, and that the amount due is due at the end of January. She is hoping to have more answer by the next meeting, but wanted to make everyone aware of the issue and that she is working on it. Mrs. Spradlin stated in the past these had been paid, and then the IRS came back and stated that they had recalculated and the numbers were changed, and stated that this process could take months.

ADMINISTRATOR:

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Mr. Stock advised that he had a letter of conveyance from the Zoning Commission. He advised that the Trustees need to set a date for a public hearing for Towers and Exceptions to Building Heights. He explained the packet of information regarding the zoning resolution text changes. He stated that the Trustees needed to set a date for the public hearing within thirty days of receiving this information. There was discussion about a date, it was set for February 2, 2017 at 7:30 p.m. and Mr. Stock advised that he would take care of the advertisement.

Mr. Stock advised that three months ago the Trustees did a resolution that imposed a moratorium of six months on the issuance and processing of any of the permits allowing cultivators, processors and retail dispensaries for medical marijuana within the township. It was also sent to the Zoning Commission to have them look into this issue and send back a recommendation. The Zoning Commission has talked about this issue every meeting since. Mr. Stock stated that the Trustees have a packet of all the pertinent information from the Statehouse, Greene County Regional Planning, ORC, and the Administrative Code. He advised the Trustees what he learned from a seminar regarding medical marijuana. He stated that there was a lot of information and asked the Trustees to review it and then have a discussion at the joint meeting on January 31, 2017. Mrs. Spradlin asked how binding a decision would be, if it could be changed down the road if the Trustees saw a need. Mr. Stock advised it would just take a new motion with a second, as with any resolution. Mrs. Spradlin then asked if it would be the same in reverse, if they voted to allow then decided it was not a good decision. Mr. Stock stated no, once you say yes then there is no going back. Mrs. Spradlin was satisfied with those answers. Mr. Stock continued to discuss the option of medical marijuana for the township.

Mr. Miller stated that if it is a retailer; he thought the business would need to do something other than just medical marijuana. Mr. Stock advised mostly like this would not be the case, these would be an all cash business and these do make huge money. It was decided the discussion would be continued until January 31.

Mr. Stock advised that he was giving everyone a copy of the committee assignments that were approved during the reorganizational meeting. Mrs. Spradlin stated that a change needed to be made for the Water/Wastewater Advisory Board. Mr. Stock thanked her for pointing that out and will make that change. He also gave them an updated Board Member sheet.

Mr. Stock advised that he had given the Trustees the OTA Winter conference packet is the overall schedule. This has information that shows his schedule, and he asked if anyone could go to a few of the meetings for him because they are happening at the same time. Mr. Combs stated that the meeting regarding annexation would be good for all.

Mr. Stock stated that he had information regarding the HSA issue. He stated that he had communicated to all staff that is on the plan the resolutions from last time. We have an affidavit of what they need to do about whether they do or do not have a spouse. He has received paperwork back from one employee that they are going to go off of our insurance, and another employee that they are going from a family to an employee and spouse. He wanted to share with the Trustees the projections for the potential savings regarding the changes being made to the insurance.

Mrs. Spradlin stated that there were things in the letter sent out to the employees with insurance that had not been discussed yet. She stated that they had not discussed whether children would be staying on or going off the insurance, because in the last meeting there was discussion about entertaining a motion to add the percentage charge if employees decided to stay on the insurance with no changes.

Mr. Combs stated that he thought this was someone else's idea and not his, he stated that he had not said anything about the penalty/charge. Mrs. Spradlin stated that it is not really a penalty but an extra charge for keeping children on the insurance and the second part was about if they include children or not. She stated that they have information that states that employee and children but our statements and all of the resolutions did not mention about children and it did specifically exclude spouses. It did not exclusively exclude children but it did not include them either. She stated

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that there needed to be more discussion about children and the insurance. Mr. Combs asked Mr. Stock if he had done any research on this matter.

Mr. Stock stated yes and he thought that what he had sent out were the changes that were being made. There was discussion about the changes for the insurance. Mrs. Spradlin stated that she thought there was going to be more discussion before anything was sent out to the staff. He stated that he is researching the issue of doing a HSA type account and make it matching. Right now the Township would not be eligible for a high deductible plan. HSA by the IRS definition is a deductible plan with a first \$2,700 the individual has to come up with on their own, no co-pays and no matching and no deductibles. The deductible is \$2,700. After that he stated there is a health reimbursement, health savings or a flexible spending. There was discussion about the different types of accounts and how they work. He is still acquiring information but wanted to give an update of what he had found to date. Our Ohio Insurance Service agent Frank Harmon is willing to come in and talk to the Trustees and answer their questions about the options available.

Mrs. Spradlin stated that the information that was sent out was not right, because changes need to be made. Mr. Stock agreed revisions need to be made.

Mr. Miller stated that this would be a voluntary program. Some individuals may see a benefit to it and other may not, but this would not be a mandatory program.

Mrs. Spradlin asked who decided these changes are supposed to take effect on February 1. Mrs. Seiter stated that the effective date was up to the Trustees. Mr. Stock stated that what was sent out asked for it to be returned by January 30.

Mr. Combs asked Mr. Stock to contact Mr. Frank Harmon to find out what time he could come by the office to have an informational meeting. Mr. Stock stated that Mr. Harmon said he could be available after noon, and stated that he could record the meeting for those who could not be at the meeting.

Mrs. Spradlin stated that they need to meet with Mr. Harmon and discuss the options before they make any changes. Chief Fox asked if the effective date could it go along with a pay cycle.

Mrs. Seiter stated that the previous resolutions mentioned February but not necessarily February 1 or a specific date. She stated that if the money is from a payroll deduction then they would need to be done in February so that they will be available in March. She also stated that there needs to be discussion about whether to deduct the 10% from one check or split between two.

Mr. Combs asked if they could move on to the next topic since insurance is a topic under Trustee business and they will be coming back to it then. Mrs. Seiter asked if there was something they needed to act on tonight. It was decided to move on and come back to this topic.

Mr. Stock stated that they have the schedule for 2017 Greene County Township Association meetings. He asked if the Trustees wanted to host one of these meetings. Mr. Miller suggested October; this would give us time to work on location and logistics. Mr. Stock stated that he would pass that date to the appropriate person.

Mr. Stock spoke about the Fire Association potential Gator type vehicle. After talking with the President of the Association and the chief, he explained the vehicle would be shared and who would be responsible for the maintenance when needed. The Treasurer, Roy was there and explained the idea of having a Gator type vehicle to utilize for different activities. They are thinking that since they are a community organization that they could provide this vehicle to others in the community. This would be a gift like the boat.

Mrs. Spradlin stated that the money was gained by fund raising and donations to help complete that for the boat, because at the time the Township was focused on water rescues. She believes that the Fire Association purchased the boat but did not have the funds needed, so it was a joint venture with the County Fire Chiefs. Mr. Miller

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asked if they want to outfit the vehicle for medical or for transport. Roy stated that he thought it would be outfitted for medical use. Roy asked if the Trustees were good with this idea and Mr. Combs asked for him to keep them informed on this, and he stated he would. Mr. Miller stated that he would like to know where it would be housed and other operational issues. It was stated that this information would be discussed and brought to the Trustees.

TRUSTEES BUSINESS:

Mr. Combs asked if Mr. Stock had any updates about the Hamvention. Mr. Miller stated that he thought everyone had interest in doing something with the Fairground property. A question was brought to him about the legal ramifications that the Township could not rent out space. Mr. Stock stated that he thought that they can, and Mr. Miller suggested that it just be looked into before they make too many plans. Mr. Combs stated that he thought it would be like the farmer's market. Mr. Miller stated that they needed to be sure to have the policies in place, but before going too far having the rules and regulations in place. His question was do they need to get the Prosecutor's advice so that they do not go down a path that could cause problems. Mr. Stock stated that he believed this question had been asked and the answer given was that fees needed to be in place through zoning. He anticipated that everything would be legal. As for the camping, the Township would have to ask Greene County Health about overnight camping. He explained this process of Temporary camping regulations from the health district. He stated that as long as they did this through a zoning permit it would be good, and he would get more information to them about the temporary Camping as soon as he could. There was discussion about needed for dumping that may be needed for the campers.

Mr. Combs asked about the Firefighter earned day off and if anyone had any questions. Mr. Stock advised that this had been resolved.

Mr. Combs asked for discussion about Township Training. Mr. Miller explained that as they were going through things there was talk about training and how it applies throughout the Township. A large part deals with the Fire Department, but the road crew does training as well. There are safety procedures for both departments, and how to utilize equipment, and maybe even some office functions, and how they would respond to different situation that may come in the front door. So the question is whether these things are getting done that need to be done and where do we need help. He spoke about the Fire Department, is everyone getting training, not just State training but training specific to the Township. Chief Fox stated that they were getting training on the vehicles and equipment. All Firefighters have hours they must complete for the State, but since so many of ours work two or three places they get many hours from their other jobs. He stated that he would not sign off on anyone's hours that were not complete.

GUESTS:

Mr. Combs recognized Roy Colbrunn in the audience and thanked him for the information he shared tonight. Mr. Combs stated that he hopes he continues to come to future meetings. Mr. Colbrunn stated that he hopes to do so. Mr. Colbrunn asked if the meeting was ending.

TRUSTEES BUSINESS: CONT.

Mrs. Spradlin stated that they were going to continue the discussion regarding the insurance.

Mr. Combs advised that they would go back to Trustee business and continue the discussion regarding insurance coverage. Mr. Combs stated that there have been some recent changes to the insurance coverage. He asked if there were any questions or comments.

Mrs. Seiter advised she wanted to add comments about the timing, new employees, and leaving employees; and how to get your premiums processed through payroll checks. What she saw at the County was that they deducted the premiums the month before they were due to the insurance company. This allowed them to not be behind if an employee quit.

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Mrs. Spradlin asked if this was because they did not have continuous coverage they then had COBRA. Mrs. Seiter agreed and explained this way the deductions could be worked along with the pay periods. If someone left and the premium had already been deducted, then the insurance company does not cut them off the date of leaving but the first of the next month. If necessary, a refund of the deduction could be sent to the employee. She advised she is comfortable with splitting the deduction between paychecks.

Mrs. Spradlin stated that she thought that the motions were made so that this would start with the first pay in February, and the insurance would be effective in February or take place in February. She believed that they had left this open so that Mrs. Seiter could be sure to have everything ready in the system.

Mr. Miller stated for clarification that what Mrs. Seiter just described that he would expect that this would be what would be followed unless there is a difficulty with it. So, the deductions that come out in February would be for the March premiums and that they would come out of the two paychecks in February.

Mr. Stock asked that an employee will be paying their own for only ten months not eleven months for this year. Mr. Miller agreed. Mr. Stock advised that the Trustees realize that regardless of when the premiums are due that any employee who leaves before the end of a month, we would be able to pay those premiums out of the last single paycheck. Mr. Stock gave an example of what could happen to an employee who may quit, and how the pay could be handled.

Mr. Miller stated that he thinks the way Mrs. Seiter is talking about doing it is a fair way to handle the deductions.

Mr. Combs stated that he thought they had a start date of February 1. Mrs. Seiter stated that she did not think they were clear enough and each made an assumption of what we each thought when it was going to be started. The Trustees took legislative action, and Mr. Stock and Mrs. Seiter had different understandings of the details. The changes had to take place and she does not think that they talked about those in enough detail.

Mrs. Spradlin stated that she wanted to be sure that they gave the employees enough notice because what was sent out had dates on it. Mrs. Seiter stated that maybe a date was brought up in Executive Session for this to take effect and that might be where the dates are coming from.

Mr. Stock explained what a carve-out was and how to deal with not allowing children and how that could be handled whether it is an existing or new employee. He advised we are not allowed to exclude children. He also spoke about how surcharges could be handled in regards to the insurance.

Mrs. Spradlin stated that this answered her other questions dealing with whether they are allowed to exclude children, and whether the children can stay on the insurance.

Mr. Stock stated that after the last meeting his first task was to communicate to the employees. So he did six hours of research and wanted to do his due diligence to get the information from the Trustee meeting to the employees. There was discussion about the start date for the changes. Mrs. Seiter stated that she had the understanding that spouses that would be coming off would start in March because the deduction would be done in February for the March premium. So that is where she saw the confusion. Mr. Stock read the letter that he sent to the full time employees regarding the changes to the insurance. Mr. Miller stated that the only thing is that the date of February 1 was not in any of the motions that were passed in the meeting. Mr. Combs stated that he thought the changes would take effect February 1. Mr. Miller stated that he thought it would be February when it went into effect out of the paychecks but it was going to be for the March premiums. Mrs. Seiter stated that she would make that a goal and hopefully they could get the answers needed from the insurance company and do the calculations so that everything could fall into place. Mr. Combs wanted to clarify what he meant by pay in the arrears, he did not mean the Township but the employee. Mrs. Seiter added she would process

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as two of the Trustees are saying by employee's paying as you go, and said this would be fine and they could work it out when an employee decides to leave.

Mr. Miller stated that he thought they needed to make their intentions known now so that this needed to be put into a motion and what is going to be done on February 1. So what is happening in February and for what purpose.

Mrs. Seiter stated that the December 29 Reorganizational meeting was a six hour meeting with four hours of Executive Session that we have no documentation and two hours of a meeting. Everyone was very tired at the end of those six hours and it is what it is and she will follow the guidelines in the memo that the administrator sent out to the employees. This seems to be how the majority of the Board is leaning on this issue. She will deduct half of the 10% deduction from the payroll for February 3rd and 17th from the employees that will remain on the insurance. She suggested that all employees go with the February 1 date for employees to check with their spouse's available insurance.

Mrs. Spradlin stated that she listened to the motion and the recording of the meeting and she wrote everything down word-for-word. She has those notes with her and she knows that they did not say February 1. She also has her recording in her pocket but that does not matter, we said February. February 1 has been picked and she does not have a problem with it. She stated that these details were being left up to what worked out as far as what Mrs. Seiter could do with her busy fiscal schedule. She explained that she just hopes this gives all employees enough time to get other insurance.

UPCOMING MEETING DATES:

- Jan. 19, Regular work session and Trustee meetings
- Jan. 24, Zoning Commission
- Jan. 31, Combined Zoning Commission/Trustee meeting

COMMITTEE REPORTS:

- Gr. Co. Regional Plan: Steve Combs - cancelled
- Health District Advisory Council: Susan Spradlin – no meeting

Mr. Combs added that last year was his first year as Trustee and there were some ups and downs, but he really enjoyed it. He likes this job and he likes the people he works with, not just the five of them in the meeting but also Chief Fox, Jim Pile Road Superintendent, he could not ask for better people. Now in 2017, he stated that 2017 is going to be a good year. We are not always going to agree, but that is part of the process. So for 2017 we are going to be positive and we are going on up and improve things. We made great decisions in 2016 and we are going to continue this in 2017.

ADJOURNMENT:

Mr. Combs moved to adjourn, Mrs. Spradlin 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 8:34 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