

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
SEPTEMBER 20, 2018 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 5:15 p.m.

ROLL CALL: Sheila Seiter, Fiscal Officer; Scott Miller, Trustee; Steve Combs Trustee, Chair; Susan Spradlin, Trustee. Alan Stock, Township Administrator was absent.

All participated in the Pledge of Allegiance.

Mr. Combs moved to enter Executive Session at 5:16 p.m. for R.C. 121.22(G)(1) To consider the employment, dismissal or compensation of a public employee. Mrs. Spradlin seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

Mr. Combs moved to exit Executive Session at 6:05 p.m. and stated those included in the executive session were all four elected officials. Mr. Combs started the regular meeting.

FISCAL OFFICER:

Mrs. Seiter requested the approval of the Annual Acceptance of Rates and Authorizing Tax Levies and Certifying them to the County. Mr. Miller moved to approve the Acceptance of Rates and Authorizing Tax Levies and Certifying Them to the County Auditor. 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. 2018-139

Mrs. Seiter presented the payroll. Mr. Miller moved to approve the payroll 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. 2018-140

Mrs. Seiter presented the bills and noted a few questions. Mrs. Spradlin stated she was just wondering if the gear repair was for something old or new. There was discussion about the repaired turn out gear. Mr. Combs moved to approve the bills 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. 2018-141

ADMINISTRATOR:

Mr. Combs asked Mrs. Seiter if she should report on Mr. Stock's agenda items in his absence. Mrs. Seiter advised she probably could for some of the items. She advised the zoning training request is for the annual opportunity for Zoning Commission, Board of Zoning Appeals, Trustees, and the Zoning Inspector for December 7 at the Miami Valley Planning and Zoning Workshop. She stated this was something Mr. Stock asked for each year, she was not sure of the fee but did not think it had changed from the previous year. There was a brief discussion of the benefits and prior attendance by members.

Mr. Miller moved to approve the Zoning Training for Zoning Commission, Board of Zoning Appeals, Trustees and Inspector at Miami Valley Planning Workshop on December 7, 2018. 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. 2018-142

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Mrs. Seiter requested the Trustees declare 2064 Old US 35, Parcel # M36000200380001000 a nuisance by tall weeds.

Mr. Combs moved to declare 2064 Old US 35, Parcel # M36000200380001000 a nuisance by tall weeds. Mr. Miller seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-143

Mrs. Seiter advised a document had been provided for the Motor Vehicle Tax Monies received under Section 4504.16 and stated Mr. Stock amended the resolution to apply to us. Mrs. Seiter advised she did not have much knowledge of this resolution to help explain in Mr. Stock's absence. Mr. Miller stated it would increase the Township's income from the part of the Motor Vehicle Tax that was derived from license plate registration. He stated it would not increase license plate registration fees to the residents rather it would redirect funds that go to the County Engineer and they would then come to us. Mr. Miller advised the County Engineer was aware of this resolution and does not have a problem with it and would like to see Townships take advantage of this opportunity.

Mrs. Spradlin moved to approve the Motor Vehicle Tax Section 4504.16 Resolution 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. 2018-144

Mr. Miller noted this was a resolution that would have to occur annually and it needs to be forwarded to the County Commissioners once signed. Mrs. Seiter stated she would be sure it was delivered by the due date.

Mrs. Seiter advised she did not have any details of the Career Center move, roadway to connect US 68 S and Union Road nor the payroll tax benefit per the agenda. Therefore she asked for that item to be tabled. Everyone agreed to table this discussion.

Mr. Combs stated the Xenia Chamber Meeting report would be tabled in Mr. Stock's absence.

Mrs. Seiter advised Mr. Stock had supplied everyone a detailed Life without Carryover Funds spreadsheet. She very briefly explained the spreadsheet and suggested this be tabled until Mr. Stock returns.

TRUSTEE BUSINESS:

Washington Road Discussion: Mr. Miller stated the Board had talked about this during a couple of meetings and stated there was a question of going to speak with the residents. He stated he would like to see this happen and answer any questions before moving forward. Mr. Comb stated during the last meeting that he would go out and speak with the residents and look at the area. He stated he did this and advised he still had mixed feelings about it overall. He stated there were some standing water issues. Mr. Combs stated he thinks part of it was residual from the project and some of it was due to down spouting tiled out that way and also sump pumps. He stated overall, after meeting with the residents, he feels it is a 60/40 split of what the Township did and that the Township should fix it. Mr. Combs advised to what work he thought could be done to rectify the situation on Washington Road. Mrs. Spradlin advised she did not think this should be taken on by the Township. Mr. Miller stated there had been talks with a contractor, and a quote to install the pipe. Mr. Miller stated that he had suggested the Township provide the cover dirt from the Township's supply and, depending on the quality of that supply, would furnish top soil and pay the contractor. Mr. Miller stated the residents would pay for the pipe, the seed and the straw necessary to do that part of it. Mrs. Spradlin stated Mr. Stock had advised this was not the order needed to proceed, for the Township to put anything on the property it has to be done in a certain manner otherwise the Township could be held liable for all of it. Mr. Combs asked if Mrs. Spradlin meant in the terms of the assessment. Mrs. Spradlin stated yes, the assessment, the way it would be paid, the possibility of who would own the pipe, who would take care of the pipe afterward. She stated there were so many questions that were unanswered. Mr. Miller stated this would be dealt with through an agreement with the property owners before any steps forward. Mrs. Spradlin stated they were already taking a step forward by doing this motion. Mr.

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Miller stated he was asking for an agreement from this Board that the project was to happen and then talk with each property owner and have a signed agreement just like they did with the road agreement. Mrs. Spradlin stated they were told during the last meeting that was not the way to proceed. Mr. Comb stated it was unfortunate that Mr. Stock was absent but he was ok with them doing the improvements because he feels there were repercussions from the Washington Road Project that had caused some of these problems; however, he does recall a discussion about the assessment. Mr. Combs advised he was not comfortable with this since Mr. Stock was absent to clarify this issue. Mr. Miller stated there were two things concerning the assessment; one was they could enter into an agreement where the property owners pay the Township through the Fiscal Officer based on a bill she could create, and two in talking to the County Auditor so long as there was an agreement with the property owners ahead of time it would suffice for the County Auditor. Mrs. Seiter stated she had spoken with Mr. Miller about this and in comparison, with the nuisance weeds, then yes, we can have the project done and give the property owners a chance to pay the Township but if they do not she can have it put on the special assessment to the County Auditor. Mrs. Seiter advised when she and Mr. Stock attended the tax budget meeting with the County Auditor and Treasurer, she asked them about the process for the additional street light poles and how that goes onto the street assessment. She stated she also mentioned this project and the curb/sidewalk project. She stated both the Auditor and Treasurer both stated the Township had to incur the debt first. She stated it was confusing to her and she thought the Trustees should also talk to the County Auditor and Treasurer to get more confirmation of the understanding. Mr. Miller stated he recalled the discussion with the Administrator when they did the Washington Road Improvements before was the Township would install the pipe through the project and then the property owner would have ownership of the pipe after the fact. Mrs. Spradlin stated she spoke with Mr. Stock yesterday about getting things in writing and he had told her that this needed to be done in writing before it was approved, so that everybody knew who was responsible for the pipe. Mr. Combs stated he would not be able to go forward with this project. Mrs. Seiter stated if she understood, the Township would have to enter into an agreement with Ken Middleton, so there would need to be a purchase order with him to pay it. Then she asked how and who was acquiring the items that the residents were to pay for, will they pay a contractor/supplier separately or was the Township getting everything and the residents were paying the Township back. Mr. Miller stated the resident would pay the Township back. Mrs. Seiter asked if the pipe and the straw would be the part of the assessment only and not the other part. Mr. Miller stated this was correct. Mrs. Seiter stated this was where the assessment would come in to play so this would make it consistent if the Township was the facility to get the items. There was discussion about the purchase of the items for the project. Mrs. Seiter asked if legal council would be needed to draft the agreements with the property owners for the future maintenance and this part of it where it would be acknowledged that it would be on the assessment. Mr. Miller stated that would be another step but he does not want to approach them until he has an agreement from this Board that the project would be supported. Mr. Combs stated he would support the project. Mrs. Spradlin asked if they were replacing tiles also. Mr. Combs stated they were not replacing but adding new. There was discussion about who would purchase the equipment needed for the project so that the correct items were purchased. Chief Fox asked if there would be a date on this project for the residents. Mr. Miller stated he would like to have it done this fall. Mr. Combs asked if Mr. Miller had an idea what the residents would prefer an assessment or an invoice from the Township. Mr. Miller stated he left it open ended and that it could be done either way depending on what this Board would decide would be an acceptable method. Mr. Miller stated he would like the motion to start the process by having a written agreement with the property owners, having a contract in place with a contractor and if a property owner does not like the agreement then they would not be a part of the project. He stated this would benefit the property owners. There was discussion about which properties should be part of this motion.

Mr. Miller moved to enter into a project for four properties and with Ken Middleton (contractor) and other steps to be done. – Written agreements with owners with addresses; - Contractor's portions for Mr. Hildebrandt and the three properties East of him on the South side of Washington Road, addresses:283, 309, 311, 319. 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. 2018-145

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FIRE DEPARTMENT:

Chief Fox requested the Trustees declare Rescue 52 Vehicle property unneeded for (Xenia Township's) municipal purposes and to dispose of it by public auction when Engine 51 is back in service in October. Mr. Miller asked when the new engine would be ready. Chief Fox stated it would be ready in February. Mr. Miller asked if they wanted to do this before the new engine arrived. There was discussion about the vehicles available for the Fire Department until the new engine arrived. Mrs. Spradlin asked if operations would not be affected if this vehicle is declared unnecessary tonight. Chief Fox stated this vehicle would stay in use until the 2007 (E51) was back in place from repairs. Mrs. Spradlin asked when they would be taking everything off of Rescue 52. Chief Fox stated when Engine 51 comes back after valve work, and that the equipment could be removed from Rescue 52 in about a day. Deputy Chief Beegle stated this would allow the process to move forward however the vehicle would not be retired from service until it was convenient for the department. He stated by declaring it unnecessary it would allow them to start looking into advertising, value of the vehicle, and start getting the word out about the vehicle.

Mr. Combs moved to declare Rescue 52 unneeded property and dispose of by Public Auction when Engine 51 is back in service starting in October. 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. 2018-146

Mr. Miller stated Rescue 52 is a 1998 Heavy Duty Rescue that the Fire Department has had for quite some period of time. The request was to remove it from the fleet, not due to mechanical problems but due to change of operations; with the new engine that is due in the first part of next year. The equipment will be moved to other vehicles until that time, the vehicle is sound, just unnecessary with staff and our department changes. The vehicle will be sold to the highest bidder.

UPCOMING MEETING DATES:

September 25, Zoning Commission
October 4, Trustee Meeting

GUESTS:

Mr. Combs noted there were no guests in the audience.

ADJOURNMENT:

Mr. Miller moved to adjourn at 6:53 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: _____

L. Stephen Combs, Chair

Resolution # _____

Attest:

Scott Miller

Sheila J. Seiter, Fiscal Officer
MEH

Susan Spradlin