

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REORGANIZATIONAL MEETING
JANUARY 14, 2016 5:00 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 place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio.

Susan Spradlin welcomed everyone and called the 2016 Reorganizational Meeting to order at 5:00 p.m. She said several things have been added to the Agenda. This was a Reorganizational Meeting advertised on the Xenia Township website within 24 hours of scheduling the meeting.

ROLL CALL: Susan Spradlin, Trustee Chair; Steve Combs, Trustee; Scott Miller, Trustee; Sheila Seiter, Fiscal Officer; Alan Stock, Township Administrator. Also present were Dean Fox, Fire Chief, and Jim Pile, Road Superintendent.

All in attendance participated in the Pledge of allegiance.

BOARD APPOINTMENT:

Mr. Miller nominated Mr. Combs as Chair for 2016. Mr. Combs declined as he was newly elected. Mr. Combs made a motion to appoint Mr. Miller as Chair, seconded by Mrs. Spradlin. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-011

Mr. Miller made a motion to appoint Mr. Combs as Vice Chair. Mr. Combs did not think he was ready. Motion died for lack of a second. Mr. Combs made a motion to appoint Mrs. Spradlin as Vice Chair, seconded by Mrs. Spradlin. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-012

MEETINGS:

Trustees and staff discussed the date and times for the 2016 regular Board of Trustees meetings. Mr. Miller made a motion to hold the regular meetings of the Board of Trustees on the first and third Thursdays of the month at 7:00 p.m., seconded by Mr. Combs. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-013

COMMITTEE APPOINTMENTS:

Trustees discussed the committee appointments for 2016. Mrs. Spradlin made a motion to make the following committee appointments for 2016, seconded by Mr. Combs. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-014

Chamber of Commerce:	Rep. Alan Stock	Alt. Susan Spradlin
Chamber Safety Committee:	Rep. Dean Fox	Alt. Alan Stock
Combined Health District: (District Advisory Council)	Rep. Susan Spradlin	Alt. Steve Combs
Greene County Regional PCC:	Rep. Steve Combs	Alt. Scott Miller
Greene Co. Communications (911):	Rep. Dean Fox, Greg Beegle	

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Public Records Retention:	Rep. Chair, Fiscal Officer w/help of Secretary	
Source Water:	Rep. Scott Miller	Alt. Alan Stock
Water/Wastewater Advisory:	Rep. Jim Pile	Alt. Alan Stock

VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND (VFFDF):

Mr. Miller made a motion to appoint the five individuals as provided on the State Fire Marshal's form to the VFFDF Board (Kenneth Penewit, Christopher Seiter, Elizabeth Evans, Roy Colbrunn and Ronnie Shaw) to serve a one-year term commencing on January 1, 2016. Motion was seconded by Mr. Combs. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-015

ZONING BOARDS:

Alan Stock commended both Zoning Boards for their diligence and careful deliberations. He recognized the sitting members and recommended that Ken Penewit be re-appointed to the BZA for five years. Mr. Miller made a motion to appoint Mr. Penewit to the BZA for another five (5) years with term ending December 31, 2020, to appoint Donna Randall to the Zoning Commission for a five year term, and to pay both Zoning Board Members at a rate of \$20.00 per meeting attended payable in December (a member could still wish to be an unpaid volunteer). Motion was seconded by Mr. Combs. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-016

TAX SETTLEMENT DRAWS:

Sheila Seiter requested a resolution be approved providing for Township ability to request early draws from the County Auditor's Office on the semi-annual property tax settlements if the Board sees an upcoming need during 2016. Mrs. Spradlin made a motion to approve the request from Mrs. Seiter for a resolution providing the Township the ability to request early draws from the County Auditor's Office on the semi-annual property tax settlements if the Board sees an upcoming need during 2016. Mr. Miller asked to strike the last part of the request "if the Board sees an upcoming need". Mrs. Spradlin saw no problem with including the phrase. Mr. Combs seconded the motion. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-017

END OF YEAR FINANCIAL:

Mrs. Seiter said there were no adjustments at this time.

TRAVEL AND MILEAGE REIMBURSEMENT:

There was discussion about reimbursing elected officials and employees for mileage expenses in private vehicles. Mrs. Spradlin suggested starting mileage calculations at the Township Office and ending at the Township Office. Mr. Miller made a motion to reimburse Township elected officials and employees for mileage expenses in private vehicles for approved Township business under ORC guidelines at the IRS approved rate per mile as it may be at the time the expense is incurred. Mr. Combs seconded the motion. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Nay. Motion **PASSED** by roll call of 2-1.

RESOLUTION NO. 2016-018

Mrs. Spradlin said the Employee Handbook also includes gratuities and parking for travel. Mrs. Spradlin made a motion to reimburse Township elected officials and

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employees per diem for approved Township business under ORC guidelines—GSA daily reimbursement rates will apply provided with a receipt. Motion seconded by Mr. Combs. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-019

STATE AND NATIONAL CONVENTION AND CONFERENCES:

Mrs. Spradlin made a motion to allow for expenses for elected officials and Township employees to attend State and National Conventions and Conferences pre-approved by the Trustees on an event basis and for the same to be paid from the appropriate Fund. Motion seconded by Mr. Miller. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-020

BENEFITS:

Mrs. Spradlin made a motion to approve life, health, vision and dental insurance to all full time Township employees and elected officials with the knowledge that contribution levels will change with advanced notice during 2016. Mr. Miller seconded the motion. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-021

TRUSTEES COMPENSATION:

Mr. Miller made a motion to pay the Trustees and Fiscal Officer according to the statute (ORC 505.24 and 507.09) and the cost of living increases altered by the General Assembly in 2015 as has been done in the last several years. Mr. Combs seconded the motion. Mrs. Spradlin clarified that Mr. Miller meant annually. Mr. Miller stated the motion the way he did because the ORC says once the Trustees set in place how they want paid it stays that way until reversed. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-022

SEASONAL ROAD DRIVER:

Mrs. Spradlin explained in the past with snow emergencies the Township has had to hire people to come in quickly to help with the roads so a resolution would speed the process for hiring of those temporary people. Mr. Miller asked to change the word “driver” to “worker” so the Road Superintendent can use them as he sees fit. Mr. Miller made a motion to allow the Road Superintendent to hire temporary/seasonal road workers as employees at a rate neither to exceed \$15.00 per hour nor to exceed yearly budgetary amounts. Mr. Combs asked how this affects the insurance. Mr. Stock said there is a policy to provide driver’s abstract, CDL and personal insurance. Mrs. Spradlin said the seasonal workers last year were paid as contractors on 1099s and were covered on the Township insurance. Mr. Miller said several years ago there was extensive wind damage after a storm where it would have been helpful to have a temporary worker. Mrs. Spradlin wanted more discussion at a regular meeting to compile a list, to discuss the pay and to put some restrictions on it. Mr. Combs said he was okay with that but it is January and might be necessary sooner. Mrs. Spradlin said last year four people did emergency snow plowing for the Township. Mr. Miller said at last year’s OTA Conference they had to deal with ongoing snow issues so he would like to get this in place. He said the Trustees could always adjust it in the future. Mr. Combs seconded the motion. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Nay. Motion **PASSED** by roll call of 2-1.

RESOLUTION NO. 2016-023

TOWNSHIP ADMINISTRATOR DIVISION OF COMPENSATION

Mrs. Spradlin asked about the Administrator's compensation coming from the Zoning Department. Mr. Stock answered Zoning is a sub-section of the General Fund. Mrs. Spradlin made a motion to have the Administrator's compensation be split 70% to the General 1000 Fund, 20% to an appropriate Fire Fund, and 10 % to an appropriate Road Fund. Mr. Miller seconded the motion. Roll Call: Mr. Combs- Aye, Mr. Miller- Aye. Mrs. Spradlin- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2016-024

GUESTS:

Mr. Joe Pence, Jr., 3300 W. Enon Road, spoke to the Trustees about Cemex owned property that was annexed into Fairborn City. He said Fairborn City Council allowed Cemex to rezone the property for mining. He said the citizens against this gathered enough signatures for referendum. He said the referendum was checked twice and certified by the Greene County Board of Elections and was supposed to go on the ballot. Mr. Pence said Cemex filed a protest several weeks ago stating some signatures are invalid. He said they hired an attorney with a starting retainer of \$5,000, but they have only come up with \$4,200 of the amount. He said they are asking the Township for \$800. He said if they can stop the protest it will go to the ballot and the citizens of Fairborn can decide if they want it or not. It is written in the agreement with Fairborn that if anything stops Cemex from mining, removes setbacks, or impacts their business, Cemex is returning the land to Xenia Township. Mr. Pence asked what would happen if the land comes back to the Township. Mr. Stock said If the referendum is approved it has 30 days before it becomes effective. If Cemex chooses detachment they would have to petition Fairborn for detachment and Fairborn would have to pass an ordinance that says they will allow them to detach. It would then go to the Greene County Commissioners for a hearing and vote. Then the land would be returned to Xenia Township. Mr. Pence said there is a Protest Hearing on January 21, 2016 at 9:00 a.m. in Courtroom #3 and he invited the Trustees to attend.

Karen Combs, resident of Fairborn, said she has been helping Mr. Pence with this process. She reported they gathered roughly 1100 signatures for the referendum. Over 300 signatures were thrown out but they still had enough signatures to put the referendum on the ballot. She said they continued to come back with signatures they did not like. The City of Fairborn had the petition for 15 days and recently submitted it to the Board of Elections without any objections. She said when they found out they did not succeed in getting enough signatures thrown out, they had new complaints. She does not live near Cemex property but she is a concerned resident and advocate.

Pete Waltz, 790 W. Hyde Rd., said when this started they had been told their house values would go up and as a real estate professional she knows that is untrue.

Dawn Falleur, 3806 St. Andrews Drive, said they have studies about research done around Delaware, Ohio which state a quarry and landfills are called disamenities. She said

David Graham, Greene County Auditor, said property values have dropped because of proximity to Cemex. She said townships and counties are losing money by approving things like this.

Mr. Miller said the State legislature has put county commissioners and townships at a disadvantage. The Township was not able to do much to reverse what the County Commissioners did. The County Commissioners also had tight rules from the State about reasons they could overturn what was brought to them. Mr. Miller said he understands Mr. Pence's request and said they would have to meet in Executive Session with Township's legal counsel before they could commit to anything.

Mrs. Spradlin also said they would have to discuss in Executive Session about providing money for legal representation.

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Mr. Pence thanked the Trustees for considering the issue. Mrs. Spradlin thanked the guests for coming.

TRUSTEES' BUSINESS:

Mrs. Spradlin said there were some things that carried over from the last meeting that need action at this meeting. She brought up minutes for approval. There was discussion about Mr. Miller alone approving minutes from 2012 because he was the only seated Trustee from 2012 whereas other minutes have to be approved by two Trustees. Mr. Miller asked to table the minutes until the next meeting since they were not on the Agenda.

Mrs. Spradlin asked if Mr. Miller wanted to table the bills until the next meeting also since they were not on the Agenda. Mr. Miller answered she was running the meeting. Mrs. Spradlin answered apparently not since she wanted to approve the meeting minutes.

ADJOURNMENT:

Mrs. Spradlin made a motion to adjourn the meeting, Mr. Miller seconded the motion. All voted Aye. The Reorganizational Meeting adjourned at 6:14 p.m.

Xenia Township Board of Trustees

Date Approved: _____

Susan Spradlin, Chair

Resolution # _____

Attest:

Scott Miller, Trustee

Sheila J. Seiter, Fiscal Officer

L. Stephen Combs, Trustee

slb