

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
MAY 1, 2014 7:00 PM

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.

PRESENT: Scott Miller, Chairman; Amy Lewis, Trustee; Susan Spradlin, Trustee; Alan Stock, Administrator.

Meeting was called to order at 7:00 p.m. All participated in the Pledge of Allegiance. This was a Regular Trustees Meeting advertised on the Xenia Township website within 24 hours of scheduling this meeting.

READ FILE: Buckeye Farm News-April
Covered Bridge Ribbon-Cutting Ceremony, May 9, 10 a.m.

FISCAL OFFICER/FINANCE:

A motion was made by Mrs. Spradlin to approve the bills as presented, seconded by Mrs. Lewis. Roll Call: Ayes: Mr. Miller, Mrs. Lewis and Mrs. Spradlin. Motion PASSED by a roll call of 3-0.

RESOLUTION NO. 2014-113

A motion was made by Mr. Miller to approve the payroll as presented, seconded by Mrs. Spradlin. Roll Call: Ayes: Mr. Miller, Mrs. Lewis and Mrs. Spradlin. Motion PASSED by a roll call of 3-0.

RESOLUTION NO. 2014-114

Approval of minutes from March 13, 2013 Emergency Trustees' Meeting and April 18, 2013 Work Session were tabled until next meeting.

There was a resolution regarding Direct Deposit that was approved in 2005 so no new resolution will be needed.

TRUSTEES' BUSINESS:

A motion was made by Mrs. Spradlin that Caesarscreek contract money be divided 50/50 into Fire Fund and EMS Fund, seconded by Mrs. Lewis. Roll Call: Ayes: Mrs. Lewis and Mrs. Spradlin. Nay: Mr. Miller. Motion PASSED by a roll call of 2-1.

RESOLUTION NO. 2014-115

There was a Public Hearing for the Rural Entertainment and Hospitality Text before the Trustees' Meeting, and a resolution will not be needed at this time.

FIRE DEPARTMENT:

The Trustees allowed Chief Fox to provide food (not to exceed \$250) for the Swift Water Rescue class. No resolution is needed because the amount is under \$500.00.

TRUSTEES' BUSINESS cont.:

Mrs. Lewis said the JEDD has been discussed for over two years. For each month the Township doesn't have the JEDD in place, the Township is losing out on a lot of money. She said new legislation is being proposed to change laws that will make it virtually impossible to enter into a JEDD. Many people had concerns about being in a JEDD. The Trustees told people they did not have to be a part of it if they did not want to be. The Township started talking to Central State University and the City of Xenia. Basically with a JEDD the Township would partner with another jurisdiction. Originally the Township looked at Xenia City because it made the most sense—it is contiguous to the Township, it already provides services to the Central State area, plus with a JEDD we can use the income tax rate for that jurisdiction--the rate for the City is 2.25%. She

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said Mr. Stock went to many other jurisdictions to see if they were interested in partnering with us and no one was interested. Therefore, the Township started working with the City. There have been many discussions and executive sessions. The City has finally said this is their last proposal. The JEDD would mean an economic plan in place with the Central State area to facilitate economic growth and to perhaps create or preserve jobs. Township money is so tight and the estate law is changing which will make it even tighter. The JEDD would be a source of revenue by bringing into the Township about \$100,000 per year, not including new construction at Central State University. We would be able to use Xenia City's 2.25% to tax the wages of employees of Central State University and the City and the Township would take a certain percentage as well as the JEDD board, with some consideration given to Central State University as well. With new construction it will bring even more to the Township. She feels they need to either take it or leave it at this point. The City has proposed the JEDD Board get 9.86% of total salaries \$19,940,000; the City would get 30.31% of new income; the Township would get 30.31% of new income; the City is asking for a Service Expense Recovery Fee of 7.7% (Mrs. Lewis recommends this be 4%.); 7.8% of total salaries will go to a water surcharge. (The City of Xenia already provides water to Central State University and there was discussion about freezing water rates for the City to be made whole for water they already provide.); 14.01% would be given to Central State University as an incentive for them to be part of the JEDD. A motion was made by Mrs. Lewis to accept the proposal from the City of Xenia, if they will agree to the change of Service Expense Recovery Fee from 7.7% to 4%, seconded by Mr. Miller. Mr. Miller stated the vote on the JEDD must be unanimous for it to pass. Mrs. Spradlin said she has only been part of these discussions since January and she wants to make the best decision for the residents. She said she doesn't want to get into something we cannot get out of in the future. She felt the money should go more to the JEDD Board. She wondered if there were other options in the past for partners. She agreed with Mr. Miller that money would go into General Fund and if needed for the JEDD it would be difficult to get it out. Roll Call Vote: Nay: Mr. Miller; Aye: Mrs. Lewis; Nay: Mrs. Spradlin. Motion FAILED by a roll call vote of 1-2.

Mr. Miller made the following comments for the record: Joint Economic Development District Central State University—Xenia Township already has a JEDD having to do with Tecumseh Elementary School on Old Springfield Pike, so he will call this one JEDD CSU. There have been discussions between Xenia Township, Central State University and the City of Xenia. We did talk to Fairborn City, Yellow Springs and Cedarville at different times. As Mrs. Lewis alluded, the most outstanding reason to partner with the City of Xenia for this purpose has to do with their income tax rate and the way the County is made up they are probably the closest to our community so it made sense to partner with them. Wilberforce University and Payne Theological Seminary are possibilities for future agreements or an addendum to this agreement. There have been some minor discussions with those entities, but the bulk has centered on Central State University. The intended need for this was to spur development around Central State University and Wilberforce University, to provide additional amenities for the university students and staff, the Wilberforce community, Xenia Township, and the eastern part of Greene County. What we were trying to do would be to provide additional services, restaurants, retail and hospitality that would service those schools, maybe even Antioch and Cedarville Universities, and the community at large. The intent would be to try to get some private development, such as research and development where they could utilize programs at the universities and students could help drive private enterprise there, small and medium businesses to interact with the community as well as the campuses. Possibly some light manufacturing from spin-offs from some of development done there. Additionally the JEDD could help infrastructure improvements, whether it be roadways and intersections, or utilities. U.S. 42 has been scheduled for an upgrade from just east of the campus to the city limits. That improvement had some "roundabouts" at several intersections with the intent of slowing traffic down and improving student access from one campus to the other. Currently, because we don't have any matching funds to put toward a program like that, the upgrade is about 25 years in the future. With a JEDD you could potentially make portions of that plan take place sooner. The other part that could benefit the Township would be to bring in some private based jobs and economic stability for the benefit of the student population and the community. Part of what Xenia Township has done in the past is talk to Central State University about a 6119 District. A 6119 is taking their water plant and separating it off from the school itself where it can be utilized for a broader area than just the school. The City of Xenia and the County currently provide

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their water from the Xenia plant. The 6119 would give some other avenues to consider. Other thing the Township has looked at is a Land Use Plan, which has not yet been adopted. There are things in the Land Use Plan that would definitely benefit this area. There was a lot of concern and discussion as to where the Land Use Plan was and how broadly encompassing it is and whether it should be modified. He thinks some modifications are being done. The Land Use Plan was a long rang plan (30-50 years). There have been things the Trustees have been trying to do to make improvements for Xenia Township to help the tax base. Some of the things haven't taken place yet. The JEDD itself could benefit the Township and help our tax base in the long term. Basically the status of the JEDD discussions at this point: the City of Xenia wants to protect its current revenues from Central State University. There are staff and employees that currently live in the City that they are already deriving income tax from and they want to protect those revenues in addition to what the JEDD could generate. The JEDD Board needs resources to accomplish the goals of the JEDD. The terms of the agreement at this point favor the City very heavily. With the protected current revenues that they want to deal with, administrative fees they have put on the JEDD, water reimbursement fees they would like to receive from the JEDD for the JEDD area, the overall package is heavily skewed and is not an equitable agreement for us at this point in time in his way of thinking. Mr. Miller asked for these comments to be part of the record.

Mrs. Lewis said since we didn't pass the JEDD these aren't ideas that can be used. Central State University planned, if the JEDD does not pass, to initiate annexation into the City of Xenia. When the President of Central State University shared with the staff the possibility of a JEDD and what it would mean to the University, there was great excitement. Mrs. Lewis questioned taking over Central State's water plant and thought it was presumptuous that they would let us take over the plant. Furthermore, before her time, there was an engineer's report that cost \$40,000 which showed the plant was deteriorating and had many EPA violations for whoever took it over. Even in a 30-year plan you cannot be guaranteed the Township would break even. The figures used assumed the student population increased every year which has not been happening the last few years. She said Mr. Miller had great points in his economic development plan and she would like to see them implemented. She does not want to lose Central State University—for the income or the historical significance.

Mr. Miller said the 6119 did not cost us that kind of money. The report did not show EPA violations. There are issues because it is an old facility and the wellfield is not stable. He said Mr. Stock tried to find middle ground between the City's proposal and the Township's proposal. Mr. Stock's proposal brought the Township revenue near the \$100,000 mark and the City's request for 7.7% service charge would be decreased to 4%. Central State is a very large part of this and they would retain \$50,000. The City continues to retain their current income. He thinks the water portion should be an agreement between the City and Central State University and not part of the JEDD. Mr. Miller's proposal is to go back to the City using Mr. Stock's plan and the minor change of 4% instead of 7.7% service charge, keeping in mind it is tied to an economic plan which needs to be drafted.

Mrs. Lewis said we have gone back and forth for over two years. She does not want it to be misleading--the City had said this is the last proposal and the Trustees voted against it. This is final tonight. She said this is not a perfect proposal, but she would rather have the income generated from the JEDD than nothing because of thinking it was unfair. That is why she made the motion tonight. She said Mrs. Spradlin had just become part of the meetings several months ago and she commended her on doing a fine job and for being more than prepared for the meetings and for generating support documentation.

Mrs. Spradlin spoke about people at the last meeting being upset about not knowing more about the JEDD discussions. By law, there are some things they are not allowed to discuss in public meetings. She said House Bill 289 (proposed by Kirk Schuring) is on the floor and is close to being approved. It would change who has control of the money, thereby giving less control of the money to townships. That is why the Trustees were trying very hard to get a JEDD in place before that happened so they would have a little more say about the money.

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A motion was made by Mr. Miller to accept the proposal Mr. Stock revised (dated 4-30-2014) with the minor change of Service Recovery Fee of 4%. The City would receive \$16,900 less with that change. Motion died due to lack of a second.

Mr. Miller reminded the Trustees of the Annual Road Ride the next day, May 2, 2014.

The next meetings will be May 15 with Work Session at 5:00 pm and Trustees' Meeting at 7:00 pm.

COMMITTEE REPORTS:

Health District Advisory Council: Mrs. Spradlin spoke about receiving a report full of good information and she left it on the table for all to view.

No other reports were given.

COMMENTS:

Mrs. Spradlin asked if they were going to talk about Township Tuesdays on the Work Session Agenda. Mr. Miller said they will probably talk about that in work sessions. Mrs. Spradlin complimented Road Superintendent Shuey on the good letter he had written to the residents. She also complimented the Fire Department on the letter they had done several weeks ago. She also said the phone bill reduced drastically and commended the employees.

Donna Randall thanked the Trustees for their service and said it was almost beyond the call of duty.

ADJOURNMENT:

There being no further business, a motion to adjourn was made by Mrs. Spradlin, seconded by Mr. Miller. Roll Call vote: All voted Aye. Meeting was adjourned at 7:54 p.m.

XENIA TOWNSHIP BOARD OF
TRUSTEES

Resolution # _____

Date Approved: _____

Scott Miller, Chair

ATTEST:

Amy Lewis

Barbara Miller, Fiscal Officer

Susan Spradlin