

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
JUNE 4, 2015 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.

ROLL CALL: Barbara Miller, Fiscal Officer; Susan Spradlin, Chair; Daniel O'Callaghan, Trustee; Scott Miller, 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:

GC Combined Health District PR (4)
League of Women Voters, June
Tecumseh Land Trust, Spring
2015 Ohio Sheep Day 7-11
Greene County Council on Aging, June/July

TRUSTEES' BUSINESS

The credit card issue was tabled until the next meeting to further work on it.

FIRE DEPARTMENT:

Mrs. Spradlin made a motion to accept the SOP 100-009, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-135

Mrs. Spradlin made a motion to hire Doug Cope as a POC at \$12.56 an hour, Mr. O'Callaghan seconded. Mr. Miller asked if he was a paramedic, it was answered that he was. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-136

Chief Fox gave an update for the Fire Training Grant in the amount of \$1,350

Chief Fox gave an update on the apparatus repair status; Bob Jones said it would be done on June 5.

TOWNSHIP ADMINISTRATOR:

Mr. Miller made a motion to declare the properties at 961 US 42 S, #M3600020023004600 and #M3600020023006400 nuisances and to have them mowed, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-137

Mr. Miller made a motion to declare the property at 625 Murray Hill Drive, #M36000200310003800, a nuisance and to have it mowed, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-138

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FISCAL OFFICER/ FINANCE:

Mrs. Spradlin made a motion to approve the bills as presented for June 4, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-139

Mrs. Spradlin made a motion to approve the payroll as presented for June 4, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan Aye, Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-140

The minutes for the Special Meeting from September 24, 2014 were tabled until the next meeting.

Mrs. Spradlin made a motion to approve the Work Session minutes from May 7, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-141

Mrs. Spradlin made a motion to approve the Work Session minutes from May 21, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-142

Mrs. Spradlin made a motion to approve the Emergency Meeting minutes from June 3, 2015, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-143

Mrs. Spradlin made a motion to rescind resolution number 2015-129 which was the payroll from May 7, 2015 as this was a duplicate resolution, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-144

Mrs. Spradlin made a motion to rescind resolution number 2015-127 which was the bills from May 7, 2015 as this was a duplicate resolution, Mr. O'Callaghan seconded. Roll Call: Mrs. Spradlin- Aye, Mr. O'Callaghan- Aye. Mr. Miller- Aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2015-145

GUESTS:

Mrs. Spradlin stated rules of conduct to the audience as there were a lot of guests. She asked each one to state their name and to direct questions to the Chair.

Thom Sears, 1550 Stone Rd., wanted to make a comment about the Fiscal Officer and the notice in the newspaper. He said he has known Mrs. Miller for years. He said she is a very hard worker and very honest. He said that she was not trained properly by the previous Fiscal Officer and has asked for help multiple times and received none. He then said if she is to pay back the fees, he would like to start a fund to help her pay it back. Mrs. Spradlin said all elected officials have to hold bonds. Mr. Sears said he did not want to see her lose her bond. He said he has seen Mrs. Miller at the office at 9:00 or 10:00 at night many times. He asked who handles the press releases. Mrs. Spradlin said the Trustees do handle press releases and they and legal counsel are trying to get a press release together for the Administrator to speak. In answer to Mr. Sears' question about the press release, Mr. O'Callaghan said the Dayton Daily News article came from the Auditor's Office, not from the Township. He said that is not usual practice for the Auditor's Office. He said they were also surprised by the press release. His last question was about the 2012 minutes. He said the Trustees need to move on those instead of putting them off. Mr. Miller answered Mr. Sears' comments about

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minutes by saying he was the only seated Trustee left from 2012 and he just received them several months ago. Mrs. Miller said on the record the 2012 minutes that are still outstanding are not all hers, some are from the former Fiscal Officer.

Janis James, 691 Bickett Road, said she stands in support of Mrs. Miller and that she was not supplied with the proper transition into the office. She said the prior Fiscal Officer was also dinged for using improper procedures. Her second concern was about Mrs. Miller being dinged about the purchase orders. She said Mrs. Miller has been asking for purchase orders to be filled out but no action had been taken from past Trustees or current Trustees. Her third concern was about the unnecessary Land Use Plan that none of the residents of the Township wanted. She said Mrs. Miller may have made a mistake, but it was while she was working hard on behalf of the people of the Township. She asked the audience to keep coming to the watch their Trustees in action—who does their homework, who is prepared, who is really working on their behalf.

Leona Fletcher, Neeld Dr., asked if the bond is going to pay all of the fees. Mrs. Spradlin responded that Mrs. Miller is covered for that amount and more, however the insurance company may ask her for recovery of the funds.

Donna Randall, 2051, U.S. 68 N., said she applauded Mr. Sears for stepping up and saying something.

Joanne Weddle, U.S. 68 N., said Mrs. Miller is one of the most trustworthy people in Xenia. She asked how Township residents know that the Trustees are trustworthy.

Liz Sacalascus, Beavercreek, asked why the Trustees aren't liable for the mistakes with the audit. Mr. O'Callaghan said the Board of Trustees has confidence in Mrs. Miller and backs her--this is coming from the State Auditor's Office, this is the way the Ohio Revised Code is written that a Fiscal Officer is responsible. He said there are no allegations of fraud or misspent money. He said Mrs. Miller accounted for the money, recorded it properly, but did not send it properly. He said the way the law is written there are penalties and fees for that.

Tom Sears said he has been coming to the meetings and has seen who comes prepared and who will answer questions. He said Mr. O'Callaghan had no idea of the hours the Trustee job would take and said he has used a lot of vacation hours in the six (6) months he has been Trustee. He also said Mrs. Spradlin works hours and hours.

Richard Kolozsi, Clifton Road, asked if the money was paid, where it went. The Trustees received notices from the IRS that payments were not being paid. Mrs. Spradlin said Mrs. Miller tried to contact the IRS but could not reach them. Mr. Sears asked if there was a clean audit when John Faulkner left. Mrs. Spradlin said there were recommendations but she could not tell specifics.

Steve Miller, Fairground Road, said he's known Mr. and Mrs. Miller for a long time and he seconds everything that has been said in support of Mrs. Miller. He gave a personal experience with the IRS and a mistake that was made. He asked if the Township is able to accept or reject the audit. Mrs. Hayden said the State Auditor audits every township in Ohio every two (2) years and the Township does not have the ability to reject an audit. Mr. Miller asked about challenging. Ms. Hayden said they could write their congressman. She asked what the core balance was that triggered all of this. Mrs. Spradlin had been told several things about why this was being pursued with such a vengeance. She said there has been discussion that the training is flawed. Mr. O'Callaghan asked everyone in the room what were the qualifications for Fiscal Officer—they have to be a Township resident and want the job. He said there is no statute to give the Fiscal Officer training before taking office and no requirement for previous Fiscal Officer to work with the existing one—so the system is broken. He said when a Fiscal Officer comes into officer the State Auditor's Office give them training on the Uniform Accounting Network (accounting system, not transaction system). He said you have to go the IRS site to follow their process or the OPERS site and follow their process. Mr. Miller said there are around 1700 townships in Ohio with such great

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diversity and the training at the State level is severely lacking—he said this has been an issue for a good while.

Janis James said the three (3) things spoken about today: 1) the State Auditor is running for re-election, 2) a lot of townships are under scrutiny and 3) there is an issue of training. She suggested writing letters saying extra training for Fiscal Officers would be a good idea. She said the State Auditor could run his campaign on the improvement of training for Fiscal Officers. Mr. O'Callaghan said this was out of the Trustees' hands.

Tom Sears asked how many CPAs refused to help Mrs. Miller with the audit. Mrs. Spradlin said that they had reputable CPA firm come in to get the books auditable, and they were mentioned in the audit. She said the CPAs also made multiple mistakes while helping with the Township's audit.

COMMITTEES:

Mr. Stock reported on the Zoning Commission Public Hearing for the proposed sign text amendments. He said the continued Public Hearing will be on June 23, 2015. If approved the text amendments will be forwarded to the Trustees for their Public Hearing.

Mr. O'Callaghan reported the Greene County Regional Planning Committee met and most of the meeting was discussion by Sugarcreek Township.

Mrs. Spradlin reported the Health District Advisory Meeting only meets once a year but she gets a copy of other meetings and the papers are in the read file. She reported an issue that was on the agenda.

Mr. Miller said he had reported on the Source Water meeting at the last Trustee meeting.

Mr. Stock reported the 1-Year Time of Travel Water Protection inspection was held the Friday prior to the meeting and everything was normal.

Chief Fox reported the guest speaker for the Safety Council meeting was sick so the meeting lasted about 25 minutes and they discussed Safety and Health.

Mr. Stock reported the Chamber of Commerce meeting will be held in two weeks.

ADJOURNMENT:

There being no further business, a motion to adjourn was made by Mr. O'Callaghan, and seconded by Mrs. Spradlin. Roll Call vote: All voted Aye. Meeting was adjourned at 8:03 p.m.

Resolution # _

Date Approved

ATTEST:

Barbara Miller, Fiscal Officer

XENIA TOWNSHIP BOARD OF TRUSTEES

Susan Spradlin, Chair

Daniel O'Callaghan

Scott Miller

MLP