

RECORD OF PROCEEDINGS

MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING
August 16, 2012 7:05 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.

PRESENT: Jim Reed, Chairman; Amy Lewis, Trustee; Scott Miller, Trustee; Barbara Miller, Fiscal Officer; Alan Stock, Administrator.

Meeting was called to order at 7:05 P.M. and pledge was given.

GUEST:

Thomas O'Diam, Attorney for the Nutter Family, explained the Nutter Family owns lands to the north of Kil-Kare Inc. He stated the Nutter Family received a notice that the Board of Zoning Appeals was going to be hearing an application from Kil-Kare Inc. requesting approval for the expansion of the existing non-conforming use and for some additional conditional uses on their facility. He said after looking into the case, there was a previous application in February or March where Kil-Kare Inc. made the exact application but it was for only one parcel that hosted the main track, and because of the 500 foot notice requirement hardly anyone was notified. He said since no one was at the meeting to object, everything they requested was approved besides camping and a dining hall use. The time to appeal the BZA case for the March meeting had already expired and they were out of luck. He explained the reasons they felt the second request should be denied, and the applicant ended up withdrawing the case. He said the main problem is the noise and the fact that it gets louder and louder and the racing is going longer and longer. They thought they should never have received the conditional use, and now people are going to be stuck with it. Mr. O'Diam said the conditional use was granted, but thought a noise study should have been required. He said if another application is received, for everyone in the neighborhood should get notified because the impact is not just to the surrounding property owners.

Thomas Sears, 1550 Stone Road, said he received phone calls after the last BZA meeting and thought if the applicant was given an inch they would take a mile. He questioned if the EPA should get involved, and suggested the Trustees take a look at the decision the BZA made because it grants Kil-Kare Inc. the ability to run seven days a week, 365 days a year, and he was not happy about it.

A motion was made by Jim Reed that with any commercial rezoning or conditional uses cases from this day forward the notification area to surrounding property owners be expanded to 1,000 feet.

Mr. O'Diam said that was one of their requests if the Board was going to approve the conditional use was that a noise study be conducted. He believed a lot of it had to do with topography, and thought a noise study would show the impact.

Motion was seconded by Amy Lewis.

Scott Miller suggested legal counsel look into this discussion before making a motion.

Jim Reed rescinded his prior motion, and made a new motion that the notifications for all districts be expanded from 500 feet to 1,000 feet. Scott Miller said he was not prepared to vote until he had spoken to Stephanie Hayden. Amy Lewis seconded the motion. Motion PASSED by roll call vote of 2-1. (Miller)

RESOLUTION NO. 2012-262

A motion was made by Jim Reed for the Township to purchase an outdoor portable decimal meter for enforcement of the Township's zoning text. The cost of the equipment was discussed. Motion was seconded by Amy Lewis. Scott Miller suggested this item go to work session and get some costs on the equipment before approving a motion. Motion PASSED by roll call vote of 2-1. (Miller)

RESOLUTION NO. 2012-263

A motion was made by Jim Reed that the Zoning Board review and establish a decimal limit for external effects. Amy Lewis seconded. Motion PASSED by roll call vote of 3-0.

RESOLUTION NO. 2012-264

A motion was made by Jim Reed to establish a limit of \$1,000 to spend on a decimal meter, seconded by Amy Lewis. Motion PASSED by roll call vote of 3-0.

RESOLUTION NO. 2012-265

Mr. Sears asked where the Township stood with the Fire Department, and felt that it is running better now that it has in the past eight or nine years. He said he requested some records over a month ago and questioned when he could expect to get them. Jim Reed said the Fire Chief is on paid administrative leave and there are lots of issues associated with it. They will not be making any further decisions until Stephanie Hayden is available. Mr. Sears said he felt Dean Fox is taking in the department in the right direction.

FISCAL OFFICER/FINANCE:

- A motion was made by Scott Miller to approve the bills and payroll, seconded by Jim Reed. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2012-266

- Mr. Reed asked if a time frame could be set established for when the agendas are prepared. Mr. Stock said he would try to have them done by Monday, and Mrs. Lewis said the Trustees could get any agenda items to staff by Friday.
- Mrs. Miller said she presented the budget to the budget commission and they tentatively accepted it. She explained she has 30 days to get the proper items to them.

ROAD DEPARTMENT:

- Alan Stock stated the PNR quote for radios was discussed at the last meeting and a motion needed to be made. Dean Fox said he spoke with Dave Shuey and there is no problem with the radios they are proposing to buy. A motion was made by Jim Reed to approve the PNR Quote for radios in the amount of \$5,217.70, seconded by Amy Lewis. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2012-267

Amy Lewis left the meeting at 8:00 p.m.

FIRE DEPARTMENT:

- Interim Chief Fox stated he received a resignation letter from Richard Platt. A motion was made by Jim Reed to accept the resignation letter from Richard Platt, seconded by Scott Miller. Motion PASSED by roll call vote of 2-0. (Lewis absent)

RESOLUTION NO. 2012-268

- Dean Fox requested a resolution to decommission the outdated gear and said it will be shredded free of charge. A motion was made by Jim Reed to decommission the gear, seconded by Scott Miller. Motion PASSED by roll call vote of 2-0. (Lewis absent)

RESOLUTION NO. 2012-269

ACROSS THE DESK:

- Alan Stock said Greene Medical Cancer Awareness Walk is October 14th.

IN THE READ FILE:

- Alan Stock said there was a thank you letter from Mr. Canday from Wilberforce University thanking the staff for taking care of the two properties that needed to be mowed.

TRUSTEES' BUSINESS:

- Barb Miller discussed the Fire Department air compressor and getting it replaced. Mr. Reed said this was discussed before, and the Trustees directed Chief Myers to get some quotes. There was a discussion if a motion had been made, and the Trustees did not think there was one because there was no limit established.
- Mr. Stock discussed what Steve Fletcher has been currently working on and what projects he still has to complete.

EXECUTIVE SESSION:

Jim Reed made a motion to go into executive session, seconded by Scott Miller. Motion PASSED by roll call vote of 2-0. (Lewis absent)

Scott Miller made a motion to reconvene the regular meeting, seconded by Jim Reed. Motion PASSED by roll call vote of 2-0. (Lewis absent)

ITEMS DISCUSSED FROM WORK SESSION AGENDA:

- Dean Fox stated he is still working on the issue with the tornado sirens and that he received the bill today. He said he will be calling on the battery that is in question, and he said all the tornado sirens are working.
- Mr. Stock stated he is waiting on the third bid to come in for the HVAC.
- Alan Stock said the keys and changing the locks will start next week.
- Mr. Stock said they will begin asphaltting this week and will start with Hawkins Road.
- Alan Stock said he hoped the phone system issue will be fixed tomorrow.
- Mr. Stock discussed the allowable per diem motor travel rates and reimbursements. Mr. Reed said Stephanie Hayden said the term “per diem” could not be used and needed to be listed as “reimbursement”.
- There was a discussion to have a reception for Dr. Cynthia Jackson-Hammond, new president at Central State University. Mr. Reed thought it was an excellent idea and thought they should see if she would entertain it.
- The Trustees discussed the possibility of having the three paramedics recently hired to full-time status be sworn-in. Interim Chief Fox said he would like to see it done by the Trustees and thought it could be done on a training night which is on Mondays.
- Mr. Stock provided the Trustees with the formalized letter regarding P25.
- Alan Stock said there are six potential homes on the “active list” for the County to pursue having demolished. Mr. Reed said Greene County recently received a ½ million dollar grant for a covered bridge restoration project at Stevenson Road, and thought it was a shame it wasn’t used for the Charleton Mill Road covered bridge.
- Mr. Stock discussed the public records request he received regarding Kil-Kare, and it was determined he would look into seeing if he or Barb should handle public records requests.
- Alan Stock explained the Zoning Commission will be presenting a resolution to the Trustees for their review of the future land use so they can get their input.
- Mr. Stock said the nuisance mowing has been completed.

Amy Lewis arrived back at the meeting at approximately 8:20 p.m.

- Mr. Stock discussed they received 42 applications for help in the front office and they have narrowed it down to two people. He said the Trustees were provided the resumes.

EXECUTIVE SESSION:

Amy Lewis made a motion to go into executive session for purposes of hiring an employee, seconded by Jim Reed. Motion PASSED by a roll call vote of 3-0.

Scott Miller made a motion to reconvene the regular meeting, seconded by Jim Reed. Motion PASSED by a roll call vote of 3-0.

TRUSTEE NEW BUSINESS:

- A motion was made by Scott Miller to hire Sandra Hutchinson to fill the part-time position to assist in the main office for \$10.00 an hour. Jim abstained because he didn’t know who they were hiring. Motion died for lack of a second. Amy and Jim wanted to meet with the candidates before hiring someone. Amy suggested having a special meeting next week and this can be put on the agenda and then voted on. It was determined the agenda should be limited to the decision regarding the Fire Chief and clerical help.

XENIA TOWNSHIP TRUSTEES
REGULAR MEETING, August 16, 2012

UPCOMING MEETING DATES:

- September 6, 2012, 5:00 p.m. Work Session Trustees
- September 6, 2012, 7:00 p.m. Trustees' Meeting
- September 18, 2012, 6:00 p.m. ZC Flood Plain Text Discussion
- September 20, 2012, 5:00 p.m. Work Session Trustees
- September 20, 2012, 7:00 p.m. Trustees' Meeting

There being no further business, motion was made by Scott Miller to adjourn the meeting at 9:12 p.m., seconded by Amy Lewis. Motion PASSED by a roll call vote of 3-0.

XENIA TOWNSHIP BOARD OF TRUSTEES

Jim Reed, Chair

Amy Lewis

Scott Miller

ATTEST:

Barbara Miller, Fiscal Officer