

RECORD OF PROCEEDINGS

**MINUTES OF THE
XENIA TOWNSHIP TRUSTEES:**

**REGULAR MEETING
AUGUST 20, 2013 7:00 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.

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

Meeting was called to order at 7:15 P.M. and pledge was given.

FISCAL OFFICER/FINANCE:

- Approval of payroll in the amount of \$32,369.72. Motion was made by Mrs. Lewis, seconded by Mr. Miller. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-190

- Mrs. Miller said the Trustees need to make a motion to except the Street Lighting Assessment certification. A motion was made by Mr. Miller to except the Street Lighting District as presented, second by Mr. Reed. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-191

ZONING DEPARTMENT:

- Mr. Stock said at 5:30 p.m. they heard a rezoning case located at 2291 SR 235 from M-3 to A-1. He explained the applicant is planning on putting an addition on the front of the home and the A-1 rezoning will require him to get a variance. The applicant requested at that meeting that the \$300.00 variance fee be waved because he wanted to rezone the property to R-1, but the Zoning Commission would not allow it because it would have been spot zoning. Mr. Miller thought it would set precedence if they waved the fee. Mrs. Lewis said she would like to help him as well, but if they wave the fee for him then they would have to wave the fee for everyone. She said that precedence could not be set.
- Mr. Stock discussed the process of mowing two properties. The one property was located on Brush Row and Wilberforce Clifton and the property other property was located at 1333 Old 35.

TRUSTEES' BUSINESS:

- Mr. Stock stated they did not get to the topic of discussing the recommendations to the zoning board in the work session. Mr. Reed said his concern was regarding the political sign section in the Code, and thought legal counsel should be involved. Stephanie Hayden said the issues would have to be corrected at the Zoning Commission then the Trustees would need to vote on the changes. A motion was made by Mr. Reed to have the Zoning Commission review the Township's zoning regulations regarding the political sign section of the Code to bring it into compliance, seconded by Mrs. Lewis. Mr. Miller said the change of getting the section cleaned up by this election may or may not happen. Mr. Stock said the Zoning Commission has been reviewing the sign sections in the Code for the past several months, and thought the process would take at least six weeks. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-192

ROAD DEPARTMENT:

- Mr. Stock said there was a discrepancy on the purchase order for the Ford 1 Ton high pressure oil leak for \$1,750.00. He said the purchase order said it was for a high pressure fuel leak, but it was actually for a high pressure oil leak. Mrs. Lewis questioned if he was asking the Trustees to approve a purchase order not to exceed \$1,750.00 for the high pressure oil leak. Mr. Stock said that is correct and the work has been completed but the bill has not been paid. A motion was made by Mr. Miller approving the purchase order for the amount up to \$1,750.00 for the Ford 1 Ton high pressure oil leak, seconded by Mr. Lewis. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-193

- Mr. Stock read a letter from three Township employees requesting the Fiscal Officer to pay the amount owed since May 2012 to them plus any interest accrued for the

Orchard Trust Fund and the County Wide Federal Credit Union. They requested Alan Stock have access to these accounts to determine the interest owed. The employees felt they had been more than patient trying to resolve this issue and set a dateline of August 23, 2013 to have the matter resolved. The letter stated they fear if they don't set a deadline the issue will not be resolved and they will be forced to report it to the Wage and House Division of the U.S. Department of Labor for an audit. They explained it was their desire to have the issue resolved, but their patience has not be respected or acted upon.

Mrs. Miller stated the traveling fiscal officer, Melanie, was in today and there is nothing in UAN that stated it was ever sent out, and if it had not been sent out it should be sitting there waiting to be and it is not there. Mr. Reed thought she needed to look at the checks that have been sent to Orchard Trust Fund to see if it balances against what was taken out of their checks. Mrs. Miller said her and Melanie did a spreadsheet reviewing all the pay stubs to see where the deductions had been made. Mr. Reed questioned if there was verification that the money was taken out of their checks. Mrs. Miller said yes. Mr. Reed said the problem is that Orchard Trust is claiming they never received the money. Mrs. Miller said she can't say it has been sent because when something is withheld out of a check it sits over to the side in the UAN program and waits to be sent out, but there was nothing there. Mr. Miller said a history on Orchard Trust fund should be pulled to see if she could correlate the deductions back to their checks.

Mrs. Miller said in regards to the employee with the \$40.00 deduction to the Credit Union, she stopped taking it out of their check a long time ago. She said she asked them to stop doing that because she did not know of a law that requires her to do so, and she would like to see the ORC that stated she has to. Mr. Miller said the Trustees before them looked at the benefits they offer their employees, and discussed the different types of benefits the Township offers. Mrs. Miller requested to see a copy of the resolution that the Trustees past that says these people were to get these benefits. Mr. Miller said if it was done formally or informally he was not sure, but it was put into place well before them. Mr. Reed felt whatever monies are owed to the employees and the interest accrued the Township should take care of it. He said it may take a few to get the problem resolved, but it would be fixed. There was a discussion about having Mr. Stock handle this issue, and he Mr. Stock said he had no problem looking into it but he can't access UAN and has no ability to run reports. Mr. Lewis questioned if this issue could be resolved by Friday. The Trustees agreed the problem would be calculating the interest owed. Mrs. Miller said it was her understanding that all the bills had to be run through the Trustees for approval before being paid. A motion was made by Mr. Miller to resolve the issue with the three Township employees regarding the Orchard Trust Program and the County Wide Credit Union to pay them the amount that Xenia Township owes plus the interest lost as determined by Mr. Stock and to make sure it is deposited into their accounts, seconded by Mrs. Lewis. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-194

FIRE DEPARTMENT:

- Mr. Fox wanted to recognize Meghan Burrell for her contributions to the Fire Department while on light duty. He discussed the projects she completed, and thanked her for her efforts and hard work. He said he would like to put the letter of commendation in her filed.

GUESTS:

- Marty Heidi, Greene County Outreach for Congressman Mike Turner, stated she is here tonight to present herself and the services they provide in the Dayton District Office and for the people that live in the 10th Congressional District. She said Congressman Turner has two offices, one in Washington D.C. and one in Dayton. Ms. Heidi explained in the D.C. office they deal with legislation, but in the Dayton office the focus is the services they provide for people that have issues with the Federal agencies. She said they currently have about 350 open cases they have on individuals

needing assistance with social security, disability, veterans, Medicare, IRS, and immigration. She said she is a resource, so if the Trustees talk to someone that needs help with a Federal agency issue they can be directed to her or the Dayton District office.

- Susan Spradlin, Hilltop Road, stated she did not understand what the resolution was made for regarding the political signs. Mr. Reed said they are requesting the Zoning Commission to review that section of the Code and to correct some things that were identified as issues from several years ago that never got corrected. Mrs. Spradlin said she did not hear the specifics mentioned, and Mr. Reed stated it was Stephanie Hayden's recommendation to not list the specifics and to just have the Zoning Commission review the whole section regarding political signs. Mrs. Spradlin questioned if she was going to get her signs ripped up if she put them out too early. Mr. Reed thought it would be the desire that the Township give some latitude as far as having signs picked up out of private property and did not think that was going to happen. Mrs. Spradlin questioned if there was no actual time frame at this point. Ms. Hayden said the restricting of time when the signs could be placed out is one of the issues that need to be resolved.

Mrs. Spradlin explained she had requested sending a resolution to the Zoning Commission to review the fly rock and wanted to make sure they got all the paperwork she submitted along with the copy of the incident that happened on SR 235. Mr. Stock said the information was given to the Trustees at the last meeting, and he had all the information for the Zoning Commission when they met next time.

Mrs. Spradlin said she didn't understand why it was agreed that the taxpayers would pay for the interest for the three employees before they knew all the facts. She felt they were admitting that it was the Township's error, but Mrs. Miller said it was taken out and is shown on their pay stubs, but Orchard Trust and the credit union are claiming it is not there. Mr. Reed said the resolution was passed to ensure the funds would be there once the issue is sorted out if in fact the Township does owe them the money. He said it just expedites the process and makes the money available, so the employees aren't waiting until the next meeting before Mrs. Miller can issue a check. Mrs. Spradlin said so they would not pay the interest rate up front. Mr. Reed said no, they need to sort the issue out and then go from there.

- Rick Miller asked if they had a chance to look at the Land Use Plan they presented to them. Mrs. Lewis said they had received it and would be looking at the information.

FISCAL OFFICER/FINANCE:

- Approval of bills in the amount of \$52,072.88. Motion was made by Mr. Reed, seconded by Mrs. Lewis. Motion PASSED by a roll call vote of 3-0.

RESOLUTION NO. 2013-195

UPCOMING MEETING DATES:

September 5, 2013, 5:00 p.m.	Trustee Work Session
September 5, 2013, 7:00 p.m.	Trustee Meeting
September 10, 2013, 6:00 p.m.	GC Township Association Meeting Greene County Commissioners
September 17, 2013, 6:00 p.m.	BZA, 936 Jacoby B&B, Kil-Kare Conditional Use
September 19, 2013, 5:00 p.m.	Trustee Work Session
September 19, 2013, 7:00 p.m.	Trustee Meeting
October 1, 2013, 6:30 p.m.	GC Township Association at Greene County Career Center
October 3, 2013, 5:00 p.m.	Trustee Work Session
October 3, 2013, 7:00 p.m.	Trustee Meeting
October 17, 2013, 5:00 p.m.	Trustee Work Session
October 17, 2013, 7:00 p.m.	Trustee Meeting
November 12, 2013, 6:30 p.m.	GC Township Association Meeting Greene County Library Foundation

COMMITTEE REPORTS:

XENIA TOWNSHIP TRUSTEES
REGULAR MEETING, AUGUST 20, 2013

- Mr. Stock said the date for the inspection for the one year time-of-travel for the commercial water protection is September 27, 2013.
- Mr. Fox said he went to this month's Safety Council meeting and it was on healthy eating. He said Mr. Stock will attend next month's meeting for him.
- Mr. Stock said one of the things brought up in the Chamber of Commerce meeting was there will be a renewal levy for Greene Memorial Hospital. He discussed the other levies the City of Xenia will have on the ballot.

Mr. Fox gave an update on the renovation of Station 52. The open house will be first Sunday in October.

There being no further business, motion was made by Mrs. Lewis to adjourn the meeting at 7:58 P.M., seconded by Mr. Reed. Motion PASSED by a roll call vote of 3-0.

XENIA TOWNSHIP BOARD OF TRUSTEES

Amy Lewis, Chair

Scott Miller

Jim Reed

ATTEST:

Barbara Miller, Fiscal Officer