

# RECORD OF PROCEEDINGS

**MINUTES OF THE  
XENIA TOWNSHIP TRUSTEES:**

**WORK SESSION  
MAY 15, 2014**

**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.

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

Chair Scott Miller called the work session to order at 5:00 pm. This was a work session advertised on the Xenia Township website within 24 hours of scheduling the meeting.

## **GUESTS:**

Brian Martin, Executive Director, and Martin Kim, Director Regional Planning, Miami Valley Regional Planning Commission. Mr. Martin gave an overview of MVRPC. Scott Miller asked how they can help with township road improvements. Mr. Martin answered he encourages them to work with OPWC for help. Mr. Miller asked if they can help if there are water and sewer issues. Mr. Martin answered yes and they especially work with entities that do not have water and sewer--Bowersville is presently on their list to help. Mr. Miller asked if they have resources to help with clean-up of an EPA super fund site in our Township. Mr. Martin answered they are working on issues like that now.

## **FISCAL OFFICER/FINANCE:**

Mrs. Spradlin had a question about a bill from Fire Apparatus. Chief Fox called Bob Jones and found they had to use a diagnostic computer because the check engine light was on. He had to get the codes and reset the codes. Franz Seiter does not have a diagnostic computer to do this. Mr. Jones told Chief Fox he spends over \$40,000 a year for software to keep computers updated. It was not just antifreeze that was added. The next bill will have parts that were ordered as a result of the diagnostic results.

Mrs. Spradlin questioned the Fletcher Technology bill. She feels we are being charged whatever he wants to charge. She particularly pointed out his bill for \$40 for helping WS Electronics at Station 52. She said all he did was unlock the door and plug in a cable. She said she will not approve this bill. She thinks we should get someone with better knowledge and better prices. She questioned whether we have a contract with him. Mr. Miller has asked Dan O'Callahan, resident who works on technology at Sinclair, to give his opinion of our computer situation. Mr. Stock said he was told when there are problems with the microwave systems it is important to have your IT person on site. Also, Mrs. Spradlin questioned him having a key to the buildings. The microwave systems communicate directly to the City of Xenia the EMS reports of 911 dispatches. Steve Fletcher was asked to be on site to make sure the microwave system would work with the network or if they would have to come up with another solution. Mrs. Spradlin pointed out Steve is still in school learning how to be an IT person and does not have a degree. Mr. Miller said most IT people take classes on a regular basis. Mrs. Spradlin asked for Mr. Fletcher's resume. Mr. Miller asked what other contractors have to provide their resumes.

Mrs. Lewis asked Chief Fox about the Michigan Rescue bill. Chief Fox answered we pay the whole bill and they will reimburse us.

Mrs. Miller talked about getting bills approved by the Trustees in a faster manner. Lowes and John Deere are two vendors who have a very short turnaround. There was discussion of ways to accomplish this. A suggestion was made to allow the Fiscal Officer to pay the bills before Trustees' meetings—she would already have the documentation with approval from department heads. There was a suggestion to put bills in a locked file cabinet and give keys to all Trustees so they can come in to sign checks during non-business hours. Mr. Miller asked Mr. Stock to see what credit cards the Township has and who has authorization to use them. If there are too

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many cards, Mr. Stock will give a proposal of which cards to use. Mr. Stock asked Mrs. Miller if she had already started on the list of users.

Mr. Stock reported on the Cemex annexation into Fairborn. He was told by Rusty Strader, Cemex, it should be done by the end of the year. Mr. Stock has a meeting with Debbie McDonnell, Fairborn City Manager, on Monday to find out what annexation method they are using--regular 1, 2 or 3. Cemex feels zoning is not conducive to them continuing their business in Xenia Township, so they have asked for annexation into the city of Fairborn. The annexation will be about 1,000 acres and several million dollars' worth of value. For the fire and road levies David Graham, Greene County Auditor, believes we will lose around 2.25 mills. Bob Geyer doesn't believe we will lose much in road miles—probably only Routzong. He would not approve annexation of property which goes over the right-of-way on any shared lands on SR 235. Barry Tiffany, Sugarcreek Township, just went through this with their parks. Annexation is very complex and right now Mr. Stock doesn't know how much the Township will lose. The plan is for the agreement to be complete by November and the petition for annexation by the end of the year. Mrs. Lewis spoke to Fairborn's Law Director and to Stephanie Hayden, and they both say it is a matter of time. She asked Stephanie if they have restrictions on property does it transfer with the property. Stephanie answered no as the property will be under a different jurisdiction. So long as statutory steps are followed there will be no problem and there is nothing we can do to prevent this annexation. It is her understanding they can only annex 500 acres at a time so this will be a multi-step process. She understands Central State University is also starting steps to annex into the City of Xenia. Mr. Miller requested the Zoning Commission to look again at the adult entertainment text as he thinks it will be affected by this annexation. The only place in Xenia Township where there can be adult entertainment is in the Mining District.

Mr. Stock said Barry Tiffany has been working very hard with CLOUT on HB 277 on annexation. Townships are prime picking for annexation by cities because they are not owners. HB 277 passed by 88 to 2 which would modify the Type 2 annexation and townships would be called owners. From the House it now moves to the Senate. As owners it is more difficult for cities to take the land. CLOUT uses the money it receives from its membership for legislative purposes.

State Audit Update--Mrs. Miller reported the auditors are finishing their audit for Yellow Springs and will then be ready to continue the Township's audit. She has given them everything they have requested.

Newsletter Update—1,700 newsletters, in color, and folded would cost \$285 from the Printing Center in Xenia. Our last mailing of 1,971 postcards cost \$704 in postage. It was around \$220 for processing. For the last mailing we got the list from Greene County, did the addressing in-house then passed it on for the processing. Mr. Stock will send all the articles to Mrs. Lewis for compiling. Chief Fox mentioned a Fire Department newsletter that is sent out in late September or early October which could possibly coordinate with mailing of the Trustees' newsletter.

Township Tuesdays—Mr. Stock said a blood drive could be easily organized in a short amount of time. Mrs. Lewis said Dr. McManus said he can come anytime to do the eye screening. Mr. Miller suggested a group from Little Miami Inc. that does a very good presentation.

**GUESTS:**

Marc Fishel came to explain what his law firm does to assist townships, primarily from an employment law and labor law standpoint. The law firm is Fishel Hass Kim Albrecht, located in Columbus. He has over 25 years of experience. Mrs. Spradlin brought up concerns about the employee handbook and SOPs. Mr. Fishel works with all the Greene County offices. They have prepared employee handbooks for counties, cities and townships. Their law firm is 70% public sector human resource related. The rest is litigation when some things end up in court. They charge by the hour and do not ask for a retainer. They bill \$185 per hour and bill in ¼ hour increments. They have been able to put together personnel manuals for \$3,000-

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\$5,000. All their lawyers practice in this area. They assign a partner and associate to each jurisdiction. The law firm has a contract of services or Trustees can give a letter of engagement. The rate does apply to travel but not to mileage. He stated we could use Skype for meetings which would be cost saving as we would not be charged for travel time that way. He would be the primary contact. Stacy Pollack would probably help. The current personnel manual can be emailed to him to look over and he can give an idea of how much time would be involved in completing a new one.

**TOWNSHIP ADMINISTRATOR:**

580 Union Rd. property—13 offers were given for this bank foreclosure and one was accepted. The problem is there are major encroachment issues: 1) 2/3 of the driveway is on the property owned by the Township; 2) part of the garage is on Township property; 3) there is not an 8' setback from the property line; 4) the deck that is around where the pool used to be is on Township property; 5) the shed is on Township property. Mr. Stock has spoken to the title company and the real estate agent about this. There are several options he sees: 1) they could tear down the garage; 2) the Township could buy the 580 Union Rd. property; or 3) the Township could split off some of their property to sell to the 580 Union Rd. property owner. Mr. Stock has contacted Matt Sheridan to find out the cost of a new appraisal of fair market value of our property. The house was built in 1987. The well is just inside of the curve of the driveway and could make it hard to move the driveway. The septic system is left of the house and could possibly be Township property that lies behind their land.

Mr. Miller suggested scheduling a work session on Tuesday, May 20, at 4:30 p.m. to cover more of the items on the agenda that had not been discussed.

**ADJOURNMENT:**

A motion was made by Mr. Miller to adjourn the Work Session, seconded by Mrs. Lewis. Roll Call vote: All voted Aye. Work Session adjourned at 7:07 p.m.

**Xenia Township Board of Trustees**

Date Approved: \_\_\_\_\_

\_\_\_\_\_  
Scott Miller, Chair

Resolution # \_\_\_\_\_

\_\_\_\_\_  
Amy Lewis

Attest:

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Susan Spradlin

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Barbara Miller, Fiscal Officer