

# RECORD OF PROCEEDINGS

**MINUTES OF THE  
XENIA TOWNSHIP TRUSTEES:**

**WORK SESSION  
June 2, 2016**

**4:34 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.

Scott Miller called the Work Session to order at 4:34 p.m. This was a work session advertised on the Xenia Township website within 24 hours of scheduling the meeting.

ROLL CALL: Scott Miller, Trustee Chair; Susan Spradlin, Trustee; Steve Combs, Trustee; Sheila Seiter, Fiscal Officer; and Alan Stock, Administrator.

## **ROAD DEPARTMENT:**

Mr. Miller shared the first item on the agenda, which was an update on Brush Row Road. Mr. Stock advised that Jim Pile has appointments on Mondays and Thursdays and could be in attendance by about 5:05 p.m. Mr. Miller said that the topic could be returned to later. Mr. Stock said the choice was up to him. Mr. Miller advised Mr. Stock to continue. Mr. Stock shared that the top of the hill just west of Garcia Road had a 12 inch metal pipe running under the road. Mr. Stock informed that over the last month we have seen about an 8 inch crevasse in the road. Mr. Stock said that arrangements were made to cut that part of the road out and replace said pipe. Mr. Stock advised that once the right hand side was finished we moved to the left hand side and found water gushing from the pipe. Mr. Stock said that that was what was causing the erosion and the pipe would have only lasted for probably another year. Mr. Stock shared that the water leaking from the pipe was rusting the bottom of the pipe. The Road Department had Greene County Sewer come out and they are testing the water. Mr. Stock advised that the results of the water test would not be back for a bit so Mr. Pile treated it as if it would always be a problem and brought in extra number 2 stones. They believe the water is coming down from the fire hydrant or a little further back, approximately 60 feet. Instead of the road being closed for one day it was closed for two. Mr. Stock shared that the Road Department put in about 60 feet of pipe. Mr. Stock advised that the area was still closed and that they are hoping for a few days of rain to help it compacted together and settle. Mr. Stock shared that he believed they would close the road the following Tuesday so they can dig up the top layer and lay down new asphalt. Mr. Combs asked if they specified how turning the hydrant off effected the water flow. Mr. Stock shared that we believe the leak is occurring around the hydrant but it falls under Greene County because that is Greene County's water. Mr. Stock advised that due to the fact the road could not stay closed until we got the results back from the Greene County water test, the Road Department made the decision to dig a bit deeper and lay down some number 2's and treat the issue as if this would always happen. Mr. Stock shared that this ensures that in the worst case scenario, we would be able to close the road. Mr. Miller asked if there was any further business with the Road Department. There was no further business for the Road Department.

## **FIRE DEPARTMENT:**

Mr. Stock provided an update on the open Lieutenant position from April. Mr. Stock shared that there were 5 active candidates. Mr. Stock advised that there would be a Review Board on June 18, 2016. Mr. Stock said members from the City of Xenia, New Jasper Township, Jefferson Township, himself, and both Chief's will be in attendance. Mr. Stock explained the three component process. The review process will go from 8:30 a.m. to 2:30 p.m. Trustees were okay with buying the interviewers lunch. Mr. Stock shared that all three Captains should be there for the inbox process. Mr. Stock informed that the rubrics and evaluation standards have already been created, and the goal is to make them as objective as possible. Mr. Stock informed that the expectation is that by the July 7, 2016 Trustee's Meeting there will be a recommendation. The Trustee's findings will be posted the following day on July 8, 2016. There will then be a list of the candidates based on rubric scoring that will be good for two years. This will take effect July 17, 2016. Mrs. Spradlin asked if the candidates would still do a table – top exercise. Mr. Stock advised that that was what the inbox would be. Mr. Stock informed that the design for the inbox is a series of

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questions, everyone will get the same set of questions, and they will all sit down at a computer and write their responses. Mr. Miller asked if there were any more topics for the Fire Department that needed discussed. Mr. Stock advised that there were not any further topics for the Fire Department.

**FISCAL OFFICER:**

Mr. Miller raised the topic of the finances. Mrs. Seiter advised she knew Mrs. Spradlin had some questions about a few of the bills. Mrs. Seiter explained the cell phone bill for the three new lines are the ones switched over from the medics. Mrs. Seiter said that she made copies and discussed it with Chief Fox and he acknowledged that some of the data entries are on the normal lines also. Mrs. Seiter said that she felt someone needed to call AT&T for clarification. Mrs. Seiter advised that some of the data entries were also on the full time fire fighters lines. Neither Mrs. Seiter nor Chief Fox had an explanation at the time. Mrs. Seiter shared that it could have possibly been a wrong number. Mrs. Seiter shared that that transaction was the first on that phone and raised the question that it could have been a test. Mrs. Spradlin asked to confirm if the phones have been put in the medics. Mrs. Seiter advised that they had. Mr. Stock informed that the three lines in the medics are telemetry lines that are only connected to our cardiac monitors. Mr. Stock advised that nobody can make a call out, the phones can only receive that transmission. Mrs. Seiter clarified that the data entry on the line said that it was a received text. Mr. Stock shared that it could have just been spam, but nobody can call out from those phones: they are hardwired into the modem. Mr. Miller said that he could not believe that the phone company would charge us for something like that, and he said that in the worst case scenario just have them shut off that service (text option) for the phone. Mr. Stock asked if there was any two way communication from a life pack. Mrs. Spradlin advised that there was and said that at a hospital, data is sent to the hospital and they receive it, but she was unsure if they send anything back or not, but she said it was possible. Mr. Miller said that he believes we always initiate the response. Mrs. Spradlin advised that she thinks that they are checking the calls because all of the data that was received occurred around 3 a.m. Mrs. Seiter said that every day of the month at around 3:00 a.m. or 3:01 a.m. there were occurrences. Mrs. Seiter informed that there were no other charges aside from those and one that was a text. Mrs. Seiter stated that the fire fighters full lines and Mr. Stock's phone line had data occurrences during the night. Mrs. Seiter informed that the occurrences are labeled as data transfers. Mrs. Spradlin inquired as to if this was connected to the call system that tells about EMS and fire fighter runs. Mr. Miller said the easiest thing to do would be to get an AT&T representative and ask them what the data occurrences are, as Mrs. Seiter had suggested.

Mr. Miller asked Mrs. Seiter if there was anything of significance in the Financials that would need to be discussed. Mrs. Seiter advised no, but shared that we are waiting on printer ink cartridges so she only printed two copies of the revenue and expense sheets to share and pass back and forth. She could provide more copies later. Mr. Stock said that the Trustees would see the revenue and expense sheet every other meeting because the auditors wanted to ensure the Trustees are receiving the financials from the Fiscal Officer.

Mr. Miller asked if there were any questions for Mrs. Seiter regarding the bills or payroll. Mrs. Seiter referred back to the Financials that it does not need to be acted upon and just need Trustees to sign acknowledging receipt of them. Mrs. Seiter asked what the Trustees thought was best. Mr. Miller said to put it on one of the agendas just to be clear. Mr. Stock and Mrs. Seiter agreed to give the Trustees the Financials every other meeting and only put it on the Work Session agenda not the Regular Meeting agenda. Mrs. Seiter shared that there were only a couple of bills that had notes with them so she wanted to make sure those were okay (I .E. Xerox). Mr. Stock asked if there was a per – click charge for PDF files. Mrs. Spradlin shared that the machine only shows the colors of the copies, black and white, but no charge. Mr. Miller said that the machines he dealt with charge per – print. Mrs. Spradlin wanted to be sure that we were charging appropriate fees for public records request copies.

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Mr. Miller raised the next topic of minutes. Mr. Miller asked Mrs. Seiter if there was anything important that needed to be reported. Mrs. Seiter answered no. Mr. Miller shared that he had some concerns with the process. Mrs. Spradlin asked if there was only one set of minutes that needed to be approved. Mrs. Seiter advised that there were two sets, the Work Session minutes and the Regular Trustee meeting minutes from May 19, 2016. Mrs. Spradlin shared that she did not see the Regular Meeting minutes, only the Work Session and she asked if anyone else had seen them. Mr. Stock and Mrs. Seiter advised that one set went out the day prior and the other revised set went out the morning of the meeting. Mr. Stock shared that we are trying to do the revising, and that Ms. Pickering handles the Trustee Meeting minutes and Ms. Ratliff handles the rest. Mr. Miller reported that he had not seen anything from Ms. Pickering. Mr. Stock shared that Ms. Pickering could not finish the minutes on Tuesday, so Ms. Ratliff finished the minutes on Wednesday and sent them out. Mrs. Seiter shared that the e-mail would have come from Ms. Ratliff. Mr. Stock informed that Ms. Pickering is here from Monday to Tuesday and that week had been Memorial Day so the office was closed Monday. Mr. Miller said that, concerning the draft process of the minutes, everyone sees things that they would like to be changed for a variety of reasons. Mr. Miller said that the issue he has with the way the minutes are handled now is that the Trustees, Mrs. Seiter, and Mr. Stock all look at the minutes and give input on the original copy sent out. Then when the revisions are made and re – sent to everyone, there is no way to see what has actually been changed. Mr. Miller shared that what he would like is for the changes to be visualized quickly so that it was clear and understood what has been changed. Mr. Miller shared that having to mirror the previous copy with the revised one to find the changes is time consuming and it is quite easy to get lost. Mr. Stock shared that in Microsoft Word you can see revisions in Edit Mode, which causes any deletions to be crossed through with a red line, and any additions would come up in red, which will make it very clear what changes were made. Mr. Stock advised that once all the changes were made and the final copy was done, you can Accept All Changes, and the marks will disappear and the minutes will be ready to print. Mr. Stock shared that this will take no additional time. Mrs. Seiter shared that since she is the responsible party for handling the minutes, and with one new employee learning the ropes of how to type the minutes and what language to use, she would really like the minutes to go to her first to handle any little revisions, then to the Trustees to decide what they want. Mrs. Seiter shared that slimming down the revisions so that everyone is not looking at the same things may save time and will help prevent duplicating changes. Mr. Seiter advised that the minutes will have to be submitted to her by the Tuesday on the week of a Trustee Meeting so that changes can be made and they can be sent on to the Trustees. Mrs. Seiter shared that we all need to help the process along, and thanked everyone for their patience because there have been a lot of changes. Mrs. Seiter advised that the minutes need to be submitted at a timely manner so that she can review them and send them to the Trustees. Mrs. Spradlin agreed that receiving minutes the day before a meeting does not leave enough time for proper changes to be made. Mrs. Seiter advised that it would probably be best to approve the Regular Meeting minutes at the next meeting. Mrs. Seiter shared that she is not aware of any requirement that states the minutes have to be done and approved by the following meeting. Mr. Combs asked how the situation would be handled if there was a discrepancy between two Trustees in how something was interpreted. Mr. Stock shared in the past the Mrs. Blackaby would then go back and listen to the recording and what was said would be quoted word for word. Mr. Miller advised that one thing to make a note of is the fact that the minutes are there to capture the essence of the meeting without doing a verbatim. Mr. Miller shared that were not trying to print large amounts of paper. The minutes are to capture motions, how they were voted on, whether they passed or failed, and the essence of what was said. Mr. Miller informed that if there was ever a need for that much detail then that is fine. Mrs. Seiter advised that a good example of this in the minutes would be where the Letters of Commendation were mentioned. Mrs. Seiter informed that there was no real need for that much detail on both, and that attaching the letters to the minutes would have been fine. Mrs. Seiter advised that these letters were important to the Township, however, and so it was a bit complicated to decide how that should be handled. Mr. Miller said that as long as there are good solid attachments, then that should suffice. Mrs. Seiter advised that the State Auditor was always happy with her minutes before, so she wants to keep an eye on them.

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Mr. Miller shared the next topic which was the salt structure in terms of state bid versus local. Mrs. Seiter shared that Rushmore was the building name, and that it was a state bid item and the local vendor we were actually paying was called Accel. Mrs. Seiter advised that while the payment was approved to Rushmore, the payment actually went to Accel. Mrs. Seiter informed that she had not processed the purchase order yet, so she was able to correct the name for the check. Mrs. Seiter shared that she wanted to make sure the Trustees knew so that there was no confusion when the check went through. Mr. Miller asked if it should be clarified in the Regular Meeting minutes or just in the Work Session. Mrs. Seiter advised that she felt that just the Work Session was fine because the State Auditor reads the Works Session minutes as well.

Mr. Miller raised the next topic of the 941 tax payments. Mrs. Seiter advised that an IRS agent out of Dayton contacted us looking for the fees and penalties payment for 2014's fourth quarter of the 941 tax that was all paid at the end of that quarter. Mrs. Seiter advised that it should have been paid each payroll, and as a result it made each payroll late. Mrs. Seiter informed that they calculate their fees and penalties based on when it should be paid. Mrs. Seiter informed that this was one of the processes that the prior Fiscal Officer, Mrs. Miller, was having a law firm help with, so the report was actually filed the following year. Mrs. Seiter shared that the agent said this was the only outstanding fees that we owed. Mrs. Seiter advised that the fee was \$2810 and some cent, and that paying that would make us whole. Mrs. Seiter informed that she went ahead and paid the fee and wanted to ask the Trustees for retroactive approval because if the fee was not paid by May 28<sup>th</sup> it came with a lien and a hearing that would have to be attended. Mrs. Seiter informed that with the State Auditor here, and during this process, she found where Mrs. Miller had the same law firm help with 8 requests to IRS dealing with fees and penalties for the last few years. Mrs. Seiter advised that from what could be seen, they were all denied. Mrs. Seiter shared that many of the payments seen on some documents were the taxes being paid, and not credit for fees. Mrs. Seiter advised that she had found two copies of checks from the IRS; one for \$22,000+, and the other for \$7+ and that she would have to fax those to the IRS agent and have him tell her what specifically those checks were for. Mrs. Seiter advised that, though more investigation is necessary, she believes that we paid some of the fees and penalties, and that those checks were our refund. Mrs. Seiter advised that it is still a work in progress to confirm the fees and penalties for the last couple of years. Mrs. Seiter informed that Mrs. Spradlin had come across a 40 page document from the IRS. Mrs. Spradlin advised that the document was too large to send through the e-mail, so she had Ms. Pickering copy it onto a flash drive to give to Mrs. Seiter. The wrong file may have been copied, so Mrs. Spradlin shared that she brought her flash drive so that anyone that wanted a copy of the document could have one. Mr. Miller asked what the document was exactly. Mrs. Spradlin advised that the document was from when the previous Mrs. Miller had worked with a woman from the IRS. The IRS agent told Mrs. Miller that all of the fees and fines were going to be taken away, and that document shows where the fees and fines were taken off. Mrs. Spradlin advised that that was how we got back to only owing around \$2,000 dollars. Mr. Miller asked where Mrs. Miller got the document. Mrs. Spradlin advised that she got the document from the IRS. Mrs. Seiter advised that she had printed a copy so that the office would have one. Mr. Miller asked if Mrs. Seiter wanted the \$2,800.10 as a then – and – now purchase order. Mrs. Seiter informed that there just needs to be retroactive approval to pay the invoice as she used three blanket certificates to pay it. Mrs. Spradlin advised that a resolution was made for the Fiscal Officer to pay any bills deemed to be a true bill owed by the Township, so she did not think anything was needed. Mr. Miller shared that a simple resolution could be made to cover it.

**TOWNSHIP ADMINISTRATOR:**

Mr. Miller raised the next topic of the Employee Assistance Program. Mr. Stock said that the Trustees had approved the EAP for the employees, and that the Jefferson Group said that as long as we have Major Medical with them for the full time employees then they'll cover the part – time employees at no cost. Mr. Stock informed that the new bill plan will start July 1, 2016. Mr. Miller asked if this was a

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different vendor or just a different program. Mr. Stock advised that this is a different vendor with the same format and basically the same coverage. Mrs. Spradlin asked if Jefferson Group changed the EAP. Mr. Stock shared that this gave us the option to continue paying \$640 a year or to pay nothing for a very similar plan. Mrs. Spradlin asked if we switched providers because we will not have to pay anything and not because of an issue with our previous provider. Mr. Stock shared that we could continue with that provider if we wanted to pay \$640 a year. Mr. Stock advised that there was no problem whatsoever.

Mr. Stock gave the Trustees an update on the DP&L bill. Mr. Stock said that there has been discussion before about the DP&L bill and the fact we were under an illegal contract because it was not approved by the Trustees. Mr. Stock shared that this was discussed with DP&L because they wanted us to sign up for more services. Mr. Stock informed that we are currently being charged 0.759 per kilowatt hour. Mr. Stock shared that he had been in contact with Entrust Energy and they could bring that cost down to 0.639 per kilowatt hour for a saving of 0.12 or annually about \$1,400. Mr. Stock informed that we are currently in a contract with DP&L for 36 months, and that the Trustees can make a decision on whether they want to be locked in a contract or not. Mr. Stock informed that American Power and Gas gave a price of 0.610 per kilowatt hour, and that goes month to month depending on what those costs are. Mr. Stock advised the savings would be about \$1,776.99 per year with no contract. Mr. Stock advised that we may pay a little more or less depending on how much it costs to deliver the energy to us. Mr. Stock advised that there are no termination fees and there is a 25% rebate after 12 months. Mr. Stock advised that if a contract needs to be entered for any of these services the Trustees would make that decision. Mr. Stock informed that this would only be for electric services. Mr. Stock informed that we have not actually purchased anything; we have just switched and can switch back at any time with no penalty. Mr. Stock said that a good take away from this is that we are paying less this month than we were last month.

**EXECUTIVE SESSION:**

Mr. Combs made a motion to go into an Executive Session under section 121.22 (G) (2), Mrs. Spradlin seconded. Roll Call: Mr. Miller – stepped out and returned, Mrs. Spradlin – Aye, Mr. Combs – Aye. Mr. Miller read all who would attend the Executive Session. The three Trustees, Fiscal Officer, Road Superintendent, and Administrator. Executive Session began at 5:22 p.m.

**ADJOURNMENT:**

Mr. Miller made a motion to adjourn the Work Session, Mr. Combs seconded the motion. Roll Call: All Voted Aye. Work Session ended at 6:01 p.m.

**Xenia Township Board of Trustees**

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

\_\_\_\_\_

Scott Miller, Chair

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

Attest:

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Susan Spradlin

\_\_\_\_\_

Sheila J. Seiter, Fiscal Officer

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L. Stephen Combs

SLR

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