

## RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:  
HELD ON: JANUARY 26, 2012**

**REGULAR MEETING  
7:00 pm**

---

NOTE: These minutes are a summary of the meeting and are not a word for word account of the discussion. The proceedings were electronically recorded on tape, but limited by the quality of the recording equipment. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio. This was a regularly scheduled meeting on a date established during the reorganization meeting. No additional notices were given.

Jim Reed called the meeting to order at 7:08 pm. All participated in the Pledge of Allegiance.

**PRESENT:** Amy Lewis, Trustee; Scott Miller, Trustee; Jim Reed, Trustee; John Faulkner, Fiscal Officer; David Shuey, Public Works Superintendent; Dean Fox, Captain; Rhonda Painter, Zoning Administrator; Stephanie Hayden, Prosecutor's Office

**GUESTS:** Carrie Smith, Rick and Barb Miller, Tim Spradlin

### **PUBLIC COMMENTS:**

Tim Spradlin arrived later in the meeting and spoke at the end of the meeting. He said that he has an open public records request for emails regarding him and his wife and he hasn't gone to the Attorney General yet. He made the request December 17, and he was given a CD that will not open and it is just symbols. Lewis said the CD was made by a third party and they have tried to reach the third party to get it fixed and they have been unable to reach them. Spradlin then said that Dennis Painter the husband of Rhonda Painter is still in contact with his employment, he realizes that the Trustees cannot control someone but that he suggested they speak to Rhonda Painter about this. Reed said that at this time the Trustees' hands are tied and there is nothing they can do.

### **MINUTES:**

Work Session—December 22: Reed moved to approve the minutes. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Reorganizational Meeting and Regular Meeting—January 12: Reed moved to approve the minutes. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

Work Session—January 16: Tabled

### **FISCAL OFFICER/FINANCE:** John Faulkner

Faulkner is in the process of rolling 2011 over to 2012 and this should be done by Saturday. Faulkner asked for approval of payroll since the last meeting in the amount of \$32,299.38. Reed moved to approve payroll. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-019.**

Dental Insurance information was given to those with the insurance.

The 2009 permissive tax review was done and deposited in December for the amount of \$8,983.63. Sheryl has asked for the information from 2010 and over the next year she will review those amounts. Miller suggested while at the OTA Winter Conference, if there is a chance to speak to a Representative, it should be suggested the data programs be updated to differentiate between the township and city addresses. Faulkner added that it could also be mentioned to the Representatives that there is no fuel tax received from those who use electric cars yet they use the same roads that the tax helps to maintain, and ask what can be done about this.

The asset list was edited and filed. There were some corrections such as the Ford truck that was listed at 10 instead of one; and 29 sets of fire gear listed at \$29,000 each instead of \$2,900 each.

Caesarscreek Fire/EMS contract adjusted amount for 12-2011 CPI increase/decrease: the recommendation of the Fiscal Officer is for the Chairperson to take the contract to a Caesarscreek Township meeting and review the dollar amounts with them. Faulkner gave the contract to Reed. In 2011 there were 77 runs in Caesarscreek Township.

**ROAD DEPARTMENT:** David Shuey

So far this year there have been seven snow and ice events. This time last year there had been 19 events. So far, the expenses for this winter have been approximately \$11,000 compared to last year at this time the expenses were around \$62,000. Reed asked if the money carries over to the next year. Shuey said yes it does and there was some money that carried over from last year. Shuey said that for each event it is a minimum of \$1,000 just to get one guy in one truck to salt bridges. Shuey added that since there have been a lot of black ice events with long periods of time in between he has been taking the salt to other facilities to unload so the salt does not sit in the trucks and cause rust.

Miller asked about the fuel costs and its fluctuation. Shuey said that right now they are paying \$3.17 at the County pump. The cost depends on the cost of the fuel when the County has their tanks filled.

Miller added that he went to a meeting this morning and the Charleton Mill Road Bridge replacement will hopefully be a four to five month project. They are looking at options for the bridge now.

**ZONING DEPARTMENT:** Rhonda Painter

The Zoning Commission Chairperson for 2012 is Virgil Ferguson and Vice Chairperson is Alan King. The Zoning Commission held a hearing on the rezone request from Martin Marietta. The Zoning Commission recommended the rezone approval to the Trustees unanimously. Painter said that all the information is in the read file for the Trustees to review. Reed asked Painter to copy everything in the file and give to each Trustee to review at their leisure. There was a discussion about transferring the cassette tapes from the meetings to digital format for the Trustees. Lewis and Miller were ok with the cassettes. The Trustees public hearing for the rezone request is scheduled for Thursday, February 23 at 5:00 pm.

Painter said that over the last few years there has been a joint meeting with the Zoning Commission, Board of Zoning Appeals, and the Trustees. Reed said he would like to do this again. Painter said that in the past the Chairperson for the Trustees gives a "State of the Township Address" to inform the Boards of what is going on in the Township. The meeting is scheduled for March 1, 2012, at 6:00 pm.

The appointment of the Board of Zoning Appeals members was tabled at the last meeting. Painter recommends re-appointing Elaine Conley and Joe Mulligan as alternates for one year terms. Reed moved to appoint Elaine Conley and Joe Mulligan as alternates for one year. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

**RESOLUTION #2012-020.**

The Sourcewater Study is in need of people to participate and these people have not yet been chosen. Miller showed and reviewed a copy of a map and chart of the well study that was done.

**FIRE DEPARTMENT:** Chief Daryl Meyers

Captain Dean Fox attended the meeting for Chief Meyers. Dr. Mathew Moore has resigned as the Township Medical Director effective January 31. Miller moved to accept the Dr. Moore's resignation. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-021.** Miller will work on getting a plaque made for Dr. Moore for his years of volunteer service to the Township.

Captain Fox asked for the approval of Dr. Linda Bailey and Dr. Steven Dixon as the new Medical Directors. There is a contract that must be signed by the Trustees. They are both Dr's at Greene Memorial Hospital and they will serve at no cost to the Township. Reed moved to appoint Dr. Bailey and Dr. Dixon. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-022.**

Captain Fox asked for approval to use US Health Works Medical Group. Faulkner recommended the use of US Health Works and added they will be using them for medical assessments for fire department employees. Reed moved to approve the use of US Health Works Medical Group located in Dayton as the Township's occupational medical group. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-023.**

Reed asked Captain Fox about the money that is owed by the firefighters from classes they took and did not complete. Fox reported that one has paid in full and one has made a payment. Reed asked Fox to create an agreement that the money will be repaid in payments.

Captain Fox noted that Nate Todd has passed his EMT classes. Reed asked about the Workers Comp claim from Nate Todd. Nothing has been received, Fox will check on this matter.

Megan Leston is a Paramedic/Fire Fighter and would like to become a paid-on-call employee. She has passed all the tests and is currently working as a Paramedic with Med Trans. Fox added that someone who is paid-on-call can fill open part-time shifts. Reed moved to approve the hiring of Megan Leston. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-024.**

Engine 52 still needs repaired. Franz Seiter repaired the truck and took for a test drive and it continued leaking oil. Reed said that he does not think Engine 52 should be sent back to the same place it was sent the first time because they did not repair it correctly. There was a discussion of a former employee of Fire Apparatus that could do the repairs, however he mentioned a contract that prevented him from working on it. Reed moved to send a letter to Fire Apparatus asking for a copy of the contract with the former employee. Lewis seconded but added that she believes that it is not an issue for the Township and is between the gentleman and his former employer. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-025.**

Reed asked for the opinion of Stephanie Hayden--she felt it could result in a lawsuit. Reed then asked if she would look at the contract if they receive one. Miller added that he felt this was putting a burden on the Prosecutors office that is not necessary.

Captain Fox brought to the attention of the Trustees that there is a February 11 Open House of Greene County Career Center Agriculture Research Lab on Brush Row Road, and this building has not been inspected by the Fire Department. Reed suggested that maybe someone from the Fire Department be present for the open house. Tim Spradlin spoke up and said that he was in the building recently and the building is still an agricultural building. Reed suggested calling the Career Center and suggested they make a walk through. Barb Miller said that her husband has been in the building and there has not been any changes made and it is still a riding arena.

**TRUSTEES NEW BUSINESS:**

Barb Miller had a question about getting bonded. Stephanie Hayden will contact the Ohio Township Association and let her know.

Lewis spoke to Stephanie Hayden about the Ferguson bill and she is still reviewing it. All will be prepared to take action at the next meeting.

Reed mentioned at the last Township Association meeting the President of the Farm Bureau spoke. Reed moved that since most of Xenia Township is a farming community they should pay the fees and join the Greene County Farm Bureau. Lewis seconded the motion and volunteered to attend the meetings. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-026.**

The regular meeting scheduled for February 9 conflicts with the OTA winter conference. The meeting is rescheduled for February 2, 2012, at 7:00 pm with a work session at 4:00 pm.

Sugarcreek Township has requested that townships join in their amicus brief. This is the third round of litigation and will be heard in the Supreme Court. Miller explained that Sugarcreek Township is requesting a portion of the taxes from the land that was annexed into Centerville, due to the fact that they will be providing the Fire and EMS services. Centerville disagrees and wants all of the taxes to go to them. Miller moved that Xenia Township become a part of the amicus brief. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-027.**

Jim Reed said that they have always welcomed residents to speak and that those guests should not be accosted at their work place. If they are, he would like the Township to send a letter

saying that Xenia Township does not endorse this. For example the work place of Tim Spradlin should receive a letter stating that any inquiries into Mr. Spradlin did not come from Xenia Township. Reed moved to send a letter that has already been written to Mr. Spradlin's work place. Lewis seconded the motion. Miller did not know about this nor has he seen any letter. Roll call vote: Lewis-Aye; Miller-Abstain; Reed-Aye. Motion passed 2-0-1. **RESOLUTION #2012-028.**

**UPCOMING MEETING DATES:**

February 2, 2012, 4:00 pm	Work session
February 2, 2012, 7:00 pm	Regular meeting
February 8-10, 2012	OTA 2012 Winter Conference
February 11, 2012, 12:00-2:00 pm	GCCC Open House, Ag Research Lab, Brush Row
February 25, 2012	Chamber Awards Dinner
April 25, 2012	MVRPC Annual Spring Dinner, WPAFB

**COMMITTEE REPORTS:**

Miami Valley Regional Planning:	Faulkner reported the executive director will be retiring in June or July. The Board is working on a plan for replacement.
Greene Co Regional Planning Committee:	Reed attended the January 24 meeting Greene CATS and Parks and Rec gave presentations. They also passed the resolution for Going Places.
District Advisory Council of Health Dist:	No report
Water & Wastewater Advisory Committee:	No report
Source Water (1-2 per year):	No report
Safety Council:	No report
Chamber of Commerce:	Painter attended the meeting this past week.

**EXECUTIVE SESSION:**

Reed moved the Xenia Township Trustees retire to Executive Session to conference with their attorney, on this day January 26, 2012, at 8:41 pm. This is an exception to the Open Meeting Act as permitted by the ORC 121.22 (G). Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. Those in attendance include Trustees Amy Lewis, Scott Miller, and Jim Reed; and Prosecuting Attorney Stephanie Hayden.

Jim Reed moved to return to regular session at 8:47 pm. Lewis seconded the motion. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0.

**ADJOURNMENT:**

Having completed all of the regular business, Reed moved to adjourn at 8:47 pm. Miller seconded the motion, all Trustees voted aye and the meeting adjourned.

---

Jim Reed, Chairman

---

Amy Lewis, Trustee

---

Scott Miller, Trustee

ATTEST:

---

John Faulkner, Fiscal Officer