

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES: REGULAR MEETING
HELD ON: FEBRUARY 24, 2011 7:00 PM**

NOTES: These minutes are a summary of the township business meeting and are not a word for word account of the discussions which took place. Hand recorder file 11, 12 & maybe 13. On cassette also.

NOTE: There was a public hearing on February 16th where as Resolution Numbers 2011-32 and 33 were used.

Chair Scott Miller called the regular meeting to order at 7:17 p.m. Board Members present were John Faulkner Scott Miller, and Jim Reed. Also in attendance were Fiscal Officer Seiter, Zoning Inspector Painter, Fire Chief Meyers, Deputy Chief Fox, Fire Assistant Beam and residents Leona Fletcher and Susan Spradlin. All participated in the Pledge of Allegiance.

GUESTS:

Trustees finalized items to give to Mrs. Spradlin per her records request. Susan Spradlin questioned if the travel policy, OTA & FDIC items were in the packet. Miller advised each time that the information is in the packet. Spradlin questioned/talked about last years' cost to FDIC vs. use. Miller advised he would look into it. Spradlin stated she felt it was not a good expenditure of her tax dollars. Spradlin and Miller debated about the FDIC conference.

Spradlin questioned Faulkner if he remembered where he was on October 7, 2010. Faulkner advised not off hand without his calendar. Spradlin said she did.

Spradlin asked about employees contacting other people's employers, specifically Meyers getting a copy of her husband's job description. Miller reminded that was a public records request just like hers was to the township. Miller requested her questions in writing. Spradlin noted the delay on getting information from July 21, 2010.

Spradlin talked about concerns with her husband's actions and the Trustee's actions. Miller asked to put in writing. Spradlin said she wanted to know why she and her husband were being harassed.

Miller advised it was time to move on with the regular scheduled meeting.

7:28

MINUTES:

Faulkner moved to dispense with the reading of the minutes of the regular meeting on January 27th due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes. Reed seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Seiter advised the minutes of the regular meeting on February 8, 2011 were not ready yet. Trustees tabled.

Faulkner moved to dispense with the reading of the minutes of the work session on February 15th with Central State University due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes. Miller seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Minutes for the monthly work session on February 16th were tabled due to not being ready yet.

Seiter provided summary minutes and the court reporter's transcript(s) for the February 16th public hearings (Hagler & text amendments.) She reported Mobley's is providing a second e-mail transcript in the reduced format for the minute book as well as an invoice credit for the incorrect format. Miller requested tabling approval until he could read the reporter's transcript. So tabled.

Faulkner moved to dispense with the reading of the minutes of the work session on February 22nd with the zoning boards due to the Trustees reading them prior to the meeting. Faulkner further moved to approved said minutes. Miller seconded the motion.

Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

FINANCE: Fiscal Officer Seiter provided the following:

Approval of bills and payroll in the amount of \$45,671.10 a copy of the payment register is attached to these minutes and made a part hereof. Miller moved to approve said payments. Motion seconded by Faulkner. Resolution No. 2011-34

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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Detailed report and request for a purchase order to Bureau of Workers Compensation for the annual fee for \$26,081.62. Seiter noted the rate reflects the new participation in the Group Retrospect Program, thus much less than last years of \$41,000+. Faulkner shared his appreciation for Painter's work in the coordination of the program. Attendees discussed the costs over the past 10 years. Faulkner moved to approve the request as explained. Motion seconded by Miller. Resolution No. 2011-35
Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Reports will be in the correspondence file next week.

Request for approval of a purchase order to Greene County Auditor/EMA for the annual per capita fee of \$1,101.06. Miller noted he thought we had paid it already. Faulkner and Seiter talked about approving the agreement related to the cost increase. Tabled to confirm.

ROAD DEPARTMENT:

Public Works Superintendent Shuey was not in attendance due to being on the way home from the Mapsync/GIS/GPS training class out of town.

Storm water newsletter tabled.

ZONING: Inspector Painter provided the following report:

Permits issued since February 8: None

Zoning Commission:

-Public hearing February 10th regarding text amendment for adult entertainment. Recommendation passed to Board of Trustees for their public hearing process. Trustees discussed and set the date for Thursday, March 24th at 4:00 pm. The notice needs to run on March 12th due to the weekends and no Monday Gazette. Miller asked Painter to take care of the notice. Seiter advised that is the fiscal officer's responsibility and she will provide samples from her and Painter's prior notices for the new officer.

John Cowherd provided a letter of resignation from the Zoning Commission as a regular member effective January 28. Faulkner moved to accept the resignation and to send a letter of appreciation. Motion seconded by Reed. Resolution No. 2011-36

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Painter advised she has been working with the Greene County Career Center attorney for a conditional use for the horse barn on Brush Row Road for equestrian classes, etc. Its current use is agricultural, but public use may be same. Reed noted the concern of it becoming a non tax paying parcel. Painter agreed it would become tax exempt, 49 acres. A conditional use can only be approved for the current owner.

FIRE DEPARTMENT: Chief Meyers provided the following:

Chief Meyers provided a letter of resignation from William Leach. He further recommended rescinding prior termination Resolution 2011-12. Faulkner moved to rescind Resolution 12 and to accept the resignation by William Leach as a POC employee. Motion seconded by Reed. Resolution No. 2011-37

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Report of previously approved purchase order and contract with Federal Field Service and new cost for additional disaster siren repairs. He further requested a then and now purchase order for the additional \$552. Meyers advised the vendor did not give notice of when they would be in the area, or notify of additional charges prior to billing. After further detailed discussion, attendees agreed there should be at least a 24 hour notice. Faulkner moved to approve additional charges. Motion seconded by Miller.

Roll Call Ayes: Faulkner
Nyes: Reed and Miller Motion Failed

Reed advised no because the vendor did not follow the contract. Meyers will discuss with the vendor.

Report and request for a purchase order to WS Electronics for a replacement VHF radio for E-52 for \$545. Reed moved to approve the request. Motion seconded by Miller. Resolution No. 2011-38

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Report and request for a then and now purchase order to Aladtec dated February 3 for \$1,290 for the annual fee for the staff scheduling program. Faulkner moved to approve the request. Motion seconded by Miller. Resolution No. 2011-39

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

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Deputy Chief Fox provided a letter of resignation, in lieu of termination, from Jeremy VanDyne dated January 13 and received earlier that day. He further recommended rescinding prior termination resolution. Miller moved to rescind the prior resolution and to accept the resignation. Motion seconded by Faulkner. Resolution No. 2011-40

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried
Meyers further advised Mr. VanDyne advised he has lost his key ring, since the first of the year, which had the township key on it. Attendees accepted his honesty.

Meyers provided comments of thanks to Sheila Seiter on behalf of the fire department and that they welcome her back anytime. Seiter thanked them as well.

OLD/UNFINISHED BUSINESS:

World Trade Center artifact pickup: Painter advised she got the workers compensation certificate. But, she cannot get the insurance certificate because they need to know the value and size of the piece. However, the Port Authority won't tell the value and size until insurance is obtained. Reed talked about options for delivery. Someone to contact Beavercreek Township for help since they have theirs already.

Emergency Management: A) generator: Miller and Shuey are still working on options with vendors. Reed reported on finding one for \$6,500 on a wheeled trailer. Attendees discussed options further. B) Code Red – citizen notification system: Attendees discussed various programs and possible cooperation with other entities. Reed will check with Xenia City.

NEW BUSINESS:

Faulkner reported on the Tecumseh/Arnovitz JEDD status. The school employee board members had been appointed. Trustees discussed a couple options for a resident to appoint. They will be contacted and appointed soon.

Faulkner read a letter from himself to Trustees Miller and Reed regarding his desire to be appointed as the replacement fiscal officer, continued appointed as the representative to MVRPC and resignation as Trustee. Reed advised he had no issue with the request and accepts the letter. Trustees discussed briefly.

Reed moved to accept Faulkner's resignation as Trustee effective midnight February 28th as requested per the letter. Miller seconded the motion. Resolution No. 2011-41

Roll Call Ayes: Reed and Miller Motion Carried
 Abstain: Faulkner

Miller moved to appoint John D. Faulkner as the Fiscal Officer to complete the unexpired term of Sheila Seiter effective March 1, 2011 through March 31, 2012. Reed seconded the motion. Resolution No.

2011-42 Roll Call Ayes: Reed and Miller Motion Carried
 Abstain: Faulkner

Miller moved to re-appoint John Faulkner as the elected representative to MVRPC, as confirmed by the by laws, as he transitions from Trustee to Fiscal Officer. Reed seconded the motion. Resolution No.

2011-43 Roll Call Ayes: Reed and Miller Motion Carried
 Abstain: Faulkner

Trustees noted now there is a vacancy in a Trustee's position which needs filled in 30 days. Attendees discussed the options to advertise in the paper and on the web. Each will be done as soon as possible.

Seiter offered her services as a contract labor for \$20 per hour as needed by Faulkner and her time permits. This is comparable to the visiting clerks available through the State program at the previously advised \$25 per hour. Faulkner agreed. Reed advised that was acceptable and fair to him based on her knowledge. Miller moved to approve using Seiter to support the new fiscal officer's needs. Reed seconded the motion. Resolution No. 2011-44

Roll Call Ayes: Faulkner, Reed and Miller Motion Carried

Faulkner advised he received a thank you note from the family of former fire department member Mr. Carl Jaynes from his funeral services.

Miller reported on District 11 project funds requests. The group has requested a review of the program, due February 25. There will be a review by the District on March 7th. Trustees discussed in detail.

Miller thanked Seiter for her years of service. Seiter thanked everyone. She noted her being around the township operations in some capacity since 1984. She shared her appreciation for the opportunity to service the residents and be part of the township team/family during her own families growing years.

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UPCOMING MEETINGS:

March 10, Thursday, 7:00 pm	Regular Trustee's Meeting
March 16, Wednesday, 8:00 am	Monthly Trustee's Work Session
March 24, Thursday, 2:00 pm	Regular Trustee's Meeting

COMMITTEE REPORTS:

Miami Valley Reg. Plan. Com.: Meeting next week.

--Technical Advisory Committee: Miller advised they met last week and not much activity.

Greene Co. Reg. Plan. Coordin. Com.: No Report

District Advisory Council of Health District: No Report, to meet later in Spring

Water & Wastewater Adv. Committee: (quarterly, last Wednesday of Month) Next in April

Source water: Next meeting June 28

Xenia Economic Growth Corp.: Miller reported on the February 22nd meeting where the following was discussed: the Legacy power plant clean up, Xenia school's construction pre-bid on March 3 and their marketing methods.

County Managers and Officials: No Report

Safety Council: (1st Wednesday per month) Painter reported on the February 9th meeting regarding supervisor safety directions. Lisa Hale of Greene County Risk Management gave a presentation with BWC safety tools and presentations. Miller requested Painter meet with other two supervisors to share what she learned. Next month's topic: weather.

EXECUTIVE SESSIONS:

Faulkner moved to go into **Executive Session** for the purpose to discuss a personnel issue (disciplinary) per ORC 121.22 (G)1. Miller seconded the motion. **9:25 pm** All voted aye. Meyers and Fox were included. **10:00 pm** Faulkner moved to **return to regular session**. Reed seconded the motion. All voted aye.

Faulkner moved to go into **Executive Session** for the purpose to discuss a personnel item, regarding Painter schedule, per ORC 121.22 (G)1. Miller seconded the motion. **10:02 pm** All voted aye. Seiter and Painter were included. **10:40 pm** Faulkner moved to **return to regular session**. Reed seconded the motion. All voted aye.

Trustees discussed a draft letter regarding negotiations with the City of Xenia and MACTEC regarding well fields.

CORRESPONDENCE:

-From Zoning Commission & Painter, Feb. 23, recommendations for community center text(s) and Hagler rezone.

-To Susan Spradlin, from Trustees, Feb 24, response to Feb. 9 public records requests.

-To Gr. Co. Treasurer Gould & Co. Auditor, from Trustees, Feb. 16, letter and check for \$6,508.51 explaining payment re: Hickman Road Land Reutilization proceeds. Faulkner hand delivered to Treasurers Office and they directed him to Co. Auditor Delaney. She noted the funds would be posted to the tax duplicate.

-From Jill Bottorff, dated Jan. 11, received Feb. 14, letter of interest for fiscal officer position.

-To James Terrell, Wade Beam & Jon Schrier, from Seiter, confirmation of repayment of unfulfilled educational agreements.

-From New York Port Authority, received back on Feb. 17, the signed agreement for artifact.

-From Port Authority, WTC Artifact Program, Nancy Johnson, Feb. 9, re: insurance for artifact.

-From Hylant (old Swartzel), to Painter, Jan. 31, re: insurance adjustments.

-From AT&T, Ohio Bell, payment for cable/franchise fees, Feb. 16 receipt from Seiter.

-To Xenia Gazette, from Seiter, Feb. 21, news item of Feb. 24th meeting change from 2 pm to 7:00 pm

-To & From Med3000 and Seiter, Feb. 11 & 14, re: Seiter's leaving and passing on information.

-To & From UAN and Seiter, Feb. 11 & 12, re: Seiter's leaving and passing on information

