

RECORD OF PROCEEDINGS
MINUTES OF THE XENIA TOWNSHIP TRUSTEES: 2nd WORK SESSION
HELD ON: April 25, 2011 5:00 PM

Notes: These minutes are a summary of the township work session and are not a word for word account of the discussions which took place. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio. An email notice was sent to the newspaper of local circulation advertising this meeting (see attachment). Trustees opened the work session (see 1st work session minutes) tonight meeting with representatives from Beaver Creek Township and the Greene County Prosecutor. After enjoying a short recess, Trustees returned for a work session second agenda item.

Chairman Scott Miller called the work session to order at 6:30 PM. Board members present were Scott Miller, Jim Reed and Amy Lewis and Fiscal Officer John Faulkner.

At 6:31 PM Amy Lewis moved to retire to executive session as permitted by the ORC 12122. (g) for personnel discussions. All of the above were invited to attend with Deputy Fire Chief Dean Fox joining the meeting at 8:24 PM. Jim Reed seconded the motion.

Roll call: Ayes: Lewis, Reed & Miller. Motion passed.

Discussion continued until 8:15 PM when Scott Miller moved to return to open meeting. Jim Reed seconded the motion.

Roll call: Ayes: Lewis, Reed & Miller. Motion passed.

In open meeting format, Trustees dealt with a personnel issue involving the Deputy Chief and his choices on April 5, 2011. Deputy Chief Fox has been on Administrative Leave since April 6, 2011 for: 1) Being under the influence of a substance which prohibits performing the duties of the employee's position appropriately or safely; 2) Action that reflects discredit on the Township; 3) Insubordination; 4) Violations of guidelines in personnel policy; and 5) Violations of departmental work rules.

Scott Miller moved to penalize as follows – 1yr suspension from duty with 11 months suspended for no future violations; 30 days without pay; subject to on duty, random date alcohol testing and participating in the E.A.P. program if needed. Trustee Miller's motion died for lack of a second.

Jim Reed moved to penalize as follows – 1yr suspension from duty with 11 months suspended for no future violations; 30 days without pay; drop one place in rank...from Deputy Chief to Captain; after 12 months drop in rank, Fox may reapply for an open higher rank position; subject to on duty, random date testing for alcohol and to participate in the E.A.P. program if needed. The one month suspension is to begin on April 6, 2011, 0:01, and ending on May 5, 2011 at 24:00. Amy Lewis seconded the motion.

Roll call: Ayes: Lewis & Reed. Nays: Miller Motion passed, not unanimous, resolution #2011-77

Dean Fox had joined the meeting and was asked by Jim Reed if he understood the penalty, demotion, and the on duty, random date alcohol testing. Dean Fox responded that he understood and made the additional statement acknowledging having made a mistake, accepted the Trustees' penalty, offered an apology, asked for forgiveness and was ready to move on.

At the suggestion of the Fiscal Officer, Jim Reed moved to reimburse Dean Fox the co-pay amount of \$60.00 incurred for the alcohol testing since there were no positive test results. Amy Lewis seconded the motion.

Roll call: Ayes: Lewis, Reed & Miller. Motion passed, resolution # 2011-78

Having completed all the business of the work sessions, Scott Miller moved to adjourn at 8:40 PM. Jim Reed seconded the motion and all trustees voted aye.

Scott Miller, Chairman

Jim Reed

ATTEST:

Amy Lewis

John Faulkner, Fiscal Officer