

## RECORD OF PROCEEDINGS

### MINUTES OF THE XENIA TOWNSHIP TRUSTEES:

REGULAR MEETING  
OCTOBER 16, 2014 7:00 PM

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; Susan Spradlin, Trustee; Barbara Miller, Fiscal Officer; Alan Stock, Administrator.

Meeting was called to order at 7:13 p.m. All participated in the Pledge of Allegiance. This was a Regular Trustees Meeting advertised on the Xenia Township website within 24 hours of scheduling this meeting.

#### READ FILE:

Xenia Zoning and Planning, September

#### FISCAL OFFICER/FINANCE:

Mr. Miller made a motion to accept the bills as presented by the Fiscal Officer, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- aye. Motion PASSED by roll call of 2-0.

#### RESOLUTION NO. 2014-259

Mrs. Spradlin made a motion to accept the payroll as presented by the Fiscal Officer, Mr. Miller seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

#### RESOLUTION NO. 2014-260

Mrs. Spradlin made a motion to accept the minutes from the October 2, 2014 Work Session, Mr. Miller said that he has not seen the changes so he would like to table those minutes. He wanted to table the minutes from the October 2, 2014 Trustees' Meeting also.

Mrs. Spradlin made a motion to accept the Special Meeting minutes from October 11, 2014, Mr. Miller seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

#### RESOLUTION NO. 2014-261

Mrs. Spradlin made a motion to accept the Special Meeting minutes from October 13, 2014, Mr. Miller seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

#### RESOLUTION NO. 2014-262

Mrs. Miller asked the Trustees to make a resolution to allow the Fiscal Officer to hire someone to do minutes for the meetings. Mr. Miller said that we already had someone doing them. Mrs. Miller said to check with the Administrator. Mr. Stock said that Mrs. Morrison gave her notification that she will no longer be able to do the 2012 minutes after October 25. Mrs. Miller said since it is the Fiscal Officer's responsibility, as Mr. Miller pointed out in work session, she is asking them to give her the latitude to hire someone. Mr. Miller asked if it is for all minutes or just for 2012 minutes. Mrs. Miller responded for **all** minutes. Mr. Miller said that the Township has two in-house secretaries that are doing the current minutes. Mrs. Miller then asked that it go on record that the Fiscal Officer is not responsible to do the minutes. Mr. Miller denied her request. Mrs. Miller said he just said they have two secretaries in-house that can do them and that is why he does not want to give the Fiscal Officer the latitude to hire someone to do the minutes. Mr. Miller said the question has been about the 2012 and 2013 minutes they have been trying to get caught up on—if she needs someone to do those, he is all for it. Otherwise, the two secretaries are taking care of the current minutes and getting them done in a timely manner. Mrs. Miller said then it is not the Fiscal Officer's responsibility to do the minutes. Mr. Miller asked why she is trying to hire additional people when they have two people doing it today. Mrs. Miller asked again why Mr. Miller said it was her responsibility to make sure the minutes are done. Mrs. Spradlin said according to the ORC Mrs. Miller is permitted to hire an assistant and does not have to ask for permission. She asked legal counsel, Stephanie Hayden from the audience. Stephanie Hayden said according to the ORC in order for the Fiscal Officer to hire an assistant, the assistant would need to be bonded and the Trustees would have to budget for it. Mr.

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Miller asked how much was left in the budget for the line item for help she was receiving. Mrs. Miller said that she wanted it put on record that each Trustee and the Township Administrator were given an up-to-date appropriation status report, fund status report and revenue status report today and he can look at the line items.

**FIRE DEPARTMENT:**

Chief Fox passed around packets on seal coating for the parking lot at Station 52 for informational purposes. Mr. Miller said the Township received three quotes on the sealcoating. They decided to go with Collett Seal Coating; it was the best price for the work being presented. Mr. Miller made a motion to approve Collett Seal Coating in the amount of \$2,260.68, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-264**

Chief Fox said that the Fire Department is starting to ramp up in the possible outbreak of Ebola in Greene County and is passing out information packets.

**TRUSTEES' BUSINESS:**

Mr. Miller said that they have received eleven qualified applicants for Trustee and, after the interview process, the Trustees could not agree on any of the applicants. The decision will be made by a Judge. Mrs. Hayden said that the statute does not give the Judge a time limit on when the decision needs to be made. Mrs. Spradlin said that she felt disappointed that they could not agree on an applicant because she was excited on the number of applications that were turned in and felt like there were a few people who she could and did say yes to.

Mr. Miller asked for a resolution for the Greene County Solid Waste Management Amended Plan. Mrs. Spradlin made a motion to approve the Greene County Solid Waste Management Amended Plan, Mr. Miller seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-265**

Mrs. Spradlin made a motion in order to satisfy the outstanding minutes of Xenia Township that need approval that they employ a single majority vote for minutes prior to 2014, Mr. Miller seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-266**

**TOWNSHIP ADMINISTRATOR:**

Mr. Miller made a motion to approve a contract with the Ohio Risk Management Plan for the annual premiums for the next policy year in the amount of \$36,225.00, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye, Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-267**

Mr. Stock asked to table the Township Inventory Report for the County Engineer.

**ROAD DEPARTMENT:**

Mr. Miller made a motion to use Hartley Oil Company to fill Stations 51 and 52 in the amount of 2,500 gallons, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye, Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-268**

Mr. Miller made a motion to approve the Annual Report of Township Roads for the County Engineer as presented, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye. Motion PASSED by roll call of 2-0.

**RESOLUTION NO. 2014-269**

Mr. Stock said that this year, salt is not as plentiful as in past years. He said salt companies want to do only one delivery this year, not multiple deliveries throughout the year and that the Township is guaranteed 300-500 tons from the Engineer's Office. He has also talked to other Townships, and they would be willing to sell quantities to us, given they take care of themselves first. Mr. Stock has been looking for places to store salt and has found a few places to possibly rent space for storage. Mr. Stock said he and the Road Department have discussed several ideas on how to store the salt. He

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then discussed how to load the salt trucks, either with the storage place's equipment or by using Township equipment.

**GUESTS:**

Mr. Jim Reed asked if he heard correctly that the Township Board of Trustees adopted simple majority rule for their voting. Mr. Miller said yes, but just for minutes prior to 2014.

Mr. Jan Smolinski asked if they are going to schedule a Public Hearing for the rezoning of CEMEX. Mr. Miller said yes and that they have tentative dates of either November 12 or 13 depending on the venue and which times works with that.

Mrs. Marybeth Smolinski asked why we are having another hearing about CEMEX when one Trustee will vote for and the other will vote against the rezoning.

Mr. Reed said that there were three other possibilities to accept, deny or modify the proposal and that he thought once the Zoning Commission denied it there would be no other meeting, unless they would have accepted it. Mrs. Stephanie Hayden, County Prosecutor, said that the Trustees have to have a meeting regardless. Mr. Stock responded that he relayed wrong information and after talking to the legal party it was discovered that with a passage of denial or modification, the Trustees have to hold a public hearing and give their decision.

Mr. Tom Sears said that he can't tell how he knows, but one of the individuals that voted for the rezoning said he will vote against it the next time if it gets brought back to them.

Mrs. Renee Harper said that she has been coming to the last few meetings and has been hearing the same thing. She wants to try to push the Trustees down the road and get to a point where they don't deal with this topic each week.

Mr. Reed said that the Township as a whole has spoken out on this issue, and the Trustees should support the vote and the position of the Township.

Mr. Miller made a motion to go into an Executive Session at 7:58 p.m. for discussion of legal issues, Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye.

Mr. Mille made a motion to exit the Executive Session at 8:22 p.m., Mrs. Spradlin seconded. Roll Call: Mr. Miller- Aye, Mrs. Spradlin- Aye.

Mrs. Donna Randall said that she has attended quite a few meetings and she is tired of hearing the guests ridicule and criticize the elected officials whether they agree with them or not. She also said they keep straying from the agenda.

Mrs. Smolinski asked how they are going to work towards stopping the annexation and what she should expect. Mrs. Spradlin said they have some ideas and plans as to what the next steps will be, however since the meeting minutes can be viewed by anyone, she did not want to give specific details of their plans.

Mr. Smolinski also asked if the Trustees were going to hire an attorney to help fight the annexation. The Trustees answered yes.

Mr. Dan O'Callahan asked if the Board of Trustees can change the zoning ordinance. He wanted to know what power the Trustees' have if the Zoning Commission has already had a Public Hearing. Mr. Miller responded that they will discuss what can be done with legal counsel.

Mr. Reed asked why in the past when the Zoning Commission denied a request it turned into a dead issue and the Trustees did not have any further public hearings--it is different now than it was then. Mrs. Spradlin responded that since this is her first time dealing with this type of issue, she is going by what she is told by legal counsel.

**ADJOURNMENT:**

There being no further business, a motion to adjourn was made by Mr. Miller, seconded by Mrs. Spradlin. Roll Call vote: All voted Aye. Meeting was adjourned at 8:35 p.m.

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XENIA TOWNSHIP BOARD OF TRUSTEES

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

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

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

ATTEST:

\_\_\_\_\_  
Susan Spradlin

\_\_\_\_\_  
Barbara Miller, Fiscal Officer

mlp