

RECORD OF PROCEEDINGS

**MINUTES OF THE
XENIA TOWNSHIP TRUSTEES:**

**REGULAR MEETING
JUNE 7, 2018**

6:00 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 was held at the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio. This was a Regular Trustee Meeting advertised on the Xenia Township website within 24 hours of scheduling this meeting.

Chair Steve Combs called the Regular Meeting to order at 6:00 p.m.

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

All participated in the Pledge of Allegiance.

IN THE READ FILE:

Third Annual Greene County Flag Day Ceremony, Greene County Public Health Press Release (5), Greene Council on Aging(June/July), League of Women Voters(June), Buckeye Farm News(May/June)

Mr. Stock added that he wanted to give a commendation to the Fire Department. He stated that since the Road Department was short staffed he asked the Fire Department if they would consider mowing at 125 Fairground Road. He sent a message out and within 30 minutes he heard back. The message stated that we are one big happy family at Xenia Township and the Fire Department would be happy and pleased to take care of the mowing at 125 Fairground Road. Mr. Stock advised that he was very pleased to receive this message from the Fire Department and the Trustees agreed and thanked them for their extra work.

TRUSTEES' BUSINESS:

Mr. Stock advised that the District 11 Integrating Committee would be having a run off for tie vote. He stated that if the Trustees knew of other Trustees from other jurisdictions in Greene County that had not voted yet, please share the information. Mr. Miller stated that they had the first meeting today and application would be due by the end of July.

Mr. Miller stated that he had walked through the two cemeteries recently and noticed that the fences were in poor shape. He stated that there are people who specialize in putting up farm fence and thought it might be a good idea to get a few quotes to replace the fences. Mr. Miller stated that it could probably be done in house but it was a time consuming project so an outside company may be able to do the job quicker. There was discussion about options in further detail and Mr. Stock advised he would try to obtain a quote by the next meeting. Mr. Combs asked Mr. Pile about the cemetery fences and Mr. Pile stated that the fences have been mentioned before. He talked about the idea of a two rail split fence for the cemeteries so it would help with mowing. He stated that he would like to do this but admits it can be a time consuming job. There was discussion about the fence work and what would be involved. There was discussion about the type of equipment needed to do the job. Mr. Stock asked if there could be an issue of not having a fence around the cemeteries during the time it takes to remove the old fence and install the new one. Mr. Miller stated that he did not think it would be an issue at Friends Cemetery, but at Stevenson there is more fence. He stated that he does not think this fence should be done in house because it would be a big job. It was decided to discuss this further when there was more information.

Mr. Miller stated that there were some dead Ash trees in the Right-Of-Way(ROW). He stated that they had spoken about this before and that some of these trees could put the roadways in jeopardy. Mr. Miller stated that he and Mr. Stock talked about coming up with a letter to property owners that had any dead trees that were not in the ROW but putting the roadway in jeopardy. These letters could be sent to those property owners to find a way to work with them to try to resolve the issue before the tree were to come down in a

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storm. Mr. Combs stated that the letter for the tree issue would be in line with a maintenance code issue. Mr. Combs asked if this letter would fall under that type of code. He stated that if a letter was written and there was not code enforcement then it would have to be done on the honor system. Mrs. Spradlin stated that a copy could be kept so that if something were to happen there would be proof that a letter was sent to make the property owner aware of the danger. Mr. Combs stated that he thought the letter would be a good idea and Mrs. Spradlin agreed. Mr. Stock stated that he will draft a letter, have legal counsel and the insurance company look it over and then bring it back to the Trustees. Mr. Miller stated that it would be helpful if there could be something in the letter citing the Ohio Revised Code.

Mr. Miller stated that he knew the Chip Seal was in the plan for this year. He asked what plans the Road Department was making to be prepared for when the company comes to do the work. Mr. Pile stated that the Road Department had inspected the pipes on the roads to have the chip seal work done and all those look good.

ROAD DEPARTMENT:

Mr. Pile stated that he needed emergency repair to N Bickett of \$38,500.00 to JR Jurgenson. Mr. Pile explained the section of N. Bickett Road that needed the repair. Mr. Stock advised that this was described as an emergency repair because it was not originally in the budget.

Mr. Stock explained the need for the transfer of \$25,000 from crack fill operating supplies to other road improvement to help pay for the repairs to N. Bickett Road. Mr. Stock further explained the need for a Purchase Order to F & F Tree Service for \$3,500 to take care of trees in the ROW that could damage roadways. Mr. Stock asked Mr. Pile to explain some work to be done along N. Bickett. Mr. Pile stated that starting June 18th, the County will be doing bridge work on Kinsey Road for three weeks. He stated that then the County will be doing work on N. Bickett just off of US 42. He stated that both jobs were for repairing bridge decks. Mr. Pile advised that along N. Bickett there has been a water issue and stated that an area stays wet. Mr. Pile stated that the Township was going to work with the County to try to resolve the water problem. Mr. Miller asked Mr. Pile about the third bid and when it was asked to be returned. Mr. Pile stated that he had started this process about two weeks ago and explained that the S & S Tree Service told him that they did not want to submit a bid. Mrs. Spradlin asked about the safety grant for Brush Row and Bickett and wanted to know if there was any money from that to put towards repairs next year. Mr. Stock stated no but he did have some grants to share with the Trustees and explained what those grant may pay for. There was further discussion about the repairs to be done along N. Bickett Road.

Mr. Combs moved to approve the Purchase Order for emergency repair to N. Bickett Road as discussed for \$38,500 to JR Jurgenson from 2231-330-599-0000. Mrs. Spradlin seconded the motion. Mr. Miller asked that the other Trustees to go out and look at this area. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-063

Mr. Miller moved to approve the transfer of \$25,000 from 2231-410-420-0000 to 2231-330-599-0000 for purposes of road work on N. Bickett Road. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-064

Mrs. Spradlin asked about the trees that would be cut down. Mr. Pile stated that these were trees in the Right-of-Way. There was discussion about how many trees and why they were being done now. Mrs. Spradlin thanked him for the information.

Mr. Combs moved to approve a Purchase Order to F&F Tree Service for \$3,500.00 from 2231-330-360-0000 for tree trimming on N. Bickett Rd. Mr. Miller seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-065

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FIRE DEPT:

Deputy Chief Beegle stated that Chief Fox sends his apologies for not being in attendance tonight. Deputy Chief Beegle advised that last year the Trustees approved Brandon Strunk to go to a Firefighter training. Deputy Chief Beegle stated that the Fire Department had received the grant payment for Firefighter Strunk's classes. He stated that the grant was for \$525.00.

Deputy Chief Beegle stated that the Fire Department had received a check for \$10,000.00 from Caesarscreek TWP for equipment on new engine. Mrs. Seiter advised that this money would need to be certified before it was spent on any equipment. Mr. Combs asked when the new engine would be ready. Deputy Chief Beegle stated that he had contacted the company last week and work was still being done. He stated that there will be a meeting to go over more of the specifications. Mr. Combs advised that they could recognize the new engine and the money from Caesarscreek at the same meeting. Mr. Miller asked if the seal letters were likely to go out this year. Deputy Chief Beegle stated that was an Association Project and he was not sure if they will go out this year. Mr. Miller stated that they could also recognize this contribution.

Deputy Chief Beegle stated that the Fire Department received an update for the EMS billing program. He stated that Change Healthcare is Med 3000. Deputy Chief Beegle stated that there was a good working relationship with this company and that this was a strong program. Mr. Stock advised that he had spoken with the representative from this company and showed examples of how the billing was handled when a double payment was received. There was discussion about this company and the level of Quality Control that this company holds.

Deputy Chief Beegle explained the requested change in rate schedule for 2018. He explained the research he did and why he felt there needed to be a change to the rate schedule. There was discussion about changing the medical transport rates for the Department.

Mr. Miller moved to approve the Medical Transport rate schedule 2018, per the attached, effective July 1, 2018. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-066

Deputy Chief Beegle advised that the Fire Department received two tablets from a grant he applied for. He stated that the tablets were wi-fi based and gave a brief demonstration. Mrs. Spradlin asked if the staff would do their reports on the tablets. Deputy Chief Beegle stated that they can. Mrs. Spradlin explained that she saw another jurisdiction using a tablet and stated that it seemed to help save time for the staff. Deputy Chief Beegle stated that in a few months the Fire Department might ask for additional components to the medics. Mrs. Seiter asked if the tablets were from the hospital, and Deputy Chief Beegle stated that the Grant was through the State of Ohio.

Deputy Chief Beegle stated that the Fire Department was quantifying the procedures for water rescue. He explained they were working on guidelines, established personnel, and then drafting the policy. He stated that he would have more at the next meeting. Mr. Stock advised that this was just the first reading and that this was to give everyone the information and time to discuss it.

Deputy Chief Beegle stated that he had received the resignation of Lacy Lawhorn on May 17, 2018 due to a change in life responsibilities, he stated she would be eligible for re-hire. Mr. Miller moved to accept Lacy Lawhorn's resignation and expressed appreciation of the Board for her time. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-067

Deputy Chief Beegle stated that he had received the resignation of Jon Nickerson May 21, 2018, due to a change in life responsibilities, he stated that he would be eligible for re-hire.

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Mr. Miller moved to accept Jon Nickerson's resignation and expressed appreciation of the Board for his time. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-068

FISCAL OFFICER:

Mrs. Seiter advised that she had given everyone a copy of the monthly financial reports.

Mrs. Seiter presented the payroll. Mr. Miller moved to approve the payroll as presented. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-069

Mrs. Seiter presented the bills and stated that Mrs. Spradlin had two questions. Mrs. Seiter state that the one was for tires for the backhoe. The other was regarding the insurance payment. Mrs. Seiter explained this payment. Mr. Miller moved to approve the bills. Mrs. Spradlin seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-070

Mrs. Seiter advised there were two sets of minutes to approve from May 3, 2018 and May 17, 2018. Mr. Combs asked if Mrs. Seiter could speak about the Audit update first.

Mrs. Seiter advised that the Audit was almost done and that she had a few questions that she was addressing at this time. She explained a couple samples of questions asked and how she was answering them. She stated that this was an Agreed Upon Procedure and not a full audit and the State determined it was good to do this simpler version, but a full audit could be requested.

Mr. Combs advised he was ready to go back to the minutes and stated that he would like to have a little more time to review the May 3rd minutes. He stated that he was good with the May 17th minutes. Mr. Combs asked if everyone else was good with the May 17th minutes. Mrs. Spradlin stated that she wanted a correction to where the Revised Code was sited and Mrs. Seiter advised that she had spoken with Mrs. Haller about this. Mrs. Seiter stated that with Mrs. Haller's paralegal training, she was taught to cite the Revised Code in this manner. Mr. Combs state that he did see something on the May 17th minutes as well and asked if they could table both sets of minutes until the next meeting. Everyone agreed to table the minutes.

Mr. Miller moved to approve a Then and Now Purchase Order to S&S Tree Service of \$693.75 to be dated July 3, 2017 from 1000-130-360-0059. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-071

Mrs. Seiter stated that this Then & Now was needed because the invoice was not received back in July 2017. Mr. Combs stated that he wanted to be sure that everyone knew that the Township pays the bills on time, but if a bill was not received then the Township cannot pay it. Mrs. Seiter provided a transfer form to cover salary and taxes due to audit corrections.

Mr. Miller moved to approve a transfer of \$4,870.95 for 2014-2015 Audit for underpaid Elected Officials from Contingencies to five line-items as attached. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-072

Mrs. Seiter advised that in submitted information to OPERS regarding these payments she received late fees and penalties for 2014 of \$54.00, but there were no late fees for 2015. She explained the late fees and penalties and how she paid for them. Mr. Miller stated that for this particular item, the previous Fiscal Officer miscalculated amounts paid for those Elected Officials and this miscalculation was found by the State Auditor's Office and this was the correction from the Auditor's Office.

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ADMINISTRATOR:

Mr. Stock advised that there were two properties that he needed to be deemed a nuisance by tall grass/weeds and asked for a resolution. The two properties were 1182 Boyd Rd, M36000200361004800, and 1030 Whitestone, M36000200263006500.

Mr. Miller moved to approve a nuisance by tall grass/weeds for 1182 Boyd Rd, M36000200361004800, and 1030 Whitestone, M36000200263006500. Mr. Combs seconded the motion. Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

RESOLUTION NO. 2018-073

Mr. Stock advised that he had an update about the CEDA's with Xenia City. He stated that there were six agreements between the City of Xenia and the Township. He explained that he received more information late this afternoon and will have copies for everyone as soon as possible. He stated that he was still reviewing this information and would continue to give updates as he had them. Mr. Miller stated that there were different types of agreements over the years and was not sure if they were all CEDA's. Mr. Stock stated that he was correct and did see different types of agreements. There was discussion about the different types of agreements.

Mr. Stock stated that the Board of Zoning Appeals met on May 31, 2018. He explained the application received. Mr. Stock stated that the Variance was denied unanimously. Mrs. Spradlin asked how many of the Board members were present for this hearing. Mr. Stock advised that all five members were present and voted.

Mr. Stock stated that he would share his AAA Just Cause Seminar Report at another time.

Mr. Stock stated that there was zero participation last year for the Farmer's Market. He stated that it was advertised and signs were posted. Mr. Stock asked the Trustees if they wanted to do the Farmer's Market this year. Mrs. Spradlin asked if there had been any applications received or any requests/inquiries about it. She stated that she is in favor of doing the Farmer's Market if there was interest in it, and she stated that she thinks they need a better location like 125 Fairground Road. There was discussion about bringing this back when there was more interest or someone wants to apply.

Mr. Stock advised he would table his report on the Greene County Grant workshop for another time.

Mr. Stock advised that he wanted to show the Trustees that there was a need to do curbs, gutters and the road along Murray Hill Drive. He stated that this could be done by an assessment. He explained the procedures and stated that he would have a time line for doing these procedures. Mrs. Seiter asked if there were steps for her regarding this and Mr. Stock advised that this was the legal aspect of the procedures not the practical but he thought it would be like any other assessment.

Mr. Stock advised that the Fire Department Arbitration would be on June 12, 2018.

Mr. Stock advised that it was time to set the Tax Budget Public Hearing for July 5. He asked Mrs. Seiter if there was a set time for this meeting. Mrs. Seiter stated that they had not discussed a time yet. Mrs. Seiter suggested having it right before the Trustee meeting on July 5th. Mrs. Spradlin stated that she would like to look at the budget before the hearing so that she could have time to look it over and discuss it beforehand. Mrs. Seiter advised yes that she sends a copies to the Trustees before the hearing so they could review it. Mr. Combs asked if the meeting should be at 5:30 p.m. on the 5th. Everyone agreed this would be a good time. Mr. Miller stated that he would like to look at the goals for 125 Fairground Road to be set for the balance of this year and next year. Mrs. Seiter advised that this budget does not have to be so detailed and recommended they have a work session before the end of the year. Mr. Miller stated that he would like to be sure that they have a chance to discuss what they were trying to accomplish at 125 Fairground Road before the end of the year.

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Mr. Stock advised that he did a study of Xenia Township voter turnout percentages since 2012. He explained the handout and went over the percentages. Mr. Combs stated that this recent election with the referendum shows that each vote counts and it always counts, so it is important to always vote. Mrs. Spradlin asked why this was an agenda item and was there an upcoming vote on something. Mr. Stock stated that no he had been asked by a Trustee about registered voters and turnout for Township residents so he prepared the report.

Mr. Stock advised that he needed to table the Vintage Market Days update because he was waiting for more information.

Mr. Stock provided handouts regarding the property at 1333 E Main and showed pictures of the deteriorated building. He explained the pictures and stated that Al Kuzma, Greene County Building Regulation, agreed that something needed to be done. He stated that he was meeting with Greene County Health Department to discuss this property. Mrs. Spradlin asked if the State of Ohio had been notified since they own the property. Mr. Stock advised that he has been in contact with the State of Ohio.

Mr. Stock advised that the bike path area to Central State University annexation was on going with the Greene County Commissioners. This lawsuit was between the City of Xenia and Greene County Commissioners, so the Township is not named in this suit. Mr. Stock advised that he spoke with Mrs. Carter, legal counsel for the Township, about this lawsuit. He stated that this was a mandamus action and there was no reason for the Township to be involved at this point as an interested party. Mr. Miller requested this be done during an executive session. Mrs. Spradlin stated that this was just updated information. Mr. Stock stated that it was up to the Trustees but he was not sharing any privileged information. Mr. Miller asked to discuss this at the end of the meeting in an executive session.

Mr. Stock stated that he recently conducted the one-year time and travel protection inspection and that he gave a copy of his report to the Trustees. He stated that nothing was found to be in violation. He stated that one farm has acquired more pigs so he was doing a study regarding pig fecal matter and its effects on source water. He stated that he may have more information regarding a nuisance property on the north side of US 68 and he was working on contacting the family of the deceased property owner.

Mr. Stock advised that the Trustees had a copy of an application for ODOTs safety grant for Bickett/Brush Row Rd from SRA study. He explained the grant and the process for continuing this work.

UPCOMING MEETING DATES:

June 21, Trustee Meeting
June 26, Zoning Commission Meeting
July 5, Trustee Meeting

COMMITTEE REPORTS:

Greene County Regional Planning, Mr. Combs state that a replacement had been chosen for Ken LeBlanc, and he stated that the replacement does a similar job just on a smaller scale.

Safety Council, Chief Fox would report on this during the next meeting.

Source Water meeting, Mr. Stock advised that the meeting was about Geofence with the CAD program and explained how this would help protect the source water.

GUESTS:

No Guest were in attendance

Mr. Combs asked about the executive session. Mr. Stock asked Mr. Miller the reason for the Executive Session and if it was to discuss legal matters then legal counsel would have to be present to enter an Executive Session for that reason.

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Mr. Miller moved to enter into Executive Session at 8:43 p.m. for O.R.C. 121.22(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mrs. Spradlin stated that (G)(3) was to conduct conferences with an attorney so it did not fit. Motion died for lack of a second. Mr. Miller requested that the attorney be at the next Trustee meeting.

ADJOURNMENT:

Mrs. Spradlin moved to adjourn at 8:45 p.m. Mr. Combs seconded the motion Roll Call: Mrs. Spradlin – aye, Mr. Miller – aye, Mr. Combs – aye. Motion **PASSED** by roll call of 3-0.

Xenia Township Board of Trustees

Date Approved: _____

L. Stephen Combs, Chair

Resolution # _____

Attest:

Scott Miller

Sheila J. Seiter, Fiscal Officer
MEH

Susan Spradlin