

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES
MEETING HELD ON:**

**REORGANIZATIONAL
DECEMBER 30, 2010 9:00 AM**

NOTES: These minutes are a mixture of summary and detail comments of the meeting and are not a word for word account of the discussions which took place.

Chair Scott Miller called the re-organizational meeting to order at 9:00 a.m. Board Members present were Jim Reed, John Faulkner and Scott Miller. Also in attendance were Fiscal Officer Sheila Seiter, Zoning Inspector Painter, Fire Chief Daryl Meyers, and Road Public Works Superintendent David Shuey.

All in attendance participated in the Pledge of allegiance.

MINUTES:

Faulkner moved to approve and dispense with the reading of the minutes of the regular meeting on December 9 due to the Trustees reading them prior to the meeting. Reed seconded.

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

Faulkner moved to approve and dispense with the reading of the minutes of the work session with Xenia City on December 13 re: well fields due to the Trustees reading them prior to the meeting. Faulkner stated they fairly represent the purpose of the meeting. Reed seconded.

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

The minutes of the two part all day work session on December 15 (Part 1 –re: economic development and Part 2 – re: 2011 Budget) are not complete yet.

The minutes of the regular meeting on December 21 are not complete yet.

BOARD APPOINTMENT:

Faulkner moved to nominate Scott Miller as the Chairman of the Board for 2011. Reed seconded the motion. Resolution No. 2010-270

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

Miller moved to nominate Jim Reed as the Vice Chairman for the Board for 2011. Faulkner seconded the motion. Resolution No. 2010-271

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

MEETINGS:

Trustees and staff discussed the date and times for the 2011 Board of Trustees meetings in detail. Miller moved to hold the regular meeting on the 2nd Thursdays of each month at 7:00 pm and 4th Thursdays of each month at 2:00 pm. Miller further moved to include work sessions as needed on the third Wednesday of each month (exception to September and December as the second Wednesday) at 8:00 am. Motion seconded by Faulkner. Resolution No. 2010-272

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

VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND (VFFDF):

Seiter reported on changes to the State Fire Marshal's VFFDF board of one year terms commencing January 1, 2011. Grover Degler is stepping down and Jim Larch moving soon, thus leaving at least two seats vacant. Mr. Corcoran verbally advised he would continue as the chair, but has not signed the form left for him almost two weeks ago. Attendees discussed the options and types of appointments to fill the board. Chief Meyers and staff to confirm members and report back for approval at the January 13th meeting.

ZONING BOARDS:

Painter recommended reappointment of full members to each board. Trustees discussed.

Faulkner moved to reappoint Willie Washington as a full Zoning Commission member for the next five year term and Kenneth Penewit as a full BZA member for the next five year term. Reed seconded the motion. Resolution No. 2010-273

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

Painter advised Mary Luttrell, Zoning Commission alternate, has provided a letter of resignation due to other activities. Miller moved to accept Ms. Luttrell's resignation effective 12/31/10.

Faulkner seconded the motion and requested a letter of thanks from the Trustees. Resolution No. 2010-274 Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

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Painter advised John Cowherd gave a verbal notice of resignation, written to come. Trustees advised they will action at that time. Mr. King needs to pass the zoning class prior to the option of being moved up to a full member. Trustees advised to place openings on the website and request letters of interest.

Faulkner moved to reappoint Alan King as the alternate member to the one year term on the Commission and Joe Mullikin and Elaine Conley as the alternate members to their one year terms on the BZA. Miller seconded the motions. Resolution No. 2010-275

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

Zoning Commission	Term Expires	Board of Zoning Appeals	Term Expires
Willy Washington	12/31/10	Kenneth Penewit	12/31/10
John Cowherd	12/31/11	James Larch	12/31/11
Virgil Ferguson	12/31/12	Don Harner	12/31/12
Connie Paoliello	12/31/13	Charles Bingamon	12/31/13
Kent Harbison	12/31/14	Phillip Ed Jacobson	12/31/14
Alan King, Alternate	12/31/10	Joe Mullikin, Alternate	12/31/10
Mary Luttrell, Alternate	12/31/10	Elaine Conley, Alternate	12/31/10

Fiscal Officer Seiter reminded the zoning board members have the option to be true unpaid volunteers or to be processed through payroll. There are currently three members who choose to be paid and the rest have signed waivers to be volunteers. Trustees agreed to maintain the same pay rate of \$20.00 per meeting for 2011 for the current and any new paid members including deductions of the required taxes and payable in December at the end of the year. Further, both types of members are covered by workers compensation.

MILEAGE REIMBURSEMENT:

Miller moved to reimburse Township elected officials for mileage expenses in private vehicles for Township business outside of Xenia Township, which is a change from prior years of outside the County, only at the IRS approved rate per mile as it may be at the time the expense is incurred. Employees shall receive reimbursement at the same rate for any mileage expenses incurred in their private vehicles on Township business. Motion seconded by Faulkner. It was noted the rate at this time is the same as last years. Resolution No. 2010-276

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

STATE AND NATIONAL CONVENTION AND CONFERENCES:

Faulkner moved to allow for expenses for the Trustees and Fiscal Officer to attend State and National Conventions and Conferences and for the same to be paid from the General Funds. Motion seconded by Miller. Resolution No. 2010-277

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

BENEFITS:

Miller moved to provide, if needed, life, health (including the Health Reimbursement Account) and dental insurance (as currently offered) to all full time Township employees and elected officials. Further, that the Township shall currently pay all premiums with the exception of life premiums for elected officials due to the change in coverage. Elected officials will reimburse the township for the life insurance portions unless further advised by the County Prosecutor. Faulkner seconded the motion. Resolution No. 2010-278

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

Faulkner advised he would still like to find and provide soon, life coverage for part time and paid per call employees. All other agreed.

TRUSTEES COMPENSATION:

Faulkner moved to adopt the annual salary basis form of compensation for the Board of Trustees and Fiscal Officer until further notice per Attorney General Opinion No. 2000-043 and the Ohio Revised Code Section 505.24. Motion seconded by Reed. Resolution No. 2010-279

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

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Miller moved to pay the Trustees and Fiscal Officer according to the statute (ORC 505.24 and 507.09) which ended December 31, 2008 and advised by the Ohio Township Association. Said notice states the pays for 2011 are to remain the same as prior years' (2008, 2009 & 2010) salaries with no increase due to the General Assembly not passing any legislation to amend or establish new guidelines at this time. Seiter explained how the elected officials' salaries were up in 2010 due to the increased budget and County Prosecutor's opinion and will go back down to the 2009 amounts due to the total township budget decreasing below the range limit due to the purchase payment of the tanker and all other expenses. Faulkner seconded the motion. Resolution No. 2010-280
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

PERSONNEL SALARIES AND HOURLY WAGES:

Faulkner moved to re-appoint Rhonda Painter as the full time Zoning Inspector/Clerk/Office Manager, David Shuey as the full time Road Public Works Superintendent, and J. Daryl Meyers as the full time Fire Chief at their current salaries effective December 26, 2010. Motion seconded by Reed. Resolution No. 2010-281
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Miller explained that the Board is working on a plan for possible pay, cost of living, etc. increases, for all staff, to be determined in the near future.

Miller moved to approve the administrative staff and road crews to continue in 2011 at the same descriptions and pay.
Part-Time Secretary Sheryl Blackaby – Hourly - \$13.04
Part-Time Fiscal Assistant Cathy DeWine – Hourly - \$14.25
Road/Maintenance Worker 1 Roger Morris – Hourly - \$16.62
Road/Mechanic Franz Seiter – Hourly - \$18.45
Road/Maintenance Worker 2 Ronnie Shaw – Hourly - \$17.20
After a brief discussion, Faulkner moved to amend Miller motion to remove the words “descriptions and” and to add the intern position’s pay is to remain at \$10 per hour, the same as 2010. Miller seconded the motion. Reed asked about DeWine being paid more than Blackaby when Blackaby has been here longer. Seiter explained how it is about responsibilities and duties. Reed disagreed and talked about making it fair. Seiter stated that if that is the case than Painter needed a large raise to be greater than Meyers and Shuey because she has been here over 10 years and they only two. Miller called for a vote. Resolution No. 2010-282
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried
Faulkner seconded the original motion.
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Miller moved to re appoint Deputy Chief Dean Fox at the same salary, \$587.02 per pay period. Faulkner seconded the motion. Resolution No. 2010-283
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Chief Meyers recommended re-alignment of the three captain’s pay as previously discussed in work session. Miller moved to create three salary bi-weekly captain positions as follows: Captain, EMS Coordinator with annual salary of \$11,050, Captain, Fire Administrator with annual salary of \$9,750 and Captain, Accountability/Station Commander with annual salary of \$8,450; transfer Greg Beegle to the EMS Coordinator, Jeff DeVoe to Fire Administrator and Richard Baker to Accountability/Station Commander captain positions and to further abolish the prior two part time and one paid on call hourly paid captain positions. Reed seconded the motion. Meyers advised job descriptions will come later. Seiter asked if there will be minimum hours required like the Deputy Chief position. Meyers advised yes, but lower based on duties. Seiter referred back to prior discussion of differences between pay, duties and years of services and asked why these three captains are paid different. Meyers advised the captain’s positions are different due to certifications, i.e. Beegle is a paramedic. Meyers noted he would like to split the current pay categories also, like lieutenants and paramedics are currently the same. Resolution No. 2010-284
Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried

Miller moved to approve the following pay to continue at current rates:
Part-Time Lt. & Paramedics – Hourly - \$12.41
Part-Time EMT & FF – Hourly - \$11.79

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Part-Time Fire Admin Asst./PM/FF – Hourly - \$13.34 (paid out of EMS Billing Fund)
POC Lt. & Paramedics – Per Point - \$12.41
POC EMT & FF – Per Point - \$11.79

Faulkner seconded the motion. Resolution No. 2010-285

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

Volunteers:

Fiscal Officer Seiter reminded there is currently one true unpaid fire department volunteers (Mr. Faulkner) and 11 zoning board members signed as volunteers. Further, that said volunteers have signed the waiver letters as prepared by the Prosecutor’s Office. Further, they will be covered under workers compensation as confirmed by BWC and the Prosecutor.

SEASONAL ROAD DRIVER:

Faulkner moved to re-appoint Cliff Beegle and Roger Moon as temporary/seasonal road snow removal drivers as contract services employment at a rate of \$12.00 per hour. Miller seconded the motion. Reed asked about process and advised his understandings of new laws on contract labor vs. employee. Attendees discussed in great detail and will review guidelines further. Faulkner and Miller withdrew their motion and second. Trustees asked Shuey to contact the gentlemen to see if they would be interested in regular employment on a temporary seasonal basis. Discussed pay rate change. Subject tabled.

TAX SETTLEMENT DRAWS:

Seiter requested a resolution be approved providing for her the ability to request early draws from the County Auditor’s Office on the semi annual property tax settlements. Faulkner moved to approve said request. Reed seconded the motion. Resolution No. 2010-286

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

TEMPORARY APPROPRIATIONS FOR 2011:

Seiter provided a report and requested temporary appropriations be set to pay expenses for 2011 until the permanent Annual Appropriations is adopted including funding to cover a purchase order for the Union Road property. After further discussion, Miller moved to adopt the temporary appropriations at a total of \$400,000.00 as recommended by Seiter. Motion was seconded by Faulkner. Resolution No. 2010-287

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

BILLS AND PAYROLL:

Fiscal Officer Seiter requested approval of bills and payroll in the amount of \$28,809.21
A copy of the payment register is attached to these minutes and made a part thereof. Seiter advised she will prepare the carryover purchase orders Friday for the ongoing utilities, etc. type vendors and provide a list. Reed moved to approve said request. Motion seconded by Faulkner. Resolution No. 2010-288

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

NEW BUSINESS:

Miller moved to approve the renewal of the Derrick land usage agreement for the Brush Row Road property storage area. Motion seconded by Reed. Resolution No. 2010-289

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

Staff provided a memo for the 2011 Holiday schedules. The 2011 New Year day will be on a Saturday, but observed on the Friday, December 31, it would appear there were 11 holidays in 2010 and only 9 in 2011. The ORC allows for 10 holidays per year and this would show the balance between the years. Faulkner moved to approve the 2011 Holiday schedule as requested. Reed seconded the motion. Resolution No. 2010-290

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

Seiter provided a request for approval of a purchase order on behalf of Jeff DeVoe for extended service agreements on two fire department computers. The request is to Key Bank for charges to Dell for a total of \$419.60 from fire contract services. Miller moved to approve the request.

Faulkner seconded the motion. Resolution No. 2010-291

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

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Faulkner and Seiter provided a report and proposed resolution for electronic communications during board meetings. The sample was from the Board of Greene County Commissioner's. Reed advised he did not like it, as it appeared we were hiding something and only want out what we choose. Seiter and Painter explained how they were told others have copies of a hearing/meeting, yet they did not get it from us, the official record keepers. Reed noted it was not the same as the Commissioners. Seiter advised she did additions based on other discussion and it was not her intentions to hide anything, but to assure the records. Attendees discussed language in detail. Tabled for further review. Reed revisited the subject again later and advised he would be ok to pass a resolution word for word as the County Commissioners, but not the proposed one with changes. Tabled.

COMMITTEE APPOINTMENTS:

Trustees discussed the committee appointments for 2011. Faulkner moved to make the following committee appointments for 2011. Motion was seconded by Reed. Resolution No. 2010-292

- Roll Call: Ayes: Faulkner, Reed and Miller Motion Carried
- Chamber of Commerce: Rep. Rhonda Painter per Chamber
- Miami Valley Regional PC: Rep. John Faulkner, Alternate Scott Miller
- Technical Advisory: Rep. Scott Miller, Alternate Jim Reed
- Greene Co. Regional Plan Full Commission: Rep. Jim Reed, Alternate John Faulkner
- Combined Health District: Rep. Scott Miller, Alternate Jim Reed
(District Advisory Council)
- Water/Wastewater Advisory: Rep. All three Trustees
- Source Water: Rep. All three Trustees
- Xenia Economic Growth Corp.: Rep. Scott Miller, Alternate Jim Reed
- County Managers and Officials: Rep. Jim Reed (to confirm status of group)
- Ad Hoc Warning Committee: Rep. Daryl Meyers, Alt. David Shuey & Franz Seiter
- Xenia Township Safety Committee: Jim Reed, David Shuey, Daryl Meyers, Jeff DeVoe, and Greg Beegle
- Chamber of Commerce Safety Council: Meeting attendance alternated between department
(workers compensation benefit) heads and Trustees. Painter to coordinate
- Greene Co. Communications (911 Dispatch): Daryl Meyers appointed by Co. Fire Chief's Assoc.

Attendees discussed creating a grant committee. Members could be one trustee, all three department heads and a resident.

SEASONAL ROAD DRIVER: continued

Shuey advised neither guy home. Faulkner moved to employ temporary/seasonal drivers at a rate of \$15.00 per hour and to authorize Superintendent Shuey to establish a list of up to four qualified people. Miller seconded the motion. Resolution No. 2010-293

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

Miller moved to hire Cliff Beegle and Roger Moon as seasonal temporary drivers as needed at \$15 per hour. Faulkner seconded the motion. Resolution No. 2010-294

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

OLD BUSINESS:

Seiter advised the purchase order to the Treasure, State of Ohio for the Union Road parcel needs to be changed to Key Bank in order to allow proper purchase of a cashiers check as required by the State. Seiter will then prepare the check to Key, and that will act as the approval for the cashier's check from the bank per the bank representative. Trustees agreed to the change and advised to hold on printing the warrant until the closing date has been set.

Faulkner reported on the Tecumseh and Arnovitz JEDD status. He took the documents to Assist. Prosecutor Ellis for approval to form and signature. When they come back, we are to sign and forward to the County Commissioners for action.

Painter provided an agreement letter, for the World Trade Center artifact, with the New York Port Authority. Miller will sign as chair. Discussed briefly.

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Trustees and Painter discussed the draft letter of support to Xenia City for the well field. Miller advised Jay Stewart is reviewing it and will give feedback soon. Painter asked about the letter for a meeting with Xenia Council on various issues. Discussed briefly.

Miller reported on concerns with usage of the Time Warner fiber optic.

CORRESPONDENCE:

- From Mary Luttrell, Dec. 29, letter of resignation from zoning commission.
- From New York Port Authority, Iris Goldstein, Dec. 28, agreement for World Trade Center Steel
- To Ohio Mutual Insurance, Dec. 23, invoice for road sign damage repairs from accident-paid.
- From Ohio Dept. Public Safety, Dec. 17, Re: Jan-Dec 2008 auditing findings/corrections in Nov. 2010 distributions.
- To OTA, from Seiter, Dec. 27, completed local government fund survey.
- From Regional Air Pollution Control Agency, Dec. 15, re: asbestos regulations on demolitions.
- From Seiter, Dec. 30 reports: revenue status and appropriation status.
- From OTA, January 2011 monthly *Grassroots Clippings* newsletter.

UPCOMING MEETING DATES:

January 4, Tuesday, 6:00 pm	Greene County Twp. Assoc. at Beavercreek
January 13, Thursday 7:00 pm	Regular Trustee Meeting
January 19, Wednesday 8:00 am	Monthly Work Session
January 27, Thursday 2:00 pm	Regular Trustee Meeting

ADJOURNED: 12:22 pm

Miller moved to adjourn, Faulkner seconded the motion.

Scott W. Miller, Chair

Attest:

John D. Faulkner

Sheila J. Seiter, Fiscal Officer

Jim Reed