



## GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON JANUARY 9, 2023

**The meeting was held at the German Township Hall located at 12102 St. Rt. 725 West, Germantown, OH 45327 and virtually using WebEx.**

The meeting was called to order by Board President Mark Cross at 7:00 pm. In attendance were:

President Mark Cross	Vice-President Jacob Stubbs	Trustee Lou Potter
Fiscal Officer Mark Heistand	Police Chief Joe Andzik	Road Admin. Jeremy Holbrook
	Zoning Inspector Shauna Close	

**IN-PERSON ATTENDEES:**

Name	Address	Name	Address
Deb Cross	7444 S. Stiver Road	Mark Keener	7865 Jamaica Road
David Gehron	14239 Kiefer Road	Kurt Jacoby	12955 Harris Road

**ONLINE ATTENDEES:**

Name	Name	Name	Name
KC	Sam	Abigail Hale-Dennis	

The Germantown Press was notified of the Regular Meeting on 1/1/23 at 2:42 pm.

Dr. Cross led the group in the Pledge of Allegiance.

**VISITOR COMMENTS:**

- **Mark Keener, 7865 Jamaica Road:** Mr. Keener, the Township’s representative to the Joint Economic Development District (JEDD) Board, gave an update. A JEDD Board Special Meeting scheduled for 1/5/23 was canceled at the last minute. Several members were not available and in addition the meeting announcement did not specify the purpose. The JEDD Board has received two checks from Farmersville for tax withholdings, but the checks cannot be deposited since the Board has not yet approved opening a checking account. Farmersville appointed Council Member Todd Cunningham as the Village’s Board representative, replacing Germantown Council Member Brian Wafzig whose term ended 12/31/22. Mr. Keener distributed to the Trustees an email he sent to the other Board members, attempting to reschedule the canceled 1/5/23 meeting.

**FISCAL OFFICER’S REPORT:**

- Mr. Heistand submitted minutes for the 12/30/22 Special Meeting and the 1/2/23 Organizational Meeting. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes of both meetings as presented. The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand presented the *FINAL* December Financial Reports: (1) 12/31/22 Fund Status; (2) YTD 12/31/22 Cash Summary by Fund; (3) Month of December 2022 Cash Summary by Fund; (4) December 2022 Receipt Listing; and (5) December 2022 Payment Listing. He noted that the reports included a couple minor transactions that he recorded while reconciling the December bank statement. The reports also included the December interest from First National Bank of Germantown (\$4.71) and Star Ohio (\$5,940.12).
- Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the *FINAL* December financial reports and reauthorize the payment of December bills (warrants 50622 through 50628 and vouchers 986 through 1070 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that, following the 12/12/22 meeting, he forwarded the Trustee's two RESOLUTIONS requesting that the County Auditor certify the funds to be received by a .5 mill five-year renewal or replacement of the Pool Levy. The Auditor's certifications indicated that a renewal levy would generate \$96,292 annually at 95% and a replacement levy would generate \$111,690 annually at 95%. He noted that the next step is for the Trustees to approve placing one of the levies on the 5/2/23 ballot for the entire Township, both unincorporated and incorporated.
  - Dr. Cross introduced **RESOLUTION 2023-09**, seconded by Mr. Stubbs: **A RESOLUTION DETERMINING TO PROCEED TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION.** Dr. Cross read the RESOLUTION in its entirety, noting that the Pool Levy on the 5/2/23 ballot would be a .5 mill renewal for five years, commencing in 2023, first due in calendar year 2024. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-09 WAS ADOPTED.**
- Mr. Heistand asked for approval to transfer \$4,000 from the General Fund (#1000) to the Road and Bridge Fund (#2031). The appropriation was approved at the 1/2/23 Organizational Meeting. Mr. Potter introduced **RESOLUTION 2023-10**, seconded by Dr. Cross: **A RESOLUTION APPROVING THE TRANSFER OF \$4,000 FROM FUND #1000-GENERAL TO FUND #2031-ROAD AND BRIDGE AS APPROXIMATE PAYMENT FOR THE 2023 MAINTENANCE OF TOWNSHIP CEMETERIES BY THE ROAD DEPARTMENT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-10 WAS ADOPTED.**
- Mr. Heistand asked for approval to transfer \$34,900 from the General Fund (#1000) to the Police District Funds (#2081), the Gasoline Tax Fund (#2021), and the Trash Fund (#2071). Dr. Cross introduced **RESOLUTION 2023-11**, seconded by Mr. Potter: **A RESOLUTION APPROVING THE TRANSFER OF \$34,900 FROM FUND #1000-GENERAL TO OTHER FUNDS AS FOLLOWS: \$15,500 TO FUND #2081-POLICE DISTRICT; \$14,900 TO FUND #2021-GASOLINE TAX; AND \$4,500 TO FUND #2071-GARBAGE AND WASTE DISPOSAL. THE PURPOSE OF THE TRANSFERS IS TO STRENGTHEN THE FUND BALANCES OF THE RECIPIENT FUNDS.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-11 WAS ADOPTED.**
- Mr. Heistand reported that Cintas Corporation requested that the Township sign a five-year contract for mats and towels. Although he couldn't find that the Trustees approved a similar contract in either 2017 or 2018, he felt that it would be wise for the Trustees to approve the new contract. Dr. Cross introduced **RESOLUTION 2023-12**, seconded by Mr. Potter: **A RESOLUTION APPROVING A 60-MONTH CONTRACT WITH CINTAS CORPORATION.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-12 WAS ADOPTED.**
- Mr. Heistand noted that at the 12/30/22 Special Meeting a question was raised about how much of the Fouts Trust Fund can be distributed. He noted that the original principal cannot be spent.

Additionally, only 75% of the increase above the original principal may be spent. He reviewed the work papers prepared in 2019 when Dr. Cross researched the Fouts Fund. Mr. Heistand presented an analysis of the Fund since 2019. As of 12/31/22 he believed that \$15,328.38 of the \$32,641.86 balance was available to be spent. The Trustees approved a \$4,000 appropriation at the 1/2/23 Organizational Meeting. Dr. Cross thanked Mr. Heistand for preparing the analysis.

- Mr. Heistand noted that at the 1/10/22 meeting, Mr. Stubbs listed his goals for 2022. One of his goals was to pay off in advance the remaining Valley View Water & Sewer District debt at First National Bank. However, during 2022 only the two regular loan payments were made. He noted that the remaining principal owed was \$59,735, with semi-annual payments of \$10,307 through 12/1/25. The loan interest rate is 1%. He recommended that the Trustees not prepay the loan in 2023, given that the Township is earning over 4% interest at Star Ohio. The Trustees agreed.
- He stated that at the same 2022 meeting, Mr. Stubbs stated a goal to change how the cell tower rent is posted, to move the \$18,000 annual revenue from the General Fund to the Police District Fund. However, no change was made in 2022. After discussion, the Trustees agreed to make the change in 2023. Mr. Heistand will prepare a RESOLUTION to be adopted at the February meeting.

#### **POLICE DEPARTMENT REPORT:**

- Chief Andzik wished everyone a happy National Law Enforcement Appreciation Day.
- He stated that to retain emails of past elected officials and employees, he transferred these individuals' emails to a new account: emailhistory@german-township.org. Separate folders were created for each person. He suggested that the old accounts for these individuals be deleted to save the Township money. He received approval to do so. He asked if the Trustees wanted any new emails created. Dr. Cross raised the possibility of an email for the Zoning Commission (ZC).
  - **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** Mr. Jacoby, ZC President, stated that he did not need an email for the Commission.
  - **Visitor Comment: David Gehron, 14239 Kiefer Road:** Mr. Gehron asked about the procedures followed by the Township for data security and password protection. He also asked about data recovery procedures in the event of a disaster at the Township Hall.
  - After discussion, Chief Andzik and Mr. Heistand agreed to exchange passwords. In addition, potential use of cloud storage will be investigated for digital records not currently backed up on a regular basis.
- Chief Andzik stated that he is working to post Trustee minutes from 2010-2018 on the Township's website from the old Tripod website.
  - **Visitor Comment: Mark Keener:** Mr. Keener suggested that instead of posting the minutes as regular pdf's, the Township should consider posting readable pdf's that allow for easier accessibility by those with disabilities.

#### **ROAD/SERVICE DEPARTMENT REPORT:**

- Mr. Holbrook reported that he delivered the signed Eckhart Road documents to the Montgomery County Recorder's deed transfer office. Once the transfer is complete, he will have the deed recorded to finalize the property sale to Weidle Corporation.
- He noted that the dump trucks were cleaned after plowing snow during the Christmas weekend storm. In addition, the Department has replaced light bulbs where needed in the Township Hall.

#### **ZONING DEPARTMENT REPORT:**

- Mrs. Close reported that no zoning permits were issued during December.
- The Board of Zoning Appeals (BZA) will meet on 1/10/22 to continue the Eby Road leach case.

- Dr. Cross noted that there may be some upcoming ZC and BZA member changes.
- He stated that he prepared an “Essential Zoning Resolution Information” document that should help answer some frequently asked questions.
- He reported that the BZA and ZC held their organizational meetings on 1/3/23. Leadership of both boards remained the same for 2023.
- He noted that he will give Mrs. Close suggestions on which zoning courses to attend at the upcoming Ohio Township Association (OTA) Winter Conference.

**TRUSTEE POTTER’S REPORT:**

- Mr. Potter did not have a report.

**TRUSTEE STUBBS’ REPORT:**

- Noting that he will not be serving on the Pool Oversight Committee during 2023, Mr. Stubbs thanked the pool staff, lifeguards, concession workers and Pool Manager Devin Stoutenborough.
- He stated that the Cemetery received 8-10 applications for the upcoming Sexton opening. Resumes will be reviewed during January. The old Cemetery shed will be razed during January to allow for more parking. He noted that the Wreaths Across America ceremony in December was a success, placing 300 wreaths and 600 flags on veterans’ graves.
- He thanked Mr. Holbrook and Scott Hamilton for their hard work clearing Township roads during the Christmas weekend blizzard. He noted that the weather was miserable for them to work.
- He will attend the upcoming OTA Winter Conference in Columbus.
- He attended the recent Germantown City Council meeting and stated that not a lot was discussed.

**TRUSTEE CROSS’ REPORT:**

- Dr. Cross reported that he was finally able to get the OTA records updated to reflect Mrs. Close as Township Zoning Inspector. This will allow her to register at the member rate for the OTA Winter Conference.
- He attended the 1/3/23 Fire/EMS Oversight Committee meeting. There were 132 calls for service during December. Overall there was a 7% increase in call volume for 2022 over 2021 and a 16% increase for 2022 over 2018. The new 1000-gallon Rosenbauer fire engine had been delivered, although it still needed to be lettered and equipment moved from the old vehicle. He thought that the old engine had a 500- or a 750-gallon water tank.
- He noted that he will contact Scott Belcastro from Trebel Energy LLC to attend the February meeting to discuss possibly using Trebel for electric aggregation in the Township. He will meet with Trebel’s representatives at the OTA Winter Conference. Trebel is a Conference sponsor.
- He noted that he was contacted by John Theibart from Aspen Energy Corporation regarding electric aggregation. He told Mr. Theibart that he would possibly have him attend a future Trustee meeting. Aspen would be the third company the Township could consider to handle aggregation if approved by the voters. He felt that the Trustees would need to decide on which company to use before placing the issue on the ballot, as the company would then help promote the issue.
- He watched the 1/3/23 Germantown Council meeting. Highlights included:
  - Mr. Stubbs was recognized. His Eighth-Grade football team was the 2022 Southwestern Buckeye League champions.
  - Rick Reed stated that the City would not run the Pool Levy in May due to the \$4,500 cost.
  - Brian Wafzig reported that the 1/5/23 JEDD meeting would be his last as a Board member.

- Council spent 20-25 minutes discussing whether to pass an ordinance that there should be no deposit of grass, leaves, twigs, brush or dirt on private property. The issue was eventually tabled.

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

- None

**OTHER BUSINESS:**

- **Visitor Comments: Mark Keener:** Mr. Keener thanked Mr. Heistand for posting the 1/5/23 JEDD Board meeting. Mr. Heistand indicated that he would also be happy to post future meetings.

**MEETING ADJOURNED:**

- With no further business, Mr. Stubbs made a MOTION, seconded by Mr. Potter, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 7:55 pm.

Signed: Mark Cross  
Mark Cross, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the February 13, 2023 meeting.

Signed: Mark A. Heistand  
Mark A. Heistand, Fiscal Officer