

GERMAN TOWNSHIP

Montgomery County

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GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 10, 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 Vice President Jacob Stubbs at 7:00 pm. In attendance were:

Vice-President Jacob Stubbs	Trustee Louis Potter	Fiscal Officer Mark Heistand
Acting Police Chief Shane Birch	Road Admin. Jeremy Holbrook	Zoning Inspector Shauna Close

Trustee President Dr. Mark Cross was absent.

IN-PERSON ATTENDEES:

Name	Address	Name	Address
David Gehron	14239 Kiefer Road	Mark Keener	7865 Jamaica Road
Brad Hosler	3036 Far Hills, Dayton		

ONLINE ATTENDEES:

Name	Name	Name	Name
md	Deb Cross	KC	

The Germantown Press was notified of the Regular Meeting on 10/5/23 at 4:20 pm.

Mr. Stubbs led the group in the Pledge of Allegiance.

VISITOR COMMENTS:

- **Brad Hosler, 3036 Far Hills Avenue, Dayton:** Mr. Hosler, with DryTech Exteriors, discussed his 9/26/23 quote to seal the Township Hall roof with white GacoFlex silicone coating. He noted that the product has a 20-year warranty, with an option to extend the warranty for an additional 20 years by recoating the roof after 19 years. The product is popular in Florida as it reduces air conditioning costs. The installation process is to wash the roof, patch any problem areas, and coat the existing roof material at a depth of at least 34 millimeters. DryTech recently coated the Miamisburg City Building roof. If his bid is approved, his company could start within two weeks.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 9/11/23 Regular Meeting. There were no corrections. Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand presented the September Financial Reports: (1) 9/30/23 Fund Status; (2) YTD 9/30/23 Cash Summary by Fund; (3) Month of September Cash Summary by Fund; (4) September 2023 Receipt Listing; and (5) September 2023 Payment Listing. He noted the following items:
 - Receipt #139-2023 for \$36,628.79 from the Valley View Local School District was the first payment of the 2023-2024 School Resource Officer contract. A second payment is due on or before 1/2/24.
 - Receipt #143-2023 for \$356,489.50 (less fees of \$14,739.01) from the Montgomery County Auditor was the settlement payment from July tax receipts. He noted that the second half homestead and rollback taxes had not been received from the State. Once received, he will remit 90% of the total joint levy receipts to the City of Germantown.
 - Receipt #146-2023 for \$18,000 from the State of Ohio was the annual cell tower lease payment.
 - Receipt #148-2023 for \$10,379.19 from Star Ohio was the September interest payment, at 5.52%.
 - Payment #769-2023 for \$14,251.90 to Joseph Andzik was Mr. Andzik's final retirement payroll including accrued and unused sick (480 hours), vacation (45.5 hours) and comp time (100.375 hours), less taxes and other withholdings.
- Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the September financial reports and authorize the payment of September bills (warrants 50699 through 50704 and vouchers 698 through 802 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reminded residents that German Township will have three issues on the 11/7/23 ballot. Issue #4 is a five-year renewal of the 1 mill joint road levy with the City of Germantown. Issue #5 concerns electric aggregation. Issue #6 concerns natural gas aggregation. He noted that Trebel LLC will host an informational meeting for residents on 10/18/23 at 6:00 pm at the Township Hall to discuss the aggregation issues. Additional informational meetings will be held in Jackson Township on 10/17/23 and in Perry Township on 10/19/23.
- He noted that he had not received an answer from the Montgomery County Auditor concerning whether current real estate values or the proposed 2024 values would be used if the Township ran a new joint Fire and EMS levy at the March primary. The Auditor has requested a written answer from the State of Ohio, but that has not been forthcoming. He stated that since it will soon be too late to go through the necessary steps in time to place a levy on the primary ballot, it seemed likely that a new Fire/EMS levy will need to be placed on the November 2024 ballot.
- He noted that, according to an 9/24/23 article in the Dayton Daily News, CAUV properties in German Township will see an average 75.9% increase in tax valuation starting in 2024. In the Valley View school district, farm taxes are expected to increase an average of 15-18%.
- He noted that he had met twice with Germantown Union Cemetery Fiscal Officer Julie Delph to assist her with some training. He anticipated that additional sessions will occur in the future. Mr. Stubbs thanked Mr. Heistand for assisting Ms. Delph.

POLICE DEPARTMENT REPORT:

- Interim Chief/Sergeant Birch reviewed his department's monthly statistics. He noted that major repairs were required for two cruisers at a total cost of about \$9,000. He stated that the Emergitech Reporting System used by the department will no longer be supported by the vendor as of 1/1/24. The cost of the system has been \$2,500 per year. He commended Mrs. Close for leading the implementation of a free State reporting system, OHLEG RMS, and a CAD type drawing system, Easy Street. Both systems have no annual fees.

- He reported that the 10/3/23 National Night Out went very well, with approximately 75 attendees. He thanked everyone who attended, thanked the vendors and police officers, and gave a special thanks to Mrs. Close.
- He announced that on 10/5/23 a Montgomery County Grand Jury indicted the driver that caused the most recent fatal crash on State Route 4 on 8/5/23. The driver was indicted on six felony and one misdemeanor charges. He stated that his department did a great job working the case, noting that the officers donated personal time to ensure that the case kept moving forward.
- Mr. Stubbs thanked the Police Department for hosting National Night Out and also for their efforts related to the August fatal crash.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that he and Scott Hamilton repaired 10-12 broken tablet headstones within the five Township maintained cemeteries. They have started trimming trees along Township-maintained roads and have completed Puddenbag, Moyer and South Shimp Roads.
- He attended the recent American Public Works Association equipment show at the Dayton Convention Center. He used a donated ticket, saving the Township the \$150 ticket price. He stated that he planned to delay purchasing a new dump truck until 2025.

ZONING & TRASH DEPARTMENT REPORT:

- Mrs. Close reported that she wrote two zoning permits in August, both for new residential construction. They will be located on Carlisle Pike and on Conservancy Road.
- She noted that the Zoning Commission (ZC) met on 10/4/23 to continue discussing potential regulations on small solar facilities. The ZC is getting close to finishing their work, which will be forwarded to the Montgomery County Planning Commission, the Trustees, and legal counsel for review. The next ZC meeting will be on 11/16/23 at 7:00 pm, unless there is a Board of Zoning Appeals hearing that evening.
- She stated that the online payment system for trash bills is set up and ready to be used. There is a web address on the trash bills that will take residents to the Township website where they can find a link at the bottom of the Trash page. Residents will use the invoice number to look up their account. She will also now be able to take credit card payments over the phone.
 - Mr. Heistand commented that he was told by a resident that Townships are not allowed by Ohio Revised Code (O.R.C.) to accept payments by credit card. To confirm, he contacted the prosecutors and requested an opinion on the issue. He had received their opinion which indicated that the O.R.C. specifically allows credit card payments.
- Mrs. Close noted that the Postal Service will soon require that bulk mailings (e.g. trash bills) be paid online prior to going to the post office. She has been working to no avail since July to set up the Township's account. Her efforts in this regard caused a delay in mailing this quarter's trash bills. She asked the Trustees to extend the payment due date to avoid unfair late fees.
 - Mr. Stubbs made a MOTION, seconded by Mr. Potter, to extend the current trash bill due date from 10/31/23 to 11/8/23. The MOTION WAS APPROVED by a unanimous voice vote

TRUSTEE POTTER'S REPORT:

- Mr. Potter reported that the pool has received a \$27,500 bid to repair and paint the pergola, replace the air conditioning unit in the concession stand, and make a few other small repairs.
- He attended two meetings with Germantown City Manager Judy Gilleland, Mayor Terry Johnson, and the Parks Oversight Committee. Still under discussion are the addition of defibrillators in the

parks. Plans for additional tennis courts are moving forward. Christmas in the Park is being planned. Fertilizer and weed control have been applied at the Veterans' Memorial and MMI Parks.

- He met with resident Shane Dill about the proposed MMI Park parking lot. Mr. Dill will volunteer his time to spread gravel, only charging for the materials and delivery. Mr. Potter plans to help haul the gravel to reduce delivery costs. He hoped that the City would also help with delivery.
- He met with Mr. Holbrook about the DryTech roof proposal and timing for the purchase of a new dump truck in 2024 or 2025.
- The Trustees discussed the \$23,635.41 DryTech roof proposal and a second quote of \$48,103.00 that was received from Spartan Roofing & Renovations LLC. Mr. Heistand indicated that as a non-budgeted item, the Township could use American Rescue Plan Act (ARPA) funds to pay for the project. He stated that he would need to prepare an ARPA Resolution prior to approval. In order for the project to move forward quickly, it was agreed to approve the project at this meeting to be paid by the General Fund. Once an ARPA Resolution is prepared, the General Fund Resolution can be rescinded at the November meeting and the ARPA Resolution approved.
 - Mr. Potter introduced **RESOLUTION 2023-46**, seconded by Mr. Stubbs: **A RESOLUTION AUTHORIZING TRUSTEE LOUIS POTTER, JR. TO EXECUTE A CONTRACT WITH DRYTECH EXTERIORS TO SEAL THE TOWNSHIP HALL ROOF WITH WHITE GACOFLEX SILICONE COATING AT A COST NOT TO EXCEED \$30,000, TO BE PAID BY THE GENERAL FUND.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-46 WAS ADOPTED.**
- Mr. Potter noted that the City solicited bids for the 18 acres of tillable land at the Weber Soccer Complex. The current payment is \$170 per acre. The new contract will be for \$210 per acre.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs noted that the old cemetery mower was listed for sale on GovDeals.com. Two new mowers will be purchased in Spring 2024, but are on back-order. Six burials were held in September. Year-to-date burials are in line with 2022. The Cemetery Board plans to run a levy in 2024. The cemetery tenant house is now vacant. Repairs will be made before the house is re-rented. Foundations have been poured for burial markers.
- He thanked recently retired Police Chief Joseph Andzik for his years of service to the Township.
- He noted that Germantown is currently preparing 2024 budgets, and recommended that administrative fees charged to joint levy budgets be closely examined.

TRUSTEE CROSS' REPORT:

- In Dr. Cross' absence, Mr. Heistand read his written report.
- Dr. Cross noted that the Fire/EMS Oversight Committee met for their regular quarterly meeting. A quorum was not present and no action was taken. The City will need to schedule a special meeting before 11/6/23 to approve the 2024 budget.
- He attended the 9/20/23 Joint Economic Development District (JEDD) Board meeting. Dawn Gunter made a presentation representing the Valley View Performing Arts Committee. They are trying to raise \$12,500 for a feasibility study for the construction of a Performing Arts Center at the new school site. Ms. Gunter stated that the committee had already raised about \$6,500 and asked the JEDD Board to contribute. The Board decided to contribute \$2,000. It was noted that the Board had a balance of \$7,300 as of 9/30/23. The Board has paid \$10,000 to Germantown for costs related to the JEDD formation and \$6,600 to Dinsmore & Shohl for legal fees.

- He noted that there was a 9/5/23 article in the Wall Street Journal about Lew Wilcox and Bob Rohrbach and the importance of male friendship. (Note: Mr. Wilcox is a former Township Police Chief and Mr. Rohrbach is a former Township Fiscal Officer.)
- He stated that the Zoning Commission (ZC) held its Regular Meeting on 10/4/23. Most of the discussion was again about small scale solar facility regulations. To allow the ZC more time to formulate the regulations, he would like to extend the current moratorium six months from 12/29/23 to 6/29/23. He plans to introduce an extension Resolution at the November meeting.
- He viewed the 10/2/23 Germantown Council meeting online. He noted that the City is selling the property at 53 W. Market (the former Dave's Garage) to Scott Weidle for \$177,000. Mr. Weidle plans to redevelop the parcel for both retail and residential use.
- He planned to attend the 10/18/23 electric and gas aggregation informational meeting at the Township Hall.
- He reminded residents to vote on 11/7/23.

OLD BUSINESS:

- None

NEW BUSINESS:

- None

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 7:58 pm.

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

Attest: These minutes were approved by the Board of Trustees at the October 10, 2023 meeting.

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