



**GERMAN TOWNSHIP BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 11, 2022**

**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:

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

**IN-PERSON ATTENDEES:**

Name	Address	Name	Address
Deb Cross	7444 S. Stiver Road	Mark Keener	7865 Jamaica Road
Mike Barhorst	Sinclair Comm. College	David Gehron	14239 Kiefer Road
Josh Nichols	12102 S.R. 725 West		

**ONLINE ATTENDEES:**

Name	Name	Name	Name
Kurt Jacoby			

The Germantown Press was notified of the Regular Meeting on 10/3/22 at 3:31 pm.

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

**VISITOR COMMENTS:**

- **Mark Barhorst, Sinclair Community College, Dayton, OH:** Mr. Barhorst, stating that he was representing Citizens for Sinclair, discussed Issue 10, the Sinclair levy that is on the November ballot. He provided a handout to the Trustees which noted that the levy is a 1-mill renewal for five years and will generate \$9 million. He reported that German Township had 70 residents enrolled at Sinclair in fiscal year 2022, 43 of whom were Valley View High School students, and issued five degrees to Township residents. Township students saved \$199,000 in annual tuition costs by attending Sinclair instead of a state university and received \$180,000 in financial aid.

**FISCAL OFFICER'S REPORT:**

- Mr. Heistand submitted minutes for the 9/12/22 Regular Meeting. Dr. Cross requested three corrections, to which Mr. Heistand agreed. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as corrected. The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand presented the September Financial Reports: (1) 9/30/22 Fund Status; (2) YTD September 2022 Cash Summary by Fund; (3) Month of September 2022 Cash Summary by Fund; (4) September 2022 Receipt Listing; and (5) September 2022 Payment Listing. He noted the following items:
  - Receipt 128-2022 for \$18,000 from the State of Ohio was the annual tower lease payment.
  - Receipt 131-2022 for \$368,225.01 from the Montgomery County Auditor was the July tax settlement. The payment was offset by \$14,884.91 in tax collection fees, state administrative fees and election expenses.
  - Voucher 794-2022 for \$86,964.93 to Ray Hensley, Inc. was for the 2022 chip seal program.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the September financial reports and authorize the payment of September bills (warrants 50605 through 50609 and vouchers 741 through 830 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that the Auditor of State issued the Township's 2020-2021 audit report on 9/13/22. It is available to the public on the Auditor's website. The Township has a link to the report on our website.
- He submitted to County Auditor Karl Keith the Resolution the Trustees approved at the September meeting to accept the amounts and rates as determined by the Budget Commission and to authorize the necessary Tax Levies for 2023. He noted that the Pool Levy expires on 12/31/23. The Trustees will need to place a renewal or replacement levy on the ballot during 2023.
- He reported that First National Bank of Germantown would be at the Township Hall on 10/26/22 to perform their annual disaster recovery test. In 2018 the Trustees approved the use of the Township Hall meeting room to run the bank's operations in the event of a disaster at the bank. This test is a requirement of the bank's regulators.
- As a member of the Germantown Lions Club, he invited all Township children to attend the annual Ghost & Goblins Parade costume contest on 10/31/22 at Veteran's Memorial Park immediately following Beggar's Night.

**POLICE DEPARTMENT REPORT:**

- Chief Andzik thanked everyone who participated in and attended the Township's National Night Out on 10/4/22. He gave special thanks to Jamaica Run Golf Course for the golf cart and to the Road Department for transporting the cart. He thanked Police Clerk Shauna Close for organizing the successful event.
- He reported that the Memorandum of Understanding (MOU) had been finalized with the Valley View School District to provide a Full Time School Resource Officer (SRO) at the High School in the Township and the Junior High in Farmersville. He highlighted these items from the MOU.
  - The MOU is a one-year agreement.
  - Goals of the program:
    1. To ensure a safe learning environment for all children and adults who enter School District property and/or attend District events/activities.
    2. To prevent and reduce potential harm related to incidents of school violence.
    3. To foster a positive school climate based on respect for all children and adults in the school.

4. To create partnerships with behavioral health and other care providers in the community for student and family referral.

- The MOU covers the Organizational Structure, Operational Procedures, Duties of the SRO, Role in response to both criminal activity and school policy violations, Data Collection and Sharing, as well as the Responsibilities of the School District.
- The financial commitment agreed upon to be paid by the school district to the Township is \$33,000 which will require an invoice to the District for the days that the department provides an SRO. It is estimated to be 172 days of the calendar year.

He noted that Officer Steve Marsden is splitting time between the High School and the Junior High, Monday-Friday during the school day. He is at the schools from 7:30am-2:45pm, then returns to the Township Hall to prepare his reports.

- Dr. Cross asked about a Township police officer working in Jackson Township when at the Junior High. Chief Andzik responded that any criminal issues at the Junior High will be referred to the Jackson Township Police Department. Dr. Cross asked who would absorb the SRO cost after the costs exceed \$33,000. Chief Andzik responded that those costs would be paid by the Township.
- Mr. Stubbs, who works at the Junior High in Farmersville, stated that it is nice to have the SRO in his building. He noted that Officer Marsden is very approachable and his presence is a benefit to the school.
- **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross asked if Jackson Township should help pay for the SRO since he works within their jurisdiction. Chief Andzik responded that the cost is being paid by the School District.
- **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked if Jackson Township Police Chief Shade still visits the Junior High building. Mr. Stubbs responded that Chief Shade is in his building several times a week. Mr. Keener wanted to confirm that Officer Marsden does not visit the Primary School and Intermediate School in Germantown. Chief Andzik confirmed Mr. Keener's understanding, noting that Germantown Police Officer Kirk Bell may be an SRO at the Germantown buildings.
- Chief Andzik asked that the Trustees approve sick time, vacation accrual, and holiday pay for Mrs. Close now that she is working 30 hours each week (full time) as Police Clerk, Trash Clerk, and Zoning Inspector. Mr. Heistand read sections of the Township Personnel Manual dealing with these benefits, noting that the sections apply to employees working a 40-hour week. Mr. Stubbs agreed to work with Chief Andzik to develop a policy concerning benefits for employees who work less than 40 hours that the Trustees can approve at the November meeting.

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

- Mr. Holbrook reported that Barrett Paving Materials had completed the repaving of Sigal Road. The hill at Oxford Road was paved with 12.5mm/Superpave asphalt to try to limit shoving from trucks braking while headed down the hill. This increased the original quote by \$7,000. The total cost including the hill asphalt change was \$196,262.20, less than the \$200,000 approved at the July meeting. The repaving was paid using American Rescue Plan Act grant funds.
- He reported that Ray Hensley, Inc. had completed the 2022 chip seal program, which sealed all of Shimp Road and portions of Moyer Road and Kiefer Road.
- He reported on proposals he received for liquid propane for the Township buildings. Bids were received from Apollo Gas (\$2.049 per gallon), Collett Gas (\$2.599 per gallons), and Earhart Propane (\$1.939 per gallon). He went ahead and locked in the price with Earhart (our current provider) for \$1.939. This price is \$.21 per gallon cheaper than last year's fixed price of \$2.149.

- Mr. Potter introduced **RESOLUTION 2022-36**, seconded by Dr. Cross: **A RESOLUTION RETROACTIVELY AUTHORIZING ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH EARHART PROPANE TO SUPPLY PROPANE FOR THE TOWNSHIP FOR THE 2022-2023 SEASON AT A RATE OF \$1.939 PER GALLON.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-36 WAS ADOPTED.**
- Dr. Cross asked about quotes received for repaving of the Township Hall parking lots. Mr. Holbrook responded that it is probably too late in the year to do this work. He will request new proposals in early 2023 for work to be completed in the spring.

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

- Mrs. Close reported that three permits were issued in September: a new home on Creek Road, an in-ground pool on SR 725, and solar panels on Oxford Road
- She reported that the proposed variance/lot split on Eby Road has been tabled to allow for more research.
- She noted that the Board of Zoning Appeals (BZA) would meet on 10/17/22 and consider a variance/lot split on Shimp Road.
- She reported that the Zoning Commission meeting scheduled for 10/4/22 would be held on 10/20/22. The date change was due to National Night Out being held on 10/4/22.
- Dr. Cross reported that he delivered three Zoning Resolution text changes to the Montgomery County Recorder's Office on 9/15/22. He then delivered three zoning changes to the Recorder's Office on 10/7/22:
  - Jacobs - 8304 Dayton-Germantown Pike - from half agricultural and half B-2 to all B-2, as approved on 10/10/2017.
  - Skaggs - 8468 Upper Miamisburg Road – from O-2 to R-1, as approved on 10/7/2019.
  - Brummett – Corner of Route 4 and Eby Road – from A/R-1 to OR-1, as approved on 1/7/21.

#### **TRUSTEE POTTER' REPORT:**

- Mr. Potter discussed progress to improve the park at the former Miami Military Institute (MMI) property. Scott Reeder cleared 1½ acre of brush off the hill earlier this year and recently cleared the area a second time. Tony Boyd repaired the bent flagpole by removing a five-foot section. The pole has been painted and a flag was flown during Pretzel Festival weekend. Norvell Turf Management recently seeded the hill. A new base for the flagpole and a sidewalk will be installed using ten yards of donated concrete.
- He reported that the City of Germantown will budget \$10,000 for the MMI park in 2023.
- He noted that the City has spent \$10,000 for upgrades at the park from their General Fund. He requested that the Township reimburse the City for half that amount. Mr. Potter introduced **RESOLUTION 2022-37**, seconded by Mr. Stubbs: **A RESOLUTION TO PAY \$5,000 FROM THE PARKS FUND TO THE CITY OF GERMANTOWN FOR UPGRADES AT THE PARK LOCATED ON THE FORMER MIAMI MILITARY INSTITUTE PROPERTY.** After discussion, the **RESOLUTION** was amended by Mr. Potter as follows: **A RESOLUTION TO PAY \$10,000 FROM THE PARKS FUND TO THE CITY OF GERMANTOWN FOR UPGRADES AT THE PARK LOCATED ON THE FORMER MIAMI MILITARY INSTITUTE PROPERTY.** Mr. Stubbs agreed to the amendment, noting that the Township holds back joint levy funds just for projects such as this. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-37 WAS ADOPTED.**
- Mr. Potter reported that he met with the City Manager to discuss Christmas lights in the park.

### TRUSTEE STUBBS' REPORT:

- Mr. Stubbs reported that he was unable to attend the most recent Pool Oversight Committee meeting. As it turned out, the meeting wasn't held due to the lack of a quorum. He noted that pool revenues this year were \$15,000 higher than in 2021. He stated that Pool Manager Devin Stoutenborough does a great job. Dr. Cross noted that City Council reported at its meeting that the pool had to turn away some requests for private parties this summer due to heavy demand.
- Mr. Stubbs reported that the cemetery was busy with a lot of burials and pouring foundations for monuments. The Cemetery Board is finalizing a job description for Sexton Mark Steinecker's replacement and will release it in December.
- He thanked Chief Andzik and all involved for the successful National Night Out. He noted that the Germantown Fire Department was present, along with Montgomery County Public Health and the Germantown Senior Center.
- He stated that having Officer Marsden at Valley View as a School Resource Officer was a good thing for the community.
- He announced that a reception for retired Police Administrative Assistant Laurie Rohrbach will be held on 11/14/22 at 6:30 pm prior to the Trustee Meeting. He will provide cookies. Mr. Heistand asked the Trustees for comments on the draft Resolution honoring Mrs. Rohrbach.
- Mr. Stubbs discussed a letter received by Township residents from TSC/Hanson Communications concerning their installation of fiber optic cable. A Badin Road resident contacted him.

### TRUSTEE CROSS' REPORT:

- Dr. Cross discussed electric aggregation as proposed at the September meeting by Phillip Leppla of Sustainable Ohio Public Energy Council. He noted that German Township voted on both electric and gas aggregation at the November 2003 General Election. Both proposals were defeated. He stated that residents can compare electricity prices offered by various companies in our area at [energychoice.ohio.gov](http://energychoice.ohio.gov). He noted that AES' current generation supply rate is 10.91 cents per kWh (through 5/31/23). Prices on the website range from 8.98 cents per kWh to 21.0 cents per kWh. Most are in the range of 10-11 cents per kWh. He recommended that the Township hold off on any vote for electric aggregation until rates stabilize. He suggested that the Trustees revisit the issue in 2023 for possibly placing the issue on the November 2023 ballot.
- He stated that a question was raised about the fact that a prohibition of annexation of the Joint Economic Development District (JEDD) property was not included in the JEDD Contract. He noted that ORC 715.72(R)(1) states as follows: "No proceeding pursuant to Chapter 709 of the Revised Code that proposes the annexation to, merger of, or consolidation with a municipal corporation of any unincorporated territory within a joint economic development district may be commenced at any time between the effective date of the contract creating the district and the date the contract expires, terminates, or is otherwise rendered unenforceable."
  - **Visitor Comment: Mark Keener:** Mr. Keener, a member of the JEDD Board, noted that the Board applied to the IRS for an employer identification number (EIN) at the beginning of September but had not yet received the number. Valley View sent notices to the high school employees about the upcoming income tax withholding, but withholding cannot begin until the EIN is received. He noted that Conger Construction Group, the general contractor for the new school, hadn't yet selected any of their subcontractors.
- Dr. Cross stated that Township meetings need to be promoted on the Township website, Facebook pages and emails sent to residents at least two weeks before every meeting.

- He stated that he attended the October Fire Oversight Meeting. Highlights included:
  - Newest member Ransae A. Lindamood-Hall was present.
  - Chief Alldred stated that call volume is up 5% from 2021.
  - Staffing is a continuing problem, but is getting slightly better due to pay increases on 7/1 and 9/1 and the start of 24 hour in-house paid personnel.
  - Josh Forrer started as a full-time Fire Department Lieutenant on 10/1/22.
  - Germantown Fire/EMS celebrated Fire Prevention Week by hosting multiple fire safety classes for pre-school through third grade students. The Fire Department planned to be open on 10/15/22 for Saturday Nightmare Out with tours, free food and a booth set up by Dayton Children’s Hospital.
  - The Fire/EMS Department is considering financing a new fire engine for \$598,000. The cost would increase to \$650,000-\$720,000 if the purchase is delayed.
- He attended the 10/3/22 Germantown Council Meeting and Work Session. Highlights included:
  - The City is still considering a Designated Outdoor Refreshment Area (DORA) that will likely include the downtown district and Veterans Memorial Park. Year-round hours being discussed are 4-10 pm Thursday through Sunday.
  - The City is considering a Community Investment Area for the downtown district that will offer tax abatements for new investment in the designated area.
  - Council discussed restarting a quarterly printed newsletter. The potential inclusion of information from Valley View and the Township was discussed. Dr. Cross stated that he did not give Council any indication that the Township would want to be included.
  - Council discussed potentially joining with other entities that are part of the Miami Valley Communications Council to offer electric aggregation. The City passed ordinances about 20 years ago to allow aggregation. Council will address the issue again in 2023.
- He reported that the Senior Oversight Committee meeting scheduled for 10/6/22 was canceled due to illness.
- He raised concerns about continuing to use WebEx to record/access meetings due to problems that occurred at the Trustees and BZA meetings in September. He wondered if there were alternatives that could be used.
  - **Visitor Comment: David Gehron, 14239 Kiefer Road:** Mr. Keener discussed his use of WebEx for meetings that he runs. He noted that the WebEx software is always being updated. He would like live streaming to continue, noting that viewer participation is not possible when just watching a recording after the meeting.

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

- Mr. Holbrook reported that Scott Hamilton of the Road and Service Department noticed a vehicle that overshot the intersection of Routes 4 and 123 and drove over the hillside. The driver was severely injured and had waited over two hours in his car for assistance. Had Mr. Hamilton not noticed the car in the hillside vegetation, Mr. Holbrook said the end result could have been tragic.
- Mr. Potter discussed a memorial rock at Daniel’s Peace Park placed in memory of Scott Weidle’s mother. He wondered if this area was part of Germantown Union Cemetery.

- Dr. Cross discussed TSC/Hanson Communications form to authorize TSC to connect fiber optic cable to the Township Hall. Mr. Holbrook stated his understanding is that the form is not a commitment to purchase services from TSC. Dr. Cross stated that he would work with Mr. Heistand to submit the form.
  - **Visitor Comment: David Gehron:** Mr. Gehron stated that the TSC/Hanson form will generate a work order by TSC to install fiber optic cable and a box on a residence.

**OTHER 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 8:26 pm.

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

Attest: These minutes were approved by the Board of Trustees at the November 14, 2022 meeting.

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