



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING HELD ON DECEMBER 30, 2021**

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 Jacob Stubbs at 7:06 pm. In attendance were:

President Jacob Stubbs	Vice-President Abra Reed	Trustee Lou Potter
Fiscal Officer Mark Heistand	Police Chief Joe Andzik	Road Super. Jeremy Holbrook
	Zoning Inspector Halie Sewell	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Julia Smith	511 W. Market Street	Mark & Deb Cross	7444 S. Stivers Road
Shauna & Bella Close	9984 Gtown-Midd Rd.	Mark Keener	7865 Jamaica Road
Lynn Cleveland	11858 Oxford Road	Abigail Hale-Dennis	13091 Oxford Road
Kurt Jacoby	12955 Harris Road		

ONLINE ATTENDEES:

Name	Name	Name	Name
Karen Carmickle	Sam		

The Germantown Press was notified of the Special Meeting on 12/20/21 at 5:07 pm.

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

The announced purpose of the Special Meeting was:

- Approve minutes of the 12/13/21 Regular Meeting
- Review and approve December financial reports and approve payment of December bills
- Review and approve amended 2021 appropriations
- Consider approval of end-of-year payments, including, but not limited to, donations from the Fouts Trust Fund
- Review and potentially approve 2022 budgets
- Potentially appoint Regular Members and/or Alternate Members to the Board of Zoning Appeals and the Zoning Commission
- Approve the 2022 Ohio Public Employees Retirement System Conversion Plan

VISITOR COMMENTS:

- **Julia Smith, 511 W. Market Street:** Representing the Sonshine in a Bag ministry at Germantown First Church of God, Mrs. Smith noted that the charity is in its ninth year serving the students of Valley View Schools. This year they provide weekly food bags to 151 students in all grades, which represents 69% of the 220 students who are eligible for lunch fee assistance. Due to the pandemic, the bags containing ten items of food are no longer placed in student lockers. Instead, the weekly bags are delivered to student homes. The food cost per student averages \$7 per week.
 - Mr. Stubbs stated that Sonshine in a Bag does a fantastic job. He noted that the Trustees budgeted a \$2,000 charitable donation in 2021 from the W.K. Fouts Trust Fund.
 - Mr. Stubbs introduced **RESOLUTION 2021-46** seconded by Mr. Potter: **A RESOLUTION APPROVING A \$2,000 DONATION FROM THE W.K. FOUTS TRUST FUND TO SONSHINE IN A BAG AT GERMANTOWN FIRST CHURCH OF GOD.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Mrs. Reed-Yes; Mr. Potter-Yes. **RESOLUTION 2021-46 WAS ADOPTED.**

APPROVE MINUTES OF THE 12/13/21 REGULAR MEETING:

- Mr. Heistand submitted minutes for the 12/13/21 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.

REVIEW AND APPROVE DECEMBER FINANCIAL REPORTS AND APPROVE PAYMENT OF DECEMBER BILLS:

- Mr. Heistand presented the December Financial Reports, current as of 12/29/21: (1) 12/31/21 Fund Status; (2) Year-to-Date 12/31/21 Cash Summary by Fund; (3) Month of December Cash Summary by Fund; (4) December 2021 Receipt Listing; and (5) December 2021 Payment Listing. He noted the following items:
 - Voucher #994-2021 to K.E. Rose Company for \$11,283.00 was the equipment installation for the new police cruiser.
 - Warrant #50536 to First National Bank of Germantown for \$10,307.25 was the semi-annual payment of the Valley View Water & Sewer District debt. The eight remaining payments total \$82,458, with the final payment due 12/1/2025.
 - Warrant #50540 to the Treasurer of State for \$7,790.50 was the final payment to the Ohio Department of Transportation for the 2017 State Infrastructure Bank loan the Township received for Eby Road repairs.
- Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the December financial reports and authorize the payment of December bills (warrants 50536-50545 and vouchers 935-1041 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.

REVIEW AND APPROVE AMENDED 2021 APPROPRIATIONS:

- Mr. Heistand presented a report of amended 2021 appropriations, totaling \$3,283,537.00, reflecting actual spending for 2021. Mr. Stubbs introduced **RESOLUTION 2021-47**, seconded by Mrs. Reed: **A RESOLUTION AUTHORIZING THE AMENDING OF THE 2021 APPROPRIATIONS AS SUBMITTED AND ATTACHED – TO BE FORWARDED TO THE MONTGOMERY COUNTY AUDITOR.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Mrs. Reed-Yes; Mr. Potter-Yes. **RESOLUTION 2021-47 WAS ADOPTED.**

APPROVAL OF END-OF-YEAR PAYMENTS:

- Besides the donation from the Fouts Trust Fund, there were no further end-of-year payments.

2022 DRAFT BUDGET REVIEW:

- In response to a prior request from Mark Cross, Mr. Heistand gave an “Accounting 101” lesson, discussing these topics:
 - The Uniform Accounting Network (UAN) and how the Township uses it.
 - Fund Status and Cash Summary by Fund reports
 - Police Department funds
 - Road Department funds
 - Pooled Investments
 - Official Certificate of Estimated Resources
 - Homestead/Rollback payments from the State of Ohio
 - Status of Local Government Funds
- He then explained the draft appropriation budgets. The spreadsheets included comparisons to the 2021 final budget, 2021 total expenditures (as of 12/29/21) and 2020 total expenditures.
- **POLICE BUDGET (Funds 2081, 2082, 2083, 2221, 2261, 2271):**
 - Chief Andzik proposed a \$878,960 budget for the primary Police fund: #2081-Police District. He did not budget a police cruiser purchase in 2022. He budgeted a 3% cost of living salary increase for the department. He stated that all Police Officers are maxed out for step increases. The Trustees discussed the cost of living increase and agreed that all non-elected Township employees would receive a 3% increase.
 - Mr. Potter asked about the increase in medical costs. He stated that the higher costs should be offset by reductions elsewhere. Chief Andzik noted that the 2021 costs were higher than originally budgeted. A 5% increase in premium rates will occur in 2022.
 - **Visitor Comment: Mark Cross, 7444 S. Stivers Road:** Dr. Cross noted that the Township pays 100% of healthcare premiums as well as employee out-of-pocket/deductible costs.
 - Mr. Heistand noted that the Fund Balance in Fund #2081 has dropped from \$331,253.46 at 12/31/20 to \$201,293.17 at 12/31/21 and is budgeted to drop to \$85,425.17 in 2022. He said that at some point the Trustees may need to place a new police levy on the ballot.
 - The Trustees discussed elected official salaries for 2022. A portion of these salaries are allocated to the Police and Road Departments.
 - **Visitor Comment: Mark Keener: 7865 Jamaica Road:** Mr. Keener, the prior Fiscal Officer, explained the history of the 25% Trustee salary reduction, which started in 2018 in an attempt to build up the General Fund balance. Responding to a question from Mr. Potter, he stated his opinion that a \$150,000 General Fund balance was adequate. He felt that the General Fund balance could now support the Trustees reinstating their full salary. He also explained how elected officials’ salaries are allocated to the Police and Road Departments, noting that this allocation was started to help the General Fund balance.
 - Mr. Holbrook stated that there is no legal requirement that elected official salaries must be allocated to funds other than the General Fund. He noted that if the full salaries were paid by the General Fund, it would help the Police and Road Departments budgets.
 - Mr. Stubbs stated that he wants to continue with the 25% Trustee salary reduction for at least one more year and revisit the issue in August. He said that he understood Jackson Township Trustees have reinstated their full salaries.
 - **Visitor Comment: Mark Cross:** Incoming Trustee Dr. Cross agreed to the 25% salary reduction. He felt that allocating salaries to the Police and Road Departments should end at some point. Mr. Heistand described the allocation details for elected officials’ salaries.
 - Mrs. Reed pointed out that if nothing changes, by the end of 2023 the Police Department will have a negative Fund Balance and will either need a new levy or will need to receive money from the General Fund.
 - The Trustees did not make any changes to the Police Department 2022 budget.

- **ROAD BUDGET (Funds 2011, 2021, 2031, 2141, 2231):**
 - Mr. Holbrook discussed the budgets for his department, noting that revenues in Fund #2231-Permissive Motor Vehicle License Tax are budgeted to increase in 2022 due to the additional \$5 license tax approved by the Trustees earlier in the year. His budget for contracted road repair (budgeted in all five funds) totaled \$254,207. He noted that he did not plan to replace any equipment in 2022.
 - The Trustees did not make any changes to the Road Department 2022 budget.
- **GENERAL FUND (Fund 1000):**
 - Mr. Heistand reported that the panic alarm system is currently nonfunctional. The Trustees discussed whether the system is needed. Alarm buttons are located in the Meeting Room and the Zoning Office. Mrs. Sewell said that she would like to have a working alarm in her office. The Trustees agreed that Mr. Holbrook should arrange for repair of the alarm system.
 - **Visitor Comment: Lynn Cleveland, 11858 Oxford Road:** Mr. Cleveland asked why the alarm system wasn't tested monthly. Chief Andzik said that it should have happened.
 - The Trustees did not make any changes to the General Fund 2022 budget.
- **TRASH FUND (Fund 2071):**
 - Mr. Heistand noted that the fund balance has been dropping in recent years, as trash fees have not gone up while Rumpke costs have increased. Mr. Stubbs reported that Rumpke charges go up 3% per year. Mr. Potter stated that a rate increase should occur when the fund balance drops below \$100,000. It was agreed that this will be needed at some point in the future. Mr. Heistand suggested looking at a potential increase in 2023.
 - **Visitor Comment: Lynn Cleveland:** Mr. Cleveland related his personal experience, noting that he did not receive a trash bill for several years after he moved into his house even though his trash was picked up weekly during that time.
 - Trash Clerk Shauna Close reported that a trash bill is associated with an address, not an occupant/owner, which causes problems trying to collect bills when one occupant moves out and a new occupant moves in and doesn't inform the Trash Office. The Trustees discussed options on how to verify that all residents receive a trash bill.
 - **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** Mr. Jacoby asked how other Townships handles trash billing and collection.
 - The Trustees did not make any changes to the Trash Fund 2021 budget.
- **OTHER FUNDS (Funds 2171, 2172, 2191, 2192, 2193, 4951, 9752):**
 - **Comment: Mark Keener:** Mr. Keener, earlier in the meeting, stated that the proposed payments to the City of Germantown for the pass-through funds (#2171-Park Levy, #2172-Pool Levy, #2191-Fire Levy, #2192-Senior Citizens Levy, and #2193-EMS/Fire Levy 2010) were calculated incorrectly. He stated that the agreements between the Township and the City state that the Township should remit only 90% of the tax receipts. He said that the remaining amount is to be held back by the Township as a "rainy day fund" to be used by the City when there is a need for capital improvement projects (such as the pool liner installed a few years ago). He stated that the funds belong to the Township, and the 10% holdback is the only way the Township has control over the use of the tax revenues. He said that the City has a history of spending whatever it receives. He noted that several years ago the Pool Oversight Committee recommended bonuses be given to the lifeguards. He said that the Township needs to hold back these funds due to what he has seen as irresponsible spending by the City.
 - Mr. Stubbs reported that he and Mr. Keener met with Germantown City Manager Judy Gilleland and Finance Director Pat Shively about five years ago. It was at that meeting that the 10% holdback was agreed to by both sides. He said that the City talked about

updating the agreements at some point, but that never happened. He felt that there should be a 10% holdback for each levy fund.

- Mr. Heistand responded that he would adjust the proposed payments to equal 90% of the budgeted tax receipts, pending a review of the agreements with the City.
- Mr. Stubbs stated his memory was that the 10% holdback was for each year's tax receipts.
- Mrs. Reed stated that she learned at a Fire Oversight Committee that the Fire Department will need transfers from the City's General Fund to cover its expenses, possibly in 2022. She suggested that it would be better to use the holdback funds at the Township rather than having the City use its General Fund to support the Fire Department.
- Mr. Stubbs stated that the Trustees should not forget about the City's creative accounting that charges administrative fees to the joint levy funds, totaling \$85-\$90,000 per year.
- Mr. Heistand noted that he did not budget any appropriations for Fund #2373-American Rescue Plan Act (ARPA). The Township received ARPA funds of \$151,574.79 in 2021 and will receive an identical amount in 2022. He noted that the Trustees can approve appropriations from this fund whenever they decide how to spend the grant money.
- He did not budget any appropriations for the Sunbury Cemetery Perpetual Care Fund. Mr. Holbrook noted that the Fund's \$5,000 principal cannot be spent.
- Mr. Heistand budgeted a \$2,000 appropriation from Fund #9752-Fouts Trust for 2022.
- Other than the revised appropriations for the pass-through funds, the Trustees did not make any changes to the budgets of the Other Funds.

ZONING COMMISSION AND BOARD OF ZONING APPEALS APPOINTMENTS:

- Mr. Heistand stated that four terms on the Zoning Commission (ZC) and the Board of Zoning Appeals (BZA) expire at the end of 2021 (one Regular Member and one Alternate Member for each board). Regular Members are appointed for five-year terms; Alternate Members for two-year terms. In addition, in 2022 a second ZC Alternate position currently held by Mark Cross will need to be filled (for a term ending 12/31/22). Mrs. Sewell requested that the Trustees go into Executive Session to discuss these appointments.
- **Visitor Comment: Mark Cross:** Dr. Cross requested that the Trustees wait to make these appointments until after the first of the year. He asked why there was a rush to make appointments at the meeting. He stated that he is opposed to using an Executive Session to discuss appointments. He said the 2022 Trustee over Zoning should handle the issue.
- Mr. Stubbs agreed with Dr. Cross, adding that he wanted to wait until the Organizational Meeting to discuss appointments.
- After further discussion, Mrs. Reed made the following MOTION, seconded by Mr. Potter: **I move to go into Executive Session pursuant to O.R.C. 121.22(G)(1) to consider the appointment of a public employee or official.** The roll was taken and the vote was as follows: Mr. Stubbs-No; Mrs. Reed-Yes; Mr. Potter-Yes. The MOTION was approved by a 2-1 majority.

EXECUTIVE SESSION:

- The Trustees entered Executive Session at 9:09 pm. Present in the Executive Session were: Trustees Jacob Stubbs, Abra Reed and Lou Potter; Fiscal Officer Mark Heistand; Zoning Inspector Halie Sewell; Visitor Dr. Mark Cross.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- Mr. Stubbs made a MOTION, seconded by Mrs. Reed, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote. The Trustees reconvened into Regular Session at 9:18 pm.

APPROVE OPERS CONVERSION PLAN:

- Mr. Heistand reported that in order for unused vacation and sick time that is cashed out to be considered earnable salary by the Ohio Public Employees Retirement System (OPERS), the Township needs to have an Annual Conversion Plan on file with OPERS. The Trustees approved this Plan for 2021 and will need to reapprove the Plan each year.
- Mrs. Reed introduced **RESOLUTION 2021-48**, seconded by Mr. Stubbs: **A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO EXECUTE AN ANNUAL CONVERSION PLAN FOR 2022 WITH THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Mrs. Reed-Yes; Mr. Potter-Yes. **RESOLUTION 2021-48 WAS ADOPTED.**

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 9:20 pm.

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

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

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