



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 9, 2024**

**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 Dr. Mark Cross at 7:05 pm. In attendance were:

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

IN-PERSON ATTENDEES:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Deb Cross	7444 S. Stiver Road	Tyler Rehmert	8198 Wind Dancer Dr.
James Rowland	10021 Carlisle Pike	Mark Keener	7865 Jamaica Road

ONLINE ATTENDEES:

<i>Name</i>	<i>Name</i>	<i>Name</i>	<i>Name</i>
KC	Sam	Abigail	Ben

The Germantown Press was notified of the Regular Meeting on 12/2/24 at 3:45 pm.

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

VISITOR COMMENTS:

- **Mark Keener, 7865 Jamaica Road:** Mr. Keener, treasurer of the Valley View Joint Economic Development District (JEDD), reported that the JEDD Board would meet on 12/11/24. He noted that new Valley View Superintendent Andrea Cook replaced outgoing Superintendent Joe Scholler as a member of the Board. He stated that the withholding rate will decrease from 1.5% to 1.25% on 1/1/25. He stated that the income tax collections from the construction contractors has been less than impressive. Board President Randy Stiver planned to contact JEDD Attorney Brenda Wehmer to determine collection actions that the Board could pursue with the contractors.

FISCAL OFFICER'S REPORT:

- Mr. Heistand stated that Tyler Rehmert was present to discuss rerunning the fire/EMS levy. Mr. Rehmert was asked by the City of Germantown to assist with a campaign committee. Following the levy defeat in November, a study committee consisting of City Manager Judy Gilleland, Fire/EMS Chief Dan Alldred, other City employees, Councilman Mike Kuhn, Dr. Cross, and himself

met several times to discuss options. The committee recommended placing the 4.0 mill levy back on the May ballot, but changing it from continuous to a ten-year levy. He provided the Trustees with fund balance projections through 2035 prepared by City Finance Director Pat Shively.

- **Visitor Comment: Tyler Rehmert, 8198 Wind Dancer Drive:** Mr. Rehmert noted that the 4.0 mill levy would cost the owner of a \$100,000 house \$280 per year.
 - Mr. Potter asked why the committee recommended a 10-year levy. Mr. Rehmert felt that this would be more acceptable to the voters than a continuous levy.
 - Dr. Cross asked why the committee recommended 4.0 mills, rather than a different millage. Mr. Rehmert felt it was important to remain consistent with the millage requested in November.
 - Dr. Cross noted that the only expenses that could be cut would be personnel costs, and the fire/EMS department is already operating at minimum staffing. Mr. Rehmert noted that the department no longer utilizes “paid on call” staffing.
 - Mr. Potter asked why the committee hadn’t considered asking the voters to replace the two older levies one at a time. Mr. Rehmert responded that voters get tired of seeing levies constantly on the ballot.
 - Mr. Stubbs noted that the City charges the fire/EMS funds \$60,000 of General Fund expenses as an administrative fee.
- **Visitor Comment: Mark Keener:** Mr. Keener, the Township’s former Fiscal Officer, noted that the Trustees protested the City’s administrative fee six or seven years ago. The City justified the fee as based on an allocation of salaries for other employees who provide services to the Fire/EMS department. He stated that since that time the City has started allocating specific salaries but has not removed the administrative fee. He stated that he voted against the November levy due to the administrative fee charge.
 - Mr. Rehmert stated that the City needed to be able to justify the administrative fee.
 - Mr. Keener stated that he would rather have a five-year levy. Dr. Cross stated that the problem with the proposed levy is the millage, not the length of the levy.
 - Mr. Potter stated that the Trustees should approve what the study committee had recommended.
- **Visitor Comment: James Rowland, 10021 Carlisle Pike:** Mr. Rowland asked what would happen if the new levy failed. Mr. Heistand noted that should the levy fail in May, the Trustees could run it again in November. Either way, collections wouldn’t start until 2026. Mr. Rowland stated that the proposed levy is too much millage.
- Mr. Heistand requested that the Trustees start the process of placing a fire/EMS levy on the May ballot by asking the County Auditor to certify the amounts that would be generated by a levy.
- Mr. Stubbs introduced **RESOLUTION 2024-72**, seconded by Dr. Cross: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR’S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A 2.0 MILL LEVY, FOR A TEN-YEAR PERIOD, OF ADDITIONAL TAX; BEGINNING TAX YEAR 2025, WITH FIRST HALF COLLECTION IN 2026; TO PROVIDE FUNDING FOR FIRE AND EMERGENCY MEDICAL SERVICES, AS AUTHORIZED IN ORC SECTION 5705.19 (I), TO BE VOTED ON THE MAY 6, 2025 PRIMARY ELECTION BALLOT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-72 WAS ADOPTED.**
- Mr. Stubbs introduced **RESOLUTION 2024-73**, seconded by Dr. Cross: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR’S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED**

AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A 4.0 MILL LEVY, FOR A TEN-YEAR PERIOD, OF ADDITIONAL TAX; BEGINNING TAX YEAR 2025, WITH FIRST HALF COLLECTION IN 2026; TO PROVIDE FUNDING FOR FIRE AND EMERGENCY MEDICAL SERVICES, AS AUTHORIZED IN ORC SECTION 5705.19 (I), TO BE VOTED ON THE MAY 6, 2025 PRIMARY ELECTION BALLOT. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-73 WAS ADOPTED.**

- Mr. Stubbs introduced **RESOLUTION 2024-74**, seconded by Dr. Cross: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR'S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A 3.0 MILL LEVY, FOR A TEN-YEAR PERIOD, OF ADDITIONAL TAX; BEGINNING TAX YEAR 2025, WITH FIRST HALF COLLECTION IN 2026; TO PROVIDE FUNDING FOR FIRE AND EMERGENCY MEDICAL SERVICES, AS AUTHORIZED IN ORC SECTION 5705.19 (I), TO BE VOTED ON THE MAY 6, 2025 PRIMARY ELECTION BALLOT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-74 WAS ADOPTED.**
- Mr. Heistand submitted minutes for the 11/12/24 Regular Meeting. Prior to the meeting, Mr. Potter identified two changes. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as corrected. The MOTION WAS APPROVED by a unanimous voice vote.
- He presented the November Financial Reports: (1) 11/30/24 Fund Status; (2) YTD 11/30/24 Cash Summary by Fund; (3) Month of November 2024 Cash Summary by Fund; (4) November 2024 Receipt Listing; and (5) November 2024 Payment Listing. He noted the following items:
 - Receipt 315-2024 for \$2,618.23 from the Ohio Attorney General was a law enforcement continuing professional training grant.
 - Warrant #50804 for \$176,265.00 to the City of Germantown was the payment approved by the Trustees in August from holdback funds, half from the Fire Fund and half from the Fire/EMS Fund, to replace self-contained breathing apparatuses and other equipment for the Fire/EMS department.
 - Warrant #50808 for \$10,307.25 to First National Bank of Germantown was the semi-annual Valley View Water & Sewer District loan payment. He noted that there are two remaining payments – June 2025 and December 2025.
 - Warrant #50811 for \$39.96 to Mark Heistand was reimbursement for the purchase of copy paper. He noted that he was at Sam's Club and bought a case of paper, but forgot to take his Township credit card to use for payment.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the November financial reports and authorize the payment of November bills (warrants 50804 through 50811 and vouchers 907 through 989 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- He reported that he recently provided reports to the Police and Road Departments to help them prepare 2025 budgets. He asked the Trustees to informally decide several budget-related issues to allow budgets to be more accurate when reviewed at the year-end Budget Meeting.
 - He noted that Chief Birch sent an email to the Trustees on 11/27/24 concerning the 2025 Cost of Living Adjustment (COLA). All Township employees received COLAs of 4% in 2024, 3% in 2023, and 3% in 2022 (a total increase of 10%). Past Social Security COLAs were 3.2% in 2024, 8.7% in 2023, and 5.9% in 2022 (an increase of 17.8%). Mr. Heistand stated that since Social Security's COLA is based on the Consumer Price Index, it's obvious that Township salary increases in recent years have not kept up with inflation. (The 2025 Social Security COLA will be 2.5%.) He recommended that the Trustees approve a 5% COLA for 2025. The Trustees agreed to the 5% COLA for all Township employees.

- He noted that in 2024 the Trustees allocated elected official salaries and benefits to the Police, Road, and Trash funds. At the same time, they transferred to the affected funds an equivalent amount from the General Fund. The amount transferred in 2024 was \$36,100. He estimated that the 2025 transfer will be \$37,400. The Trustees agreed to continue the salary and benefit allocation and the transfer process in 2025.
- He noted that the Trustees transferred \$8,000 from the General Fund to the Road & Bridge Fund as an estimate of the costs incurred by the Road Department to mow grass at the Township Hall and the rural cemeteries. The Trustees agreed to continue the \$8,000 transfer in 2025.
- He stated that interest income has been a significant source of revenue in 2024, estimated to total over \$120,000 (of which \$112,000 was recorded into the General Fund). He noted that the State has very strict requirements concerning recording interest.
 - i. By law, certain Township funds are required to receive their pro-rata share of interest. These include the General, Motor Vehicle License Tax, Gasoline Tax, and Permissive Motor Vehicle Tax funds.
 - ii. Also, by law, certain Township funds are NOT allowed to receive interest. These are the Road & Bridge, Garbage & Waste, Police District (and minor police funds), Road Levy, and the five joint levy funds with the City. The State requires that the General Fund receives these funds' pro-rata share of interest.
 - iii. Finally, by law, certain funds are allowed to either receive interest or have their interest added to the General Fund. These include the ARPA, Sunbury Cemetery, and the Fouts funds. At present, the Sunbury and Fouts funds receive interest. The ARPA Fund does not; it is added to the General Fund.

Heavily due to 2024 interest and JEDD receipts, he estimated that the General Fund balance will increase from \$332,000 at 1/1/24 to \$406,000 at 12/31/24. Even though interest rates have fallen somewhat the past few months, and will probably continue to do so in 2025, he felt they will still remain high in 2025. As a result, the General Fund will continue to grow. The Trustees agreed to transfer amounts in 2025 from the General Fund to the three funds that received an interest transfer in 2024: Road and Bridge, Police District, and Road Levy.

- He noted that every year the Trustees appoint the members of the Reserve Police Officer Memorial Fund Board for the following year. Mr. Stubbs introduced **RESOLUTION 2024-75**, seconded by Dr. Cross: **A RESOLUTION APPOINTING THE 2025 RESERVE POLICE OFFICER MEMORIAL FUND BOARD AS FOLLOWS:**
 - **Mark Keener – Citizen Representative & Chair**
 - **Lou Potter – Elected Official Representative**
 - **Mark Heistand – Elected Official Representative & Secretary**
 - **Muayad Shokeh – Reserve Officer Representative**

The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-75 WAS ADOPTED.**

- Mr. Heistand noted that during Dr. Cross' November report, he discussed an article in the November/December 2024 issue of the Ohio Township News magazine entitled "DOJ Sets Deadlines for Web and Mobile App Accessibility." The article stated that a new Department of Justice rule requires all governmental web content and mobile applications to be accessible to people with disabilities. At the November meeting, Dr. Cross questioned if this would be required for small townships. If so, he stated that it may be time to update the Township's entire website.

- Mr. Heistand researched the requirement and the only allowance for small townships is that the implementation deadline is delayed by one year to 4/26/27. He recommended that the Trustees review the Fact Sheet available on the Department of Justice Civil Rights Division website at <https://www.ada.gov/resources/2024-03-08-web-rule/>. He suggested that the Trustees discuss the requirement at a future meeting. He felt that this might require a redo of the Township website. Whether outside experts would be needed remains to be seen.
- He noted that the Township received a ballot from the Ohio Township Association Risk Management Authority (OTARMA) for the bi-annual election of members of the OTARMA Board of Directors. The Trustees decided not to submit a completed ballot.
- He noted that the Township received a report from KLA Risk Consulting following their visit earlier in 2024 to perform an OTARMA risk control audit. The report contained several recommendations intended to assist with risk control efforts. A response is required from the Township in the form of a "Statement of Action Taken." The Trustees discussed the report's recommendations. Dr. Cross will work with Mr. Holbrook and Ms. Close to complete the Statement.
- He reminded the Trustees that the year-end Special Meeting to review 2025 budgets and approve other year-end items will be held at 7:00 pm on 12/30/24. The 2025 Organizational Meeting will be held at 7:00 pm on 1/2/25.

POLICE DEPARTMENT REPORT:

- Chief Birch reviewed the Department's November statistics.
- He announced that a second cruiser collided with a deer resulting in damage to the vehicle.
- He reported that new Cruiser 001 was received and is being used by Sergeant Jones. Total cost was \$55,820 (\$45,186 for the vehicle, plus \$9,840 for upfitting). The most recent cruiser purchased in 2021 cost \$31,000.
- He reported that unmarked 2016 Jeep Renegade V car with 99,595 miles has multiple mechanical issues. Repairs by Cronin Chrysler Jeep in Lebanon are estimated at \$4,288. He stated that Kelly Bluebook listed the vehicle's value as \$6,500. He didn't feel the vehicle was worth repairing. He stated that he would discuss the situation further at the 12/30/24 budget meeting.
- He noted that the 12/7/24 Santa Breakfast was a hit. Santa and Mrs. Claus brought an "Elf on a Shelf." He estimated that about 100 families attended. He thanked those who attended and those who helped make the event a success. He gave special thanks to Ms. Close. He noted that her photos of Santa with the children were amazing.
- He announced that the grant request submitted to the Ohio Department of Homeland Security for a CERT (Community Emergency Response Team) trailer and related equipment was approved for \$62,030. The grant funds will be paid after all items have been purchased and payment made.
 - **Visitor Comment: Mark Keener:** Mr. Keener asked how the new trailer will be hauled. Chief Birch stated that he hoped a CERT volunteer could use a personal vehicle to pull the trailer. If that isn't possible, the next cruiser purchased will have hauling capability.

ROAD & SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that he has been working on his 2025 budgets and will have them ready for review prior to the 12/30/24 budget meeting.
- He noted that the Montgomery County Engineer asked that the Trustees certify the Township's total roadway mileage. The Trustees signed the certification which Mr. Holbrook will submit to the Ohio Department of Transportation.

ZONING & TRASH DEPARTMENT REPORT:

- Ms. Close issued two permits in November: (1) new residential construction on State Route 725; and (2) an agricultural exempt barn on Kiefer Road.
- She reported that a joint organizational meeting of the Zoning Commission and the Board of Zoning Appeals would be held on 1/7/25 at 7:00 pm.
- She thanked the Road and Service Department for helping set up and tear down for the 12/7/24 Santa Breakfast. She appreciated that they moved all her heavy file cabinets back into her office.

TRUSTEE POTTER'S REPORT:

- Mr. Potter reported that Christmas in the Park will occur on 12/14/24 at Veterans Park. Santa will ride a firetruck in a parade starting at 5:30 pm on his way to the Depot where he, Mrs. Claus, and an Elf will meet with children from 6:00-7:30 pm. Hot chocolate provided by the Germantown Lions Club as well as cookies will be available.
- He noted that the Parks Board will have two members retire at the end on 2024. In addition, Board President Tom Geglein plans to retire in February 2025. He was aware that one membership application had been received.
- He stated that the MMI Park committee is waiting on a sign quote for the large entrance boulder.
- He announced that the Township's Little Twin Creek grant application was approved by the District 4 Ohio Public Works Integrating Committee. He attended the grant announcement meeting on 12/4/24. The next step is to have the grant approved by the State. He was told by a District 4 representative that the State always approves the District's list of grant awards. A State decision is expected by February 2025, with funding in July 2025. He will be meeting soon with contractor Ron Wine of Channel Maintenance Systems to discuss the project.
- He noted that the Pool Board is still discussing options for replacing the pool slide.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs reported that to date the Cemetery has had 20 less burials than in 2023. The Cemetery's software is no longer supported by the vendor, so new software will be needed in 2025. Burkhardt Engineering will survey the Cemetery's wall along SR 725 to determine whether repairs or replacement is needed. He noted that the City of Germantown may provide financial support. He indicated that sometime in the future he'll ask the Trustees for financial support.
- He noted that Chief Birch sent a letter to Five Rivers Metroparks requesting that the Metroparks mow 20 feet along Boomershine Road and Carlisle Pike. Following Metroparks refusal, Mr. Stubbs prepared a draft letter that he asked the Trustees to review and discuss at the January meeting.
- He planned to attend the Ohio Township Association (OTA) Winter Conference in January.

TRUSTEE CROSS' REPORT:

- Dr. Cross attended the 11/25/24 Fire/EMS Oversight Committee meeting. The 2025 budget was approved. There was some discussion concerning the recent failure of the fire/EMS levy.
- He attended the 12/5/24 Senior Center Oversight Committee meeting. The 2025 budget was approved.
- He attended the 12/2/24 Germantown Council meeting. State Representative Tom Young was present and Council thanked him for obtaining the \$275,000 grant for the covered bridge project. Council passed a resolution to replace the flooring in the Senior Center. Traffic Engineer Mike Hafner discussed the recent downtown traffic study performed by his company, TEC Engineering.

OTHER BUSINESS:

- **Visitor Comment: Mark Keener:** Mr. Keener, the Township's Fiscal Officer prior to Mr. Heistand, provided a history of the Township's General Fund balances and past efforts by Trustees to strengthen the fund by reducing elected officials' salaries. Noting Mr. Heistand's earlier comments that General Fund balances are expected to continue to increase, Mr. Keener suggested that the Trustees reverse a past decision and approve having the Township pay elected officials' OTA Winter Conference expenses instead of the official personally paying the expenses.

EXECUTIVE SESSION:

- Mr. Stubbs made the following MOTION, seconded by Dr. Cross: **I move to go into Executive Session pursuant to O.R.C. 121.22(G)(1) to consider the discipline of a public employee.** The roll was taken and the vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. The MOTION was approved. The Trustees entered into Executive Session at 8:32 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand; and Police Chief Shane Birch.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- At 8:46 pm, Dr. Cross made a MOTION, seconded by Mr. Potter, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote.

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 8:47 pm.

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

Attest: These minutes were approved by the Board of Trustees at the December 30, 2024 meeting.

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