

Minutes of **RECORD OF PROCEEDINGS**  
**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 19, 2013 20    

~~The special meeting was called to order at 9:15 AM, held at the Township Hall, by Mr. Benson and was attended by Trustees Randy R. Benson, Benjamin F. DeGroat, and Fiscal Officer Robert W. Rohrbach Jr. Trustee Gregory A. Hanahan was absent and excused by Mr. Benson with a MOTION, seconded by Mr. DeGroat. Also in attendance were Road Superintendent Jeremy Holbrook, and Road Employees Scott Hamilton and Scott Hall.~~

The Germantown Press, Middletown Journal, and the Dayton Daily News were notified of this special meeting.

**VISITORS** – none

**NEW BUSINESS** –

- I. Mr. DeGroat opened a discussion regarding the proposed extension of waste collection services by Rumpke via the Western Regional Council of Governments. The Board reviewed the proposed extension resolution.

**RESOLUTION 2013-15, a RESOLUTION AND AGREEMENT AUTHORIZING THE EXECUTION OF A ONE-YEAR EXTENSION OF THE RESIDENTIAL WASTE COLLECTION SERVICE AGREEMENT OF OCTOBER 1, 2010 BY AND BETWEEN THE VILLAGE OF FARMERSVILLE, THE TOWNSHIPS OF GERMAN, JACKSON AND PERRY, AS MEMBERS OF THE WESTERN REGIONAL COUNCIL OF GOVERNMENTS OF MONTGOMERY COUNTY, OHIO AND RUMPKE WASTE, AS THE CONTRACT SERVICE PROVIDER; was introduced by Mr. DeGroat and seconded by Mr. Benson, during a Special meeting held on April 19, 2013 at the Township Hall.**

**WHEREAS**, Sec. 7.1 of the contract of October 1, 2010, by and between the Villages of Farmersville and the Townships of German, Jackson and Perry, as members of the Western Regional Council of Governments of Montgomery County, Ohio, and Rumpke Waste, as the Residential Solid Waste Collection Service Contractor, provides that said Agreement may be extended for up to three (3) additional one (1) year periods beyond the initial contract termination date of September 30, 2013.

**WHEREAS**, the said Contractor has offered to continue to deliver said service at a cost of \$13.74 per household per month, inclusive of all applicable fees, for the option year commencing on October 1, 2013 and terminating on September 30, 2014.

**WHEREAS**, the Village of Farmersville and the Townships of German, Jackson and Perry, as members of the Western Regional Council of Governments (hereinafter, the WRCG), have duly passed Resolution authorizing the acceptance of the option price of \$13.74 per household per month for the option year described above, which Resolutions are attached hereto and incorporated herein for evidentiary purposes;

**NOW, THEREFORE, BE IT HEREBY RESOLVED AND AGREED**, that pursuant to Sec. 7.1 of the Residential Solid Waste Collection Service Agreement of October 1, 2010, the Village of Farmersville and the Townships of German, Jackson and Perry, as members of the WRCG, hereby accept the Rumpke Waste offer to deliver sold waste collection services to each of their respective jurisdictions at a cost of \$13.74 per household per month, inclusive of all applicable fees, for the option year commencing October 1, 2013 and terminating on September 30, 2014;

RECORD OF PROCEEDINGS  
THE GERMAN TOWNSHIP BOARD OF TRUSTEES

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held

April 19, 2013

~~BE IT FURTHER RESOLVED AND AGREED~~, that the Village of Farmersville and the Townships of German, Jackson and Perry, and Rumpke Waste, hereby recognize and acknowledge that the Village of New Lebanon has voluntarily opted out of its right to exercise the option referred to above, and further state that the option price of \$13.74 per household per month was calculated exclusive of the residential population of the Village of New Lebanon;

**BE IT FURTHER RESOLVED, AGREED AND WARRANTED**, that all other terms and conditions of the contract of October 1, 2010, save and excepting those explicitly modified as to contract term and price as described above, shall remain in full force and effect during the aforesaid option year; that the persons executing this Resolution and Agreement on behalf of each respective governmental member of the WRCG and the Contractor are duly authorized to do so; and that no separate contractual agreement beyond that expressed herein shall be required to exercise the option to extend the aforesaid contract for an additional one year term as the aforesaid price per household per month;

**BE IT FURTHER RESOLVED**, that Mr. Benjamin DeGroat is authorized on behalf of the German Township Board of Trustees.

**IN WITNESS WHEREOF**, the Parties identified below, with the intent to be legally bound, have affixed their signatures on this 19th day of April, 2013.

**SO RESOLVED, AGREED, AND WARRANTED**

By the Participating Members of The Western Regional Council of Governments of Montgomery County, Ohio:

The adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Absent; RESOLUTION 2013-15 passed.

Certified this 19<sup>th</sup> day of April, 2013 by Robert W. Rohrbach Jr., Fiscal Officer, German Township

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Village of Farmersville  
*Randy R. Benson*  
German Township

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Jackson Township  
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Perry Township

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Rumpke Waste

With no further business, the meeting was adjourned at 9:18 AM.

Signed: *Randy R. Benson*

Attest: *[Signature]*