



**GERMAN TOWNSHIP BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 12, 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 7:01 pm. In attendance were:

<b>President Dr. Mark Cross</b>	<b>Vice-President Jacob Stubbs</b>	<b>Trustee Louis Potter</b>
<b>Fiscal Officer Mark Heistand</b>	<b>Police Chief Shane Birch</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	Josh & Terri Nichols	12102 S.R. 725 West
Fire Chief Dan Alldred	75 North Walnut St.	Mark Keener	7865 Jamaica Road
Carolyn Hibberd	126 S. Hillcrest	Olen Smith	7521 Dial, Huber Hghts
David Gehron	14239 Kiefer Road	Jessica Conrad	Address not given
Paul Collins	15 Pagett Drive	Kelly Jones-Collins	15 Pagett Drive
Lukas Jones	Address not given	Fire Lt. Josh Forrer	75 North Walnut St.
Nicholas Wolfe	Auburn, Georgia	Julie Harris	Mont. Cty. Land Bank
Susie Crabill	Mont. Cty. Land Bank	Derek Jones	15 Pagett Drive
Dani Walter	2509 E. Dorothy Lane	Abigail Hale-Dennis	13091 Oxford Road
Chief Mark Bruner	49 E. Walnut, F'ville	Sgt. Matt Spurlock	49 E. Walnut, F'ville
Dylan Jones	12102 S.R. 725 West	Muayad Shokeh	12102 S.R. 725 West

**ONLINE ATTENDEES:**

Name	Name	Name	Name
Sam	KC		

The Germantown Press was notified of the Regular Meeting on 2/5/24 at 2:53 pm.

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

**SPECIAL PRESENTATION:**

- Chief Birch presented a Certificate of Acknowledgment to Officer Joshua Nichols for “performing above and beyond the call of duty in multiple crisis intervention situations involving persons in mental health distress.”

### SWEARING-IN OF SERGEANT DYLAN JONES:

- Mr. Stubbs administered the Oath of Office to newly promoted Sergeant Dylan Jones. Following the swearing-in, Sergeant Jones was pinned by his grandmother Carolyn Hibberd and Sergeant Jones' son Lukas Jones. Ms. Hibberd then presented Sergeant Jones with her son's (the Sergeant's uncle) military watch. Ms. Hibberd's son was killed in action while serving in Afghanistan. Sergeant Jones, along with his family and friends, then enjoyed a celebration reception.

### VISITOR COMMENTS:

- **Susan Crabill, Acquisition Manager, Montgomery County Land Bank:** Ms. Crabill explained programs that could assist the Township with demolition of nuisance properties and brownfields/environmentally challenged properties. Demolition costs for nuisance properties are paid 75% by the State of Ohio, 12.5% by the Land Bank, and 12.5% by the local government. The Land Bank also has a \$500,000 "no match" grant available for demolition costs in small jurisdictions such as our Township. The Land Bank handles all aspects of the demolition, including legal work, contractor bids, and oversight. All materials are removed, basements are filled, and the property is seeded. Ownership of the demolition property does not change.
- **Germantown Fire Chief Dan Alldred:** Chief Alldred presented a request for a portion of the Fire/EMS Levy funds held back by the Township. His department applied for two grants from the State of Ohio. The first request to the Department of Commerce for \$50,334.90 was to replace four portable and ten mobile MARCS (Multi Agency Radio Communications Systems) radios that will soon be obsolete. The grant award was \$10,000, leaving a deficit of \$40,334.90. The second grant request to the Bureau of Workers' Compensation for \$27,950.00 was to replace several pieces of gas-powered equipment with battery equipment. The grant award was \$20,962.50, leaving a deficit of \$6,987.50. Chief Alldred's two requests to the Trustees totaled \$47,322.40.
  - Dr. Cross noted that he and Mr. Heistand met with Chief Alldred and Lt. Josh Forrer on 1/18/24 to discuss the proposal. He stated his agreement with the request.
  - **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked what would happen to the equipment being replaced. Chief Alldred stated that everything would be sold on GovDeal.com.
  - Dr. Cross introduced **RESOLUTION 2024-19**, seconded by Mr. Stubbs: **A RESOLUTION APPROVING A DISTRIBUTION OF \$47,322.40 FROM THE EMS/FIRE LEVY 2010 FUND (#2193) TO REPLACE FOUR PORTABLE AND TEN MOBILE RADIOS AND TO PURCHASE AN 18V TNT BRUTE FORCE CUTTER, AN 18V TNT SPREADER, AND TNT BATTERIES AND STATION CHARGERS FOR THE GERMANTOWN FIRE/EMS DEPARTMENT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-19 WAS ADOPTED.**

### FISCAL OFFICER'S REPORT:

- Mr. Heistand congratulated Ms. Close for having her photo of Police Department K-9 Idus included in the 2024 Ohio Township Association Risk Management Authority (OTARMA) 2024 calendar.
- He submitted minutes for the 1/8/24 Regular Meeting and the 1/15/24 Special Meeting. There were no corrections. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve both sets of minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand presented the January Financial Reports: (1) 1/31/24 Fund Status; (2) YTD 1/31/24 Cash Summary by Fund; (3) January 2024 Receipt Listing; and (5) January 2024 Payment Listing. He noted the following:
  - Receipt 1-2024 for \$3,469.74 from First National Bank was the redeposit of a 12/27/23 automatic charge made in error by the bank. The 12/27/23 charge was for a credit card account not connected to the Township.

- Receipt 5-2024 for \$5,024.45 from the Valley View Joint Economic Development District (JEDD) was the Township's portion of income taxes collected by the JEDD.
- During January he transferred \$71,100 from the General Fund, as approved last month:
  1. \$8,000 to the Road & Bridge Fund (#2031) for the 2024 maintenance of the Township Hall and the rural cemeteries
  2. \$36,100, consisting of \$16,000 to the Police Fund (#2081), \$15,500 to the Gasoline Tax Fund (#2021), and \$4,600 to the Trash Fund (#2071) to help offset the allocation of Trustee and Fiscal Officer salaries to the funds.
  3. \$27,000, consisting of \$20,000 to the Police Fund (#2081), \$4,500 to the Road and Bridge Fund (#2031), and \$2,500 to the Road Levy Fund (#2141). The transfer approximated 2023 StarOhio interest that would have been earned by the funds had such earning been allowed by the State.
- **Visitor Comment: Mark Keener:** Responding to a question from Dr. Cross about how much tax money had been collected by the JEDD, Mr. Keener (the JEDD's treasurer) reported that he budgeted \$100,000 in income tax collections for 2024.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the January financial reports and authorize the payment of January bills (warrants 50726 through 50749 and vouchers 1 through 94 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand noted that the Trustees passed Resolution 2024-12 at the January meeting to approve up to \$30,000 to pay one-half of the Twin Creek Erosion Control Project with Channel Maintenance Systems. He stated that since the project was a non-budgeted item, the Township could pay for this project using American Rescue Plan Act (ARPA) funds. As he had not prepared the standard ARPA Resolution prior to the January meeting, the project was approved that night with payment from the General Fund in order for the project to move forward quickly.
  - He recommended that the Trustees RESCIND Resolution 2024-12 and reapprove the project with a new Resolution authorizing payment from the ARPA Fund.
  - Mr. Stubbs noted that a \$60,000 grant for the erosion control project was included in a bill that was recently approved by the Ohio House of Representatives. He questioned whether the Trustees should wait to rescind the January Resolution until the bill is finalized by the Ohio Senate. Mr. Heistand responded that the Senate would probably not take up the bill until after the March primary election. He felt that Channel would want to be paid for their work sooner than that. Further, if he paid the Channel bill from the General Fund and if the grant was removed in the final bill, he felt it would be difficult at that point to use the ARPA Fund to reimburse the General Fund. He thought a transfer between funds might create a problem during the biannual audit.
  - Dr. Cross reported that State Representative Tom Young contacted him about the Twin erosion control project. Rep. Young told him that the House approved our project on 2/8/24 as part of HB 2, which is an appropriation of the strategic budget included in the operating budget approved by the Legislature in Summer 2023. The Senate will add their strategic budget items and consider the House-approved bill in 2-3 months. The funding for our projects and others would come from a \$700 million one-time Strategic Investment Fund created using State surplus funds.
  - Dr. Cross introduced **RESOLUTION 2024-20**, seconded by Mr. Potter: **A RESOLUTION RESCINDING RESOLUTION 2024-12 WHICH PREVIOUSLY AUTHORIZED FUNDING UP TO \$30,000 FOR ONE-HALF OF THE TWIN CREEK EROSION CONTROL PROJECT WITH CHANNEL MAINTENANCE SYSTEMS PER GERMANTOWN RESOLUTION 24-04 TO BE PAID BY THE GENERAL FUND.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-20 WAS ADOPTED.**

- Dr. Cross then introduced **RESOLUTION 2024-21**, seconded by Mr. Potter: **A RESOLUTION TO FUND UP TO \$30,000 FOR ONE-HALF OF THE TWIN CREEK EROSION CONTROL PROJECT WITH CHANNEL MAINTENANCE SYSTEMS PER GERMANTOWN RESOLUTION 24-04 TO BE PAID BY THE AMERICAN RESCUE PLAN ACT FUND.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-21 WAS ADOPTED.**
- Mr. Heistand noted that the ARPA Resolution utilizes the “small-purchase” Federal guideline. Under this category, at least two quotes are required for purchases between \$10,000-\$250,000 and the lowest quote must be accepted. The City of Germantown obtained quotes from both Channel Maintenance (\$60,000 total) and River Rangers International, Inc. (\$95,000). Since the lowest quote was accepted, APRA funds may be used for the project.
- He reminded the Trustees that, as with all purchases using ARPA funds, the Federal guidelines require the Township to have a Contract Addendum signed by the contractor.
- He reported that he was contacted by Montgomery County Township Association (MCTA) President Chris Snyder who stated that a majority of the County townships’ boards of trustees must approve the appointment of a trustee to represent the townships on the 911 Program Review Committee. Butler Township Trustee Bryson Jackson has agreed to serve as the county townships’ representative.
  - Dr. Cross introduced **RESOLUTION 2024-22**, seconded by Mr. Stubbs: **A RESOLUTION TO APPOINT TOWNSHIP REPRESENTATIVE TO THE 911 PROGRAM REVIEW COMMITTEE.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-22 WAS ADOPTED.**
- Mr. Heistand noted that the next MCTA meeting will be held on 3/28/24 at the Montgomery County Business Solutions Center in Dayton. He stated that the MCTA officers would like to restart the pre-Covid practice of holding association meetings at various townships. President Snyder asked him if the Township would host a meeting later this year. Mr. Stubbs suggested that these meetings be held in the evening instead of the late afternoon as they are currently done. He wondered if the Township would need to provide dinner to the attendees. He suggested that the Township partner with Jackson Township to jointly host a meeting. Mr. Heistand will inform Mr. Snyder that the Township has interest in hosting but needs more information.
  - **Visitor Comment: Mark Keener:** Mr. Keener recommended that the Trustees consider the work that would be required by Mr. Holbrook to host a MCTA meeting.
- Mr. Heistand reported that he completed the 2023 Annual Financial Report and had submitted the financial statements and footnotes to the Ohio Auditor of State. A notice of the availability to review the Annual Report at the Township Hall was published in the Germantown Press on 1/25/24. Ms. Close has posted a link to the Annual Report on the home page of the Township’s website. There is also a hyperlink on the website home page to access the Township’s financial transactions on the Ohio Checkbook website.
- He reported that he sent the Montgomery County Auditor the Township’s 2024 Certificate of the Total Amount from All Sources Available. The Auditor uses the report to prepare the Township’s 2024 Official Certificate of Estimated Resources.

**POLICE DEPARTMENT REPORT:**

- Chief Birch reviewed the Police Department’s January statistics. He praised the good work of all Township officers and Ms. Close. He recognized the attendance at the meeting of former Township Officer Nicholas Wolfe, noting that Mr. Wolfe was promoted to Sergeant after only three months on the job with his new Police Department in Georgia. The Chief felt that Mr. Wolfe’s quick promotion was evidence of the quality of the entire Township Police Department.

- He noted that Cruiser U had repairs costing \$2,200 and Cruiser T is currently being repaired at a cost of at least \$800. Cruiser T is used for K-9 Idus and has accumulated 95,000 miles. Cruiser W with 38,000 miles is also being repaired, with the cost possibly covered by the vehicle warranty.

#### ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook noted that the winter had been mild, which had an effect on the amount of de-icing salt used. To date his department has purchased 68.79 tons of salt and 1000 gallons of beet juice brine. \$6,763.33 has been spent to date, compared to the budget of \$10,000. He stated that the amount of salt and brine on hand will be enough for the rest of the winter and to start next season.
- He discussed his plan to replace Dump Truck #108 during 2024. #108 is a 2006 International HT570. This will be replaced with a 2025 International HV607 to be purchased under the Ohio Department of Transportation state bid. The cost to purchase (not including a quoted \$72,000 to upfit the truck) is \$111,822.68. He asked the Trustees for approval to order the truck. The estimated build date is in August. With time needed for upfitting, he stated that the truck might not be available to use until sometime next winter.
  - Mr. Stubbs introduced **RESOLUTION 2024-23**, seconded by Mr. Potter: **A RESOLUTION TO APPROPRIATE \$111,822.68 FROM THE GASOLINE TAX FUND (#2021) AND AUTHORIZE THE PURCHASE OF A 2025 INTERNATIONAL HV607 DUMP TRUCK FROM RUSH TRUCK CENTERS IN CINCINNATI, OHIO FOR \$111,822.68.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-23 WAS ADOPTED.**
- Mr. Holbrook noted that he and Scott Hamilton attended the Ohio Township Association (OTA) Winter Conference in Columbus on 2/8/24 and met with various vendors at the Trade Show.

#### ZONING & TRASH DEPARTMENT REPORT:

- Ms. Close reported that she issued one permit in January to Valley View Local Schools for a new identification sign at the new school building
- She reported that the Zoning Commission would hold a regular meeting on 3/5/24. The Board of Zoning Appeals will hold a hearing on 3/12/24 to consider a conditional use request for the extraction of minerals on property at the northeast corner of Butter Street and Carlisle Pike.
- She noted that to date, \$600 in zoning payments and \$6,833 in trash payments had been received using the online payment system.
- She thanked Mr. Holbrook and Mr. Hamilton for fixing the illuminated signs on the front of the Township Hall.

#### TRUSTEE POTTER'S REPORT:

- Mr. Potter stated that new member Rachel Goforth attended the recent Parks Board meeting. William Heistand reported at the meeting that he was continuing to work on funding for expansion of the Kercher Park tennis courts. The Depot roof in Veterans' Park will be replaced using insurance, less a \$1,000 deductible.
- He reported that work on the Twin Creek Erosion Control Project was almost complete on the north bank along Kercher Park. Work will next start on the south bank along Mudlick Road. He stated that he could see that the creek was already moving away from the eroding bank.
  - **Visitor Comment: Abigail Hale-Dennis, 13091 Oxford Road:** Ms. Hale-Dennis asked about repairs needed to the bike path that was damaged by the erosion contractor. Mr. Potter responded that Channel Maintenance Systems will repair the bike path damage.
  - **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross asked why trees were removed for the erosion project from the bike path rather than from the nearby forest.

- Mr. Potter responded that the contractors didn't want to remove trees from the disc golf course. He said that additional trees were also removed from Weber Park for the project.
  - Mr. Holbrook stated that the creek flow is already reducing the size of the gravel island.
  - Chief Birch suggested that trees not be removed along Mudlick Road, as they help prevent vehicles from crashing into the creek.
- Mr. Potter reported that the Pool Oversight Committee recently met and discussed 2024 pool prices. He noted that the Miamisburg pool will be closed for the next 2-3 years for repairs. He was uncertain how the closure would impact the Germantown Aquatic Center. Dr. Cross stated that recent updates indicate that the Miamisburg pool will not be closed as long as first indicated.

**TRUSTEE STUBBS' REPORT:**

- Mr. Stubbs reported that the ½ mill replacement levy for Germantown Union Cemetery will be listed on the ballot as a German Township levy, not a Cemetery levy. He explained that the Board of Elections was not able to change the language that had already been printed on the ballot. A committee has been formed to help explain the need for and promote the levy.
- He reported that the Cemetery also submitted a capital project to Rep. Young, for repaving and new gravel for the Cemetery's driveways. The project was not included when the House passed HB 2. He planned to contact State Senator Niraj Antani, hoping to include the driveway project in the list of capital projects that the Senate will add to HB 2.
- He stated that if the City and Township ultimately receive the \$60k State grant for the Twin Creek erosion project, he would like both jurisdictions to use their already-appropriated \$30,000 to help the Cemetery Board repair the wall along SR 725.
- He noted that the Cemetery's two new mowers will soon be delivered. The old Ferris mowers will be listed for sale on GovDeals.com.
- He stated that volunteers from the Veterans Memorial Museum recently removed the wreaths and flags that had been placed on veterans' graves during the Christmas holidays.
- He thanked Narrow Way Custom Technologies in Carlisle for donating the repair of the Cemetery flagpole door. Mr. Holbrook informed Mr. Stubbs that the Cemetery flag needed to be lit at night. Several options for lighting were suggested to Mr. Stubbs.
- Mr. Stubbs noted that the EPA told him that they could not help with the Twin Creek Erosion Project. They indicated that grants are available if the Township is ever in a similar situation. They stated that property owners are responsible for creek maintenance. Mr. Stubbs said that any future erosion projects should be the responsibility of the Township only if they affect our roads.
- He was surprised that Parks Board Chair Tom Geglein did not attend the meeting to discuss the Township's hold back of levy funds. Mr. Geglein had sent an email to the Trustees about the issue.
- He reported on his takeaways from the recent OTA Winter Conference.
  - At the Trade Show he spoke with Waste Management, who stated that they were interested in bidding for the next trash contract. They asked for a six-month notice.
  - Trebel told him that they should have an electric aggregation supplier in place by April or May. The Township is being bundled with several local governments to get the best rate.
  - State Rep. Rodney Creech, whose district will include the Township starting in 2025, told him that he would like to attend a Trustee meeting sometime during 2024.
  - Lt. Governor Jon Husted is working to create special license plates for Township vehicles.
  - The OTA is opposed to a proposal in the Ohio Legislature to eliminate township zoning, with would move responsibility for zoning to the county level.
  - Following the OTA officer and board elections at the Conference, Montgomery County will no longer have a representative on the OTA Board.

- He noted the importance of local government. He stated that townships, especially smaller ones like ours, are the most efficient, are closer to their constituents, and have the greatest impact on their residents' daily lives.
- He reported that Zoning Commission Chair Kurt Jacoby attended the Conference. While there he met with a State agency that does roadway audits for free. Mr. Holbrook noted that the Township utilized an audit for sign improvements on Sigal and Mudlick Roads.
- Ms. Close and Chief Birch confirmed to Mr. Stubbs that the Township Shred Day will be on 5/4/24.
- Mr. Potter discussed the upcoming 3/12/24 Board of Zoning Appeals hearing on a conditional use request by SRM Concrete to mine the land at the NE corner of Butter Street and Carlisle Pike. He asked if the County had a voice in approving the application. Dr. Cross stated that they do not.

**TRUSTEE CROSS' REPORT:**

- Dr. Cross attended the Senior Oversight Committee meeting on 1/11/24. The Committee is considering changes to the rental policy at the Senior Center. Under the present policy, a City employee needs to be available for rental events. This has made it difficult to schedule rentals due to employee availability. Proposed changes included having the renter pay their fee and pick up a key at City Hall prior to the event. A potential new flat-fee schedule was discussed: \$50 for non-profits; \$150 for for-profit businesses; and \$300 plus a \$100 deposit for personal events.
- He attended the 2/5/24 Germantown Council meeting. Highlights included:
  - The estimated cost to resurface the City section of Route 4 in 2024 is \$158,000 plus striping. The City will absorb any cost increases. The project has not yet gone out for bid.
  - The City plans to reduce the speed limit on Route 4 from 50 to 35 mph between Old Butter Street and Worthington Drive.

**NEW BUSINESS:**

- **Visitor Comments: David Gehron, 14239 Kiefer Road:** Mr. Gehron asked Chief Birch to discuss Occupied and Vacant House Checks. Chief Birch stated that Vacant House Checks include walks around the house, checking doors and windows. Occupied House Checks are drive-by visual checks. Mr. Gehron expressed concern about residents who live alone and might need emergency assistance. If doors are locked, damage could occur to windows or doors for first responders to gain entry. He suggested that the Township acquire and loan to residents Knox Boxes which would contain a house key for emergencies. He asked if the Trustees would support this program. Chief Birch said that he thought it was a great idea. He stated he would discuss the possibility of a joint program with Germantown to be administered through the Fire/EMS Department.

**MEETING ADJOURNED:**

- With no further business, Mr. Potter made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 8:59 pm.

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

Attest: These minutes were approved by the Board of Trustees at the March 11, 2024 meeting.

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