



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON FEBRUARY 13, 2023**

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:

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

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Deb Cross	7444 S. Stiver Road	Mark Keener	7865 Jamaica Road
Abigail Hale-Dennis	13091 Oxford Road	Scott Belcastro	Trebel Energy Services

ONLINE ATTENDEES:

Name	Name	Name	Name
KC	Sam		

The Germantown Press was notified of the Regular Meeting on 2/6/23 at 3:03 pm.

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

VISITOR COMMENTS:

- **Scott Belcastro, Trebel Energy Services LLC:** Mr. Belcastro discussed potential electric and gas aggregation for the Township. Trebel was founded in 2010 and is located in Mansfield. It was a sponsor of the Ohio Township Association’s (OTA) recent Winter Conference. If hired, they would serve as the Township’s energy consulting broker. The City of Columbus is a client. Miami, Clay, Jefferson and Butler Townships are local clients. Trebel would provide the legislation needed to put the issue on the ballot and would help educate the community (by paying for mailings, public meetings, Facebook, newspapers and websites). If approved by the electorate in November 2023, an aggregation program would probably start by April/May 2024. He suggested putting electric and gas aggregation on the ballot at the same time if enough Township residents use natural gas. Once approved, there would be two public meetings. Residents can “opt out” of the program at any time, even after initially joining. His firm is paid by the electric supplier; there is no cost to the Township. Residents will still pay their electric bills to AES Ohio, but will probably save \$20-\$40 per month. The most common supplier contracts are for 2-3 years. Mr. Belcastro agreed to submit a proposed contract and Resolution language for the Trustees to consider.

- Dr. Cross noted that at the 2003 General Election electric aggregation was voted down by 17 votes and gas aggregation was voted down by 26 votes.
- **Mark Keener, 7865 Jamaica Road:** Mr. Keener, the Township's representative to the Joint Economic Development District (JEDD) Board, gave an update. A JEDD Board meeting was held in January. New Member Todd Cunningham from Farmersville attended. Members Joe Scholler and Lindsay Schmidt were absent. The Board set a meeting schedule for the remainder of 2023. A resolution was passed to open a bank account. The Board currently has received \$4,200, with another \$8,000 scheduled to be received. The Board is searching for an insurance carrier. The four jurisdictions will be billed their proportionate share of the \$15,000 initial contribution. The Board has not yet received invoices from Attorney Brenda Wehmer at Dinsmore & Shohl.
- The Trustees discussed the presentation by Scott Belcastro from Trebel. Dr. Cross noted that he was impressed. Mr. Stubbs stated that there would be little risk with going forward with Trebel. Mr. Potter saw no downside. The Trustees agreed that they would move forward with Trebel and asked Mr. Heistand to send the Trebel draft documents to the Prosecutor's office for review.
 - **Visitor Comment: Mark Keener:** Mr. Keener felt that there would be enough natural gas customers in the Township to justify adding gas aggregation to the ballot issue. He thought that all Jamaica Road residents have natural gas.
 - Mr. Holbrook said that residents along SR 725 west of Astoria Road as far as Ro-Lin Farms on Conservancy Road have gas. He noted that the line is owned by a company other than Centerpoint Energy.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 1/9/23 Regular Meeting. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand presented the January Financial Reports: (1) 1/31/23 Fund Status; (2) YTD 1/31/23 Cash Summary by Fund; (3) January 2023 Receipt Listing; and (4) January 2023 Payment Listing. He transferred \$4,000 from the General Fund to the Road & Bridge Fund (#2031) for the 2023 maintenance of the Township cemeteries, as approved by the Trustees in January. He also transferred \$34,900 from the General Fund as follows: \$14,900 to the Gasoline Tax Fund (#2021), \$4,500 to the Trash Fund (#2071) and the \$15,500 to the Police Fund (#2081). The Trustees approved these transfers in January to strengthen the fund balances of the recipient funds.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the January financial reports and authorize the payment of January bills (warrants 50629 through 50654 and vouchers 1 through 102 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand stated that the 2022 Annual Financial Report was complete and the financial statements and footnotes had been submitted to the Ohio Auditor of State. He asked the Germantown Press to publish a notice on 2/16/23 of the availability to review the Annual Report here at the Township Hall. The financial statements may also be viewed on the Auditor of State's website. To view the online financial statements, go to the Auditor's website and click on Hinkle System Financial Reporting on the Local Government drop-down tab. On the side menu of the next screen, click on Hinkle System Completed Filings. On the next screen click Township on the Data by Entity Type and Basis of Accounting drop-down tab and then click Regulatory for 2022. A spreadsheet will open with several tabs containing the filed financials of Ohio townships. Scroll down on each tab to find our Township. He stated that the easier way to review the Annual Report would be make an appointment and view a paper copy in his office.

- He asked the State to post the Township's 2022 transactions on the Ohio Checkbook website. These transactions may be viewed by using the hyperlink on the Township's website.
- He sent the Montgomery County Auditor the Township's 2023 Certificate of the Total Amount from All Sources Available. The Auditor uses the report to prepare the Township's 2023 Official Certificate of Estimated Resources. He also provided updated elected official information to the League of Women Voters for their 2023 Directory of Public Officials.
- Following the January meeting, he delivered the pool levy renewal legislation to the Board of Elections. They had an issue with the January Resolution to place the issue on the May ballot and requested that the Trustees approve an amended Resolution. He presented **AMENDED RESOLUTION 2023-09**, which included a new WHEREAS statement. He stated that he would forward the approved Amended Resolution to the Board of Elections after the meeting so it would be received prior to the Board of Election's 2/14/23 meeting to certify ballot issues.
 - Dr. Cross introduced **AMENDED RESOLUTION 2023-09**, seconded by Mr. Stubbs: **A RESOLUTION DETERMINING TO PROCEED TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION**. Dr. Cross read the new WHEREAS statement. The Pool Levy on the 5/2/23 ballot will be a .5 mill renewal for five years, commencing in 2023, first due in calendar year 2024. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **AMENDED RESOLUTION 2023-09 WAS ADOPTED.**
- Mr. Heistand corrected a misstatement he made at the January meeting. During the discussion of possibly prepaying the Valley View Water & Sewer District loan, he incorrectly stated that the loan interest rate at First National Bank of Germantown was 1%. The correct interest rate is 2%.
- He stated that in January the Trustees agreed that the \$18,000 cell tower rent received from the State of Ohio in 2023 would be deposited into the Police District Fund rather than the General Fund. He asked the Trustees to formalize that decision using a Resolution.
 - Mr. Stubbs introduced **RESOLUTION 2023-13**, seconded by Dr. Cross: **A RESOLUTION DIRECTING THE FISCAL OFFICER TO DEPOSIT THE \$18,000.00 CELL TOWER RENT WHEN RECEIVED IN 2023 TO THE POLICE DISTRICT FUND (#2081)**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-013 WAS ADOPTED.**
- Mr. Heistand noted that the Township had received notice from the Ohio Bureau of Workers Compensation that they will be auditing the Township's 2021 records sometime this year. The audit date had not yet been scheduled.
- He reported that the City of Germantown requested that the Trustees approve the appointment of Jim Williams to the open seat on the Pool Oversight Committee. He noted that both City Council and the Trustees are required to appoint Oversight Committee at-large members. Mr. Potter made a MOTION, seconded by Dr. Cross, to approve the appointment of Mr. Williams for a three-year term ending 12/31/25. The MOTION WAS APPROVED by a unanimous voice vote.

POLICE DEPARTMENT REPORT:

- Chief Andzik thanked the Trustees for approving **RESOLUTION 2023-13** earlier in the meeting. He announced that his Department would hold Shred It/Dump It Day on 5/6/23 from 9-11am.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook noted that he learned from Mr. Heistand that the Township had been paying real estate taxes on two pieces of property related to the 2015 Eckhart Road realignment. After speaking with the Auditor's office, he was told that the Township needed to submit an exemption application. He submitted the paperwork and was hopeful that taxes for the past three years would be refunded.

- He reported that his Department: (1) had cleaned up trees and other debris from the recent wind storm; (2) had worked on erosion problems on Little Twin Road along Twin Creek to widen the edge of the bank for emergency parking; and (3) had salted roads during slick conditions.

ZONING DEPARTMENT REPORT:

- Mrs. Close reported that she wrote a permit in January for an in-ground pool on Little Forest Drive.
- She noted that she had been talking with a sales representative from Archive Social about possibly using their services to archive the Township's social media sites for retention purposes. She will gather more information and present it to the Trustees at the March meeting.
- Dr. Cross noted that the Department received a complaint about a house on Arch Street that had extensive damage to the roof due to a fallen tree limb. After sending a letter to the property owner, he talked to the Germantown Fire Department concerning deeming the structure "defective." He was told that the Fire Department doesn't have a form to deem a property structurally defective. He noted that this would make enforcing Ohio Revised Code 505.86 (Removal or Repair of Insecure Structures) difficult to enforce.
- He reported that the Department received two complaints concerning the use of a barn on Diamond Mill Road for business purposes. He stated that once the Department receives a written complaint and photos of the violation, the property owner would be sent a Notice of Violation.
- He stated that the Zoning Department has concerns about several properties in the Township not following the proper Zoning Permit and driveway permit (through the Township Road Department and the Montgomery County Engineer's Office) application process. The Department decided to send "friendly" reminder letters that a Zoning Permit is required for basically any non-farm construction in the Township.
- He noted that he and Zoning Commission (ZC) President Kurt Jacoby interviewed two candidates for the open ZC Alternate position. He stated that both were excellent candidates, but one had lived in the Township longer and had more zoning experience. Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the appointment of Tricia Taylor as an Alternate Member of the ZC for a five-year term ending 12/31/27. The MOTION WAS APPROVED by a unanimous voice vote.

TRUSTEE POTTER'S REPORT:

- Mr. Potter noted that he met with Mr. Holbrook concerning the erosion problems on Little Twin Road at Twin Creek. Both riprap and dirt were added to correct the safety issue.
- He attended a recent Pool Board meeting where concession stand and lifeguard staffing issues were discussed. He contacted Jackson Township Trustee Ryan Hodson to discuss the possibility of sharing employees between the pools in both communities. He plans to look at the new pumping filter system installed last year at a cost of \$160,000. The cost is being paid over three years at \$55,000 per year. Jason Gentry, the City's Street Department employee responsible for the pool, is logging his hours spent on pool activities for allocation of his salary to the Pool Fund.
- He attended a recent Parks Board organizational meeting. Tom Geglein was elected Chair, with William Heistand elected Vice-Chair. A presentation was made by City employee Will Parsons and Economic Development Committee Chair Tom Winning concerning the Designated Outdoor Refreshment Area (DORA) planned for downtown Germantown and Veterans' Park. Mr. Potter passed out a map of the proposed 29-acre area. The Parks Board approved the DORA map.
- He reported that the City has been discussing potential parking lot paving at Kercher Park. The cost to mill and fill the two north lots along Astoria are \$27,000 for the lot closest to Astoria Health

& Rehab and \$33,000 for the lot south of the first lot. He thought that the City may ask for some or all of the \$47,000 Parks Fund balance held by the Township.

- **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross stated that the \$47,000 held back by the Township should be for emergency use only.
- Dr. Cross stated that the Parks Board should stay within their budget. Mr. Heistand stated that the ongoing complaints about the \$47,000 held by the Township are made by one individual on the Parks Board. He noted that the Township has not heard anything official from the City about the Township's Parks Fund balance. Mr. Stubbs stated that the Parks Board individual is welcome to attend a Trustee meeting at any time to discuss the issue.
- Mr. Potter reported that the new City newsletter will include information on the Miami Military Institute (MMI) Park. He noted that John Longworth will soon pour the concrete for the flagpole.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs thanked Mr. Potter for his work with the City on the MMI Park and for his offer to help tear down the old storage building at the Cemetery.
- He noted that the Western Regional Council of Governments (WRCG) will meet during February as the Rumpke contract expires in 2023. Mr. Heistand stated his belief that there was one more three-year renewal on the existing contract.
- He reported that the Cemetery Board held second interviews with a couple of candidates for the Sexton position. When he attended a cemetery class at the OTA Winter Conference, he learned about the Ohio Cemetery Association which is headquartered in Centerville. Germantown Union Cemetery has joined. The first year was free; the cost is \$95 for future years.
- He stated that he attended a lot of good classes at the OTA Winter Conference in January.
- He reported that he received an invitation to attend an elected leaders luncheon in Miamisburg with State Representative Tom Young on 2/16/23. Dr. Cross agreed to attend.

TRUSTEE CROSS' REPORT:

- Dr. Cross attended the Senior Oversight Committee meeting on 1/12/23. Highlights included:
 - The Senior Center is doing well. The Monday Meal Program is serving more than 50 seniors each week. There are currently 153 paid members, 21 of which live out of town. Volunteers and sponsorships are up and a second Friday breakfast has been added (now on the 2nd and 4th Fridays).
 - Rental use of the building still needs to improve. Community and City events are being scheduled; however, most of these events don't pay for the use of the building.
 - Income tax preparation was offered to seniors on 2/6/23 and 2/10/23.
 - The Senior Center will have a full-page article in the City's new quarterly newsletter.
 - Nelda Judy Lane, who passed away 9/11/22, named the Senior Center as beneficiary on two life insurance policies. The Center will receive approximately \$300,000. It appears there will not be any restrictions of the use of the funds. He recommended to the City that the funds be placed in a StarOhio account to earn higher interest rates.
- He attended Germantown Council's 2/6/23 Regular Meeting and Work Session. Highlights included:
 - During Citizens' Forum, Tim Johnson acted as a spokesperson for several Hickory Pointe residents and asked council to consider a three-way stop at Hickory Pointe Drive and Oak Ridge Court in an attempt to deter drivers cutting through Hickory Pointe.
 - The DORA status was updated. The Resolution to enact the DORA will be considered at the April meeting. The DORA will operate 4-10 pm Thursday thru Sunday. Additional costs to the city for signage or extra police patrol were not discussed.

- Mayor Johnson made another presentation concerning the MMI Park which was very similar to the report given at an earlier meeting.
- Road paving for 2023 was discussed. Major projects include some paving in Ron Heights as well as on Astoria Road from SR 725 to the bridge. Several other small projects may occur depending on excess funds available from 2022.
- A representative from Palmer Energy (the firm chosen by the Miami Valley Communications Council for its member jurisdictions) spoke about electric and gas aggregation. It was estimated that aggregation would save each resident \$30-40 per year.
- He attended the OTA Winter Conference in January. At the General Session it was recommended that townships have a designated spokesperson in the event of an emergency. Chief Andzik noted that he and Sergeant Birch have taken Public Information Officer training. He recommended that several people be designated as Township spokespersons, since different types of emergencies would call for different types of responses.
- Dr. Cross asked Mr. Holbrook to update the 2022 bids for repaving the Township Hall parking lots. The Trustees may decide to pay for the repaving using American Rescue Plan Act (ARPA) funds.

OLD BUSINESS:

- None

NEW BUSINESS:

- Mr. Holbrook presented a proposal from Strawser Construction, Inc. for chip seal and micro mix repairs on Wind Dancer and Starry Night Drives. The cost has increased \$5,500 from 2022. Using the ODOT 101.g contract, the cost would be \$85,975.50, an amount included in his 2023 budget.
 - Dr. Cross introduced **RESOLUTION 2023-14**, seconded by Mr. Potter: **A RESOLUTION AUTHORIZING ROAD ADMINISTRATOR JEREMY HOLBROOK TO SIGN A \$85,975.50 CONTRACT WITH STRAWSER CONSTRUCTION, INC. FOR MICRO MIX AND CHIP SEAL REPAIRS TO WIND DANCER AND STARRY NIGHT DRIVES USING THE OHIO DEPARTMENT OF TRANSPORTATION 101.G CONTRACT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-014 WAS ADOPTED.**

OTHER BUSINESS:

- None.

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 9:02 pm.

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

Attest: These minutes were approved by the Board of Trustees at the March 13, 2023 meeting.

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