

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC. - FORM NO. 10148

Held _____ November 08, 2010
20_____

The regular meeting was called to order at 7:00 P.M., at the Township Hall, 12102 S.R. 725 West, Germantown, Ohio, by Board President Randy Benson with the Pledge of Allegiance. Trustees Randy R. Benson, Gregory A. Hanahan, Benjamin F. DeGroat, and Fiscal Officer Robert W. Rohrbach Jr. were present. Police Chief W. L. Wilcox and Road & Service Superintendent Jeremy Holbrook were also present.

This meeting was audio tape recorded and the CD is on file.

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

VISITORS – none

VISITOR COMMENTS – none

MINUTES –

The Board reviewed the minutes of the October 11, 2010 Regular meeting. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat to approve the minutes of the October 11, 2010 Regular Meeting as submitted, after discussion, all present voted in favor, MOTION passed.

FISCAL OFFICER REPORT –

I. Correspondence:

IN

- A. Montgomery Co. Board of Elections – notice that signs will be placed at Twp Hal to direct voters to correct locations
- B. OTA – November Grassroots Clippings
- C. Mont. Co. Engineer – Memo regarding new regulations for trucks with shipping containers.
- D. Mont. Co. Solid Waste via Council Member Steve Boeder – Farm Tire disposal

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 11/08
- B. Village of Germantown – public records request for all information reviewed by the Trustees for future meetings – 9/13; 3rd Qtr Parks, Pool, Senior, fire levy reports
- C. Mont. Co. Auditor – Res. 2010-45 2011 Amounts & Rates
- D. Mont. Co. Prosecutor Doug Trout – request for ruling on electronic fund transfers by townships

II. Distribute Financial Reports – including 3rd Qtr Parks, Pool, Fire, Senior levy reports.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to

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authorize the payment of the bills, checks 42960 thru 43034. After discussion, all present voted in favor. MOTION passed.

III. Mr. Rohrbach reported that the First National Bank of Germantown has advised that they will no longer be able to accept federal tax deposits after January 1, 2011. IRS has notified us that the payments must now be made as Electronic Fund Transfers on line to their web site. Townships are restricted by what they can pay by other means than a check signed by the Clerk & Trustees. Mr. Rohrbach has requested guidance from Doug Trout. Other entities are also requesting EFT payment State Taxes, School Taxes, local income taxes, as well as some ongoing bills. Mr. Rohrbach also requested that Mr. Hanahan take the issue to the OTA for potential legislation that would allow townships to pay using this method, with appropriate approvals by the Board. In the mean time I am requesting a resolution to allow the IRS payments by EFT.

After review, Mr. Hanahan introduced **RESOLUTION 2010-46**, seconded by Mr. DeGroat, to authorize the Fiscal Officer to pay federal tax obligations via electronic fund transfer, via the IRS web page. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-46** passed.

IV. Mr. Rohrbach submitted two draft and one original cell phone policies that he compiled after discussing the issue with the department heads. The Board will review and discuss at the next regular meeting.

V. Mr. Rohrbach reported that the Road Levy renewal had passed, 1790 for the levy, 1273 against.

VI. Mr. Rohrbach opened a discussion concerning the renewal/replacement of the Parks Recreation levy that expires the end of 2010, with funding ending at the end of 2011. To place on it on the May ballot, the resolution for certification by the Mont. Co. Auditor will need to be completed during the December regular meeting and the levy resolution during the January meeting. The deadline for filing is February 2. Mr. DeGroat will bring the recommendation from the Parks Oversight to the December meeting for action.

PRESIDENT REPORT –

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- I. Mr. Benson opened a discussion regarding supporting the request received from the Dayton & Montgomery Co. Public health for funding to assist Adkins Auto Salvage & Alota Auto Parts remove old tires.

The Board again reviewed the request. Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to send a letter of support, but provide no funding, for the issue. After discussion, all present voted in favor, **MOTION** passed.

- II. Mr. Benson reported on Fire Oversight activities. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to approve the appointment of Glenn Jirka to the Fire Oversight Committee. After discussion, all present voted in favor, **MOTION** passed.

- III. Mr. Benson reported on the Pool Oversight activities. Final pool operating loss amounts are still pending.

POLICE REPORT –

- I. Chief Wilcox reported that Santa Claus will be at the Township on 12/2/2010 for interaction with township children.
- II. Chief Wilcox requested a resolution to authorize ongoing participation in the OVI Task Force and to authorize the Chief of Police to sign the agreement for the Board.

Mr. Hanahan, introduced **RESOLUTION 2010-47**, seconded by Mr. DeGroat, to authorize the ongoing participation in the OVI Task Force and for the Chief of Police to sign the agreement on behalf of the Board of trustees. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-47** passed.

- III. Chief Wilcox reported on the success of the Hunter Safety Course, 25 people participated.

- IV. Chief Wilcox requested that the Board accept the resignation of Officer Sheoki Reece-Bowlin effective October 31, 2010.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to accept the resignation of Sheoki Reece-Bowlin effective October 31, 2010, as submitted. After discussion, all present voted in favor, **MOTION** passed.

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V. Chief Wilcox requested an executive session prior to the end of the meeting to discuss a personnel matter.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook updated the Board on the Friend Rd. Issue II Phase 1B project. The project is almost complete. Outstanding issues are: striping, guardrail re-location (Fairpoint telephone issues), seed & straw, and a mailbox replacement.
- II. Mr. Holbrook opened a discussion about creating an additional full time road laborer position. He discussed the budget issues involved with the Board. The Board requested Mr. Holbrook return to the Board with a 5 year projection of impact on the Road budget.
- III. Mr. Holbrook thanked the voters of German Township and the Village of Germantown for the passage of the renewal road levy.

ZONING & TRASH COLLECTION REPORT -

- I. Mr. Benson reported that conversion of trash pickup from Dempsey to Rumpke is going well.

OLD BUSINESS:

- I. Mr. Hanahan updated the Board on the activities of the Valley View Water & Sewer Dist. CESO of Centerville has been selected as the engineering firm for the district. Attorney Mr. Albers will work on a contract. The District Board is also working on finding funding sources for the district. The District Board has begun prioritizing project locations, with the majority currently in German Township.
- II. Mr. Hanahan reminded the Board of the upcoming MCTA meetings in November at Perry Twp, and in December on Alex Rd. in Miami Twp.

NEW BUSINESS: none

EXECUTIVE SESSION:

- I. At 7:51 PM, Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to adjourn into executive session, with Police Chief W. L. Wilcox and Fiscal Officer R. Rohrbach, to discuss personnel issues in the Police Dept., after discussion, all present voted in favor, **MOTION** passed.
- II. At 7:55 PM, Mr. Benson introduced a **MOTION**, seconded by Mr.

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Hanahan, to re-convene into public session, after discussion, all present voted in favor, MOTION passed.

POLICE CONTINUED:

VI. Chief Wilcox recommended that Officer Christopher M. Miniard be terminated via a probationary release, due to failure to meet the minimum requirements of the position including work hours and Professional Training.

Mr. Hanahan introduced **RESOLUTION 2010-48**, seconded by Mr. DeGroat, to terminate the employment of Mr. Christopher M. Miniard based on the recommendation and information provided by Chief Wilcox. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-48** passed.

PURCHASE ORDERS AND WARRANTS were signed.

Meeting Adjourned at 7:58 P. M.

Signed: Randy R. Benson

Attest: 