

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____

September 13,

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, and Trustee Benjamin F. DeGroat were present. Fiscal Officer Robert W. Rohrbach Jr. was absent and excused. Police Chief W. L. Wilcox, Zoning Inspector Laurie Rohrbach, 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 – Don Byrd of 10780 Eby Rd.

NUISANCE ABATEMENT HEARING –

- I. Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to open a Nuisance Abatement Hearing on 11440 Oxford Rd. After discussion, all voted in favor, MOTION passed.

Mr. Benson asked Mrs. Rohrbach to present the case. Mrs. Rohrbach reported that the tall grass nuisance has been abated.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to close the Nuisance Abatement Hearing on 11440 Oxford Rd. as abated. After discussion, all voted in favor, MOTION passed.

VISITOR COMMENTS –

- I. Mr. Byrd requested an update regarding the water situation. Mr. Hanahan explained the establishment of the Valley View Water & Sewer District and their activities, including identifying project needs and the RFQ for an engineer. Mr. Hanahan also reported that a budget will need to be established with both townships.

MINUTES –

The Board reviewed the minutes of the August 9, 2010 Regular meeting. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to approve the minutes of the August 9, 2010 Regular Meeting as submitted, after discussion, all present voted in favor, MOTION passed.

FISCAL OFFICER REPORT –

I. Correspondence:

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IN

- A. Ohio DAS Cooperative Purchasing - Information
- B. Time Warner - 2nd Qtr franchise fees
- C. Lois Campbell – records request for 2009 year end reports
- D. Perry Twp. WRGC – Dempsey Waste contract extension, various e-mails
- E. Frank Gates – confirmation of 2011 coverage

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 9/13
- B. Village of Germantown – public records request for all information reviewed by the Trustees for future meetings – 8/9
- C. Perry Twp., WRGC – Res. 2010-39 Dempsey extension

II. Distribute Financial Reports –

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to authorize the payment of the bills, checks 42789 thru 42863. After discussion, all present voted in favor. **MOTION** passed.

III. In his written report, Mr. Rohrbach requested a resolution to approve a service rental agreement with Cintas for mats and other items.

Mr. Hanahan introduced **RESOLUTION 2010-41**, seconded by Mr. DeGroat, to approve a service rental agreement with Cintas for mats and other items; and authorize Mr. Rohrbach to sign on behalf of the Board. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-41** passed.

PRESIDENT REPORT –

- I. Mr. Benson reported that Road Levy signs available distribution.
- II. Mr. Benson asked if the Albers & Albers invoices were solely the responsibility of German Township. Mr. Hanahan advised the costs are split with Jackson Twp.
- III. Mr. Benson reported that a joint meeting with Germantown Council has been scheduled for Oct. 4th at 7:00 PM.

POLICE REPORT –

- I. Chief Wilcox thanked the Road Dept. for the installation of the new sink and washing down the front of the Township Hall.
- II. Chief Wilcox reported that the Patriot Day dinner was successful with

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approx. 200 people in attendance.

- IV. Chief Wilcox reported on the successful OVI checkpoint held during the day on Labor Day at several locations within German Township.
- V. Chief Wilcox reported that the Eddie Eagle program will be held on Tuesday 9/21 at the Township Hall.
- VI. Chief Wilcox requested the Board establish trick or treat for Halloween on Oct. 30, from 6 PM to 8 PM.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to establish trick or treat for Halloween on Oct. 30, from 6 PM to 8 PM. After discussion, all voted in favor, **MOTION** passed.

- VII. Chief Wilcox requested that the annual employee appreciation dinner be established for November 6, 2010, with all costs being paid from the General Fund.
- VIII. Mr. DeGroat introduced **RESOLUTION 2010-40**, seconded by Mr. Hanahan, to authorize the annual employee appreciation dinner be established for November 6, 2010, with all costs being paid from the General Fund. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-40** passed.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook updated the Board on the Friend Rd. Issue II Phase 1B project. The Township In-Kind portion is almost complete. Mr. DeGroat noted that the Road Dept. is doing an excellent job on Friend Rd. Mr. Holbrook also reported that the bids for the Friend Rd. Issue II, Phase 1B have been received and reviewed. Mr. Holbrook recommended that the Barrett Paving Materials bid be awarded I the amount of \$206,008.54.

Mr. Hanahan introduced **RESOLUTION 2010-42**, seconded by Mr. DeGroat, to award Barrett Paving Materials the bid for the Friend Rd. Issue II, Phase 1B in the amount of \$206,008.54, as recommended by Mr. Holbrook and Kramer & Associates LLC. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. **RESOLUTION 2010-42** passed.

- II. Mr. Holbrook reported on a request by Valley View School District to allow a

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school bus to turn around in the Township Hall parking lot.

Mr. Hanahan introduced a MOTION, seconded by Mr. DeGroat to allow the Valley View School District school bus to turn around in the Township Hall parking lot. After discussion, all voted in favor, MOTION passed.

III. Mr. Hanahan thanked the Road Dept. for the allowing the Cemetery to use the dump truck. He also noted that trimming.

ZONING & TRASH COLLECTION REPORT -

I. Mrs. Rohrbach presented a listing of Waste Collection accounts that are more than \$100.00 delinquent and requested a resolution to assess the property owners for the amounts as listed on the attached spreadsheet. She also noted that the delinquent notices have been sent out as required by ORC.

RESOLUTION 2010-43, a Resolution to authorize the assessment of property owners who are delinquent as to waste disposal service charges pursuant to Ohio Revised Code Section 505.33, was introduced by Mr. Hanahan, seconded by Mr. DeGroat, at the Regular Board of Trustees Meeting on September 13, 2010.

WHEREAS, the German Township Board of Trustees established a solid waste collection and disposal district for the unincorporated area of German Township by Resolution 98-04 on January 12, 1998 pursuant to Ohio Revised Code Sections 505.27 & 505.28, and;

WHEREAS, the German Township Board of Trustees contracted for waste removal pursuant to Ohio Revised Code Section 505.27 and established a fee for waste disposal service to be invoiced to all owners of improved property within the unincorporated areas of German Township, and;

WHEREAS, each owner of improved property was invoiced quarterly for this waste removal, and;

WHEREAS, each owner of improved property is delinquent on their waste disposal service charges in excess of \$100.00, as listed on the attached spreadsheet; and were notified on Sept. 1, 2010, by certified mail, to pay the delinquent amounts or assessment of these delinquent charges for waste disposal service would be placed on their property tax duplicate for collection, pursuant to Ohio Revised Code Section 505.33.

NOW, THEREFORE, THE GERMAN TOWNSHIP BOARD OF TRUSTEES, MONTGOMERY COUNTY, HEREBY RESOLVES:

SECTION 1 : That the Board has reviewed and certifies the attached listing of owners of improved property and descriptions of their lands, as delinquent as to waste disposal service charges by more then twelve months, and;

SECTION 2 : Request that the Montgomery County Auditor place the charges as listed on the attached owners listing on the tax duplicates for collection.

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After discussion the adoption vote as follows: Gregory A. Hanahan - Yes, Randy Benson - Yes, Benjamin F. DeGroat – Yes; RESOLUTION 2010-43 PASSED.

- II. Mrs. Rohrbach reviewed the employee health insurance renewal with the Board.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to renew the current health insurance. After discussion, all voted in favor, MOTION passed.

- III. Mrs. Rohrbach presented a draft resolution approving Rumpke contract with the Western Regional Council of Governments and setting the monthly fee for German Township.

RESOLUTION 2010-44, A resolution introduced by Mr. DeGroat, seconded by Mr. Hanahan, to accept the contract between the Western Regional Council of Governments and Rumpke Waste as provider of solid waste removal for German Township and to establish the rate for service as described below; during the Regular Board meeting of German Township held on September 13, 2010.

WHEREAS, The German Township Board of Trustees of German Township, Montgomery County, State of Ohio, has by unanimous vote, agreed to allow Western Regional Council of Governments (W.R.C.G.) to accept bids for the collection and disposal of residential solid waste within said District.

WHEREAS, a contract will be entered into with a private hauler, through competitive bidding, for the collection and disposal of residential solid waste within said District with an equitable charge being paid for the use and benefit of such service by every person whose premises are so served, the charges to be kept in a separate fund and appropriated and administered by the Board of Trustees.

NOW THEREFORE BE IT REVOLVED, that the Township Board of Trustees of German Township, Montgomery County, State of Ohio:

SECTION 1: Accept the contract between WRGC and Rumpke Waste as the provider of solid waste removal for German township;

SECTION 2: Authorize all expenses incorporated in this contract to be invoiced to the appropriate individual property owner; with the addition of the current administrative fee, effective October 1, 2010.

The adoption Vote was as follows: Mr. Benson - Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; RESOLUTION 2010-44 passed.

- IV. Mrs. Rohrbach reported that the Board minutes are now posted on the Township web site.

RECORD OF PROCEEDINGS

0329

Minutes of

Meeting

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OLD BUSINESS:

- I. Mr. Hanahan thanked the Board for supporting the August 19th MCTA Meeting.
- II. Mr. Hanahan reported that the next Valley View Water & Sewer Dist. Meetings are continuing and Mr. Vanderbeek is doing a good job as President of the Board.
- III. Mr. DeGroat reported on Parks Oversight activities. 13 acres of the Weber Complex soccer fields will be seeded, a request for bids as been advertised.

NEW BUSINESS: none

PURCHASE ORDERS AND WARRANTS were signed.

Meeting Adjourned at 7:52 P. M.

Signed: Randy R. Benson

Attest: Ben DeGroat