

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 14, 2011

Held _____ 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, Benjamin F. DeGroat, Gregory A. Hanahan, and Fiscal Officer Robert W. Rohrbach Jr. were present. Road & Service Superintendent Jeremy Holbrook and Police Chief W. L. Wilcox were also present.

This meeting was digital tape recorded and the CD is on file. The Germantown Press, Dayton Daily News, and Middletown Journal were notified of the meeting.

VISITORS – Joe I. Hembree 10496 Eby Rd.; Steve Dunham of 10510 Eby Rd.;

Don & Lynette Boldt of 10476 Eby Rd.; Don Byrd of 10780 Eby Rd.; and

Micheal Henne 36th Dist Representative

PUBLIC HEARING –

Mr. Benson introduced the Public Hearing to consider the zoning district changes as propose by the German Twp. Zoning Commission Case # 2011-01ZC. The changes to numerous parcels are outlined on the draft German Twp. Zoning Resolution Map dated November 9, 2010. These changes will bring changed parcels more into line with land use and surrounding zoning districts. The changes will also eliminate the problem of parcels split by two zoning districts.

Mr. Benson inquired if any of the visitors were there to testify in the public hearing. All stated no, but had questions and no one was sworn in:

Mr. Steve Dunham stated his 12 acre lot was proposed to go to R-1 from ½ R-1 and ½ Agriculture. He asked what restrictions would apply under R-1 in regards to a kennel, having cows, etc. He also stated he had spoken with Mrs. L. Rohrbach regarding this question and was advised that there would be no issues on R-1 of 10 acres or more.

Mr. Byrd asked why the properties went from Agricultural to R-1; that many residents prefer Ag. to R-1.

At 7:12 PM, Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to open Public hearing for case #2011-01ZC.

Mr. Boldt asked if everyone was being changed to R-1?

Several present asked why affected property owners were not notified by mail of the potential changes.

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Mr. Hanahan reiterated the intent of the change and explained the notifications were completed in compliance with the current Zoning Resolution; that due to the large number of impacted properties, notification via newspaper was done. At 7:19 PM, Mr. Hanahan introduce a **MOTION**, seconded by Mr. Benson, to continue the hearing until 7:00 PM on April 11, 2011, the next regular board meeting; to allow the Board to obtain further information.

VISITOR COMMENTS –

- I. Mr. Byrd requested an update on potential water projects for the Eby Rd. area.

Mr. Hanahan explained and provided an update about the Valley View Water & Sewer District activities. He explained that Eby Rd. area was on the list of potential projects, but no timetable has yet been established.

- II. Representative Henne asked the Board if they had any issues for his office. He updated the Board regarding various potential/pending legislation, including SB-5. He asked that any suggestions regarding the proposed budget and how it affects Townships be forwarded to him for review and discussion by the House.

MINUTES –

The Board reviewed the minutes of the February 14, 2011. Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to approve the minutes as submitted, after discussion, all present voted in favor, **MOTION** passed.

FISCAL OFFICER REPORT –**I. Correspondence:****IN**

- A. OTARMA – Annual invoice and property insurance documents.
- B. Mont. Co. Engineer – 2010 annual Township Highway System Mileage Certification for signature and forwarding to the State.
- C. Albers & Albers – March VVWSD invoice
- D. Montgomery Co. Commission – 2008-2010 ED/GE settlement documents; and Public hearing notice on the proposed County Access Management Regulations.
- E. Time Warner Cable – 4th Qtr 2010 franchise fees
- F. Ohio Public Works – Friend Rd. Issue II Phase 1B project close out letter

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 03/14

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- B. Village of Germantown – public records request for all information reviewed by the Trustees for future meetings – 2/14
- C. Mont. Co. Auditor – EMS/Fire Levy 2010 Fund creations and appropriation amendment
- D. IRS, State, School, OPERS – Monthly reports and payments

II. Distribute Financial Reports –

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to approve the financial reports and authorize the payment of the bills, checks 43311 thru 43392. After discussion, all present voted in favor. MOTION passed.

III. Mr. Rohrbach requested a motion to continue participation in the Ohio Township Association Risk Management Association for insurance in 2011.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. Benson, to participate with OTARMA for insurance for 2011. After discussion, all present voted in favor, MOTION passed.

IV. Mr. Rohrbach noted that a John Deere model 455 mower had been placed for sale on GovDeals.com and that a Kabota tractor and Ferris mower had been traded in for a new Ferris mower, prior to being declared surplus by the Board. Mr. Holbrook was advised to remove the John Deere Tractor from the current sale process. Mr. Holbrook provided a list of additional items to be declared surplus. After discussion and admonishment to Road superintendent Mr. Holbrook to follow proper procedure in the future, the following items were declared surplus.

Mr. DeGroat, introduced **RESOLUTION 2011-11**, seconded by Mr. Benson, to declare the following items surplus and authorize disposal via proper methods:

Ferris D-1000 mower and Kabota Tractor (Police Forfeiture) for trade in on a new Ferris Mower.

John Deere 455 Garden Tractor

Inventory Items:

- # 509 Hein Warner 4 ton floor jack
- # 541 NAPA power brake bleeder
- # 550 Dayton sand blaster
- # 610 Berger Transit level
- # 611 Berger Wooden Tripod

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612 Berger Wooden level Rod

After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes. RESOLUTION 2011-11 passed.

V. Mr. Rohrbach reminded all to support the Park levy renewal.

VI. Mr. Rohrbach informed the Board of a request by a resident Becky Kinner, to use the Township Hall for a Jewelry Party on May 13, 2011. The Board discussed the appropriateness of using the building for a for-profit party.

After discussion, Mr. DeGroat introduced an **MOTION**, seconded by Mr. Hanahan, not to lease the use of the Township Hall for “for-profit” events by residents. After discussion, all present voted in favor, MOTION passed. Ms. Kinner will be notified of the denial.

VII. Mr. Rohrbach reminded the Board of the upcoming Local Government Official Conference hosted by the Auditor of State in Columbus.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Benson to authorize attendance and pay expenses to the Local Government Conference of elected officials and department heads. After discussion, all present voted in favor, MOTION passed.

PRESIDENT REPORT –

I. Mr. Benson reported on Fire Oversight activities. A pay increase for weekend standby coverage by firefighters was approved by Oversight.

Mr. Rohrbach opened a discussion regarding the EMS levy. Previously in the levy process, discussions were started regarding setting up a separate EMS levy oversight agreement to handle these levy funds. Funds have started to arrive; the Board has created a separate levy fund to allow for receipt and distribution of these funds; but an EMS oversight agreement has not been created to manage these funds. Another option would be to modify the existing fire agreement to address the EMS funding.

II. Mr. Benson reported that a Pool Oversight meeting was scheduled for Wednesday. He also noted that the Village has re-hired the pool management company used last year.

III. Mr. Benson also reported that the Village of Germantown is conducting a

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satisfaction survey.

POLICE REPORT –

- I. Chief Wilcox reported on the installation of the street light near the Township Hall entrance. The Board discussed the current location of the installed light. It does not adequately light the entrance to the Township Hall. Chief Wilcox will continue to work with Miami Valley Lighting to correct the issue.
- II. Chief Wilcox reported that the Fraudulent Document seminar sponsored by GTPD was very successful
- III. Chief Wilcox reported that Sgt. Andzik has successfully completed the Ohio Association Chief's of Police College of Law Enforcement Executives.
- IV. Chief Wilcox commended Aux. Officer Ron Comer for completing in excess of 60 hours of volunteer work in February, creating and distributing a do's and don'ts of portable electric generator operation for all the residents of the Township.
- V. Chief Wilcox updated the Board on the upcoming Commission Accreditation of Law Enforcement Agencies re-certification process. Assessors will arrive on April 2nd and leave on April 5th. A Board photo session will be held on April 4th. A Public Hearing will be held on April 4th at 7:00 PM.
- VI. Chief Wilcox reported that Hunter Safety class held on March 5 & 6th had 20 participants with high test scores overall.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook updated the Board on the current listing of surplus property on the GovDeals auction web site.
- II. Mr. Holbrook reported on ditch cleaning on Puddenbag, Shimp, and Friend Roads; as well as cold patch efforts.
- IV. Mr. Holbrook reported on assisting the Germantown Union Cemetery with a drainage project. Mr. Hanahan reported that the Cemetery Board thanked Mr. Holbrook and the Road Crew on a job well done while providing their assistance to the Cemetery.

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ZONING & TRASH COLLECTION REPORT -

- I. Mrs. Rohrbach, in her written report, advised that the letter was sent regarding the building at 11536 Oxford Rd. as requested.
- II. Mrs. Rohrbach, in her written report, also noted that Mr. DeLotell is keeping her posted on the progress of the Shockley eviction and cleanup of the nuisance abatement on Harris Road.
- III. Mrs. Rohrbach provided a listing of activities for 2010
- IV. Mrs. Rohrbach also noted two corrections in the proposed draft Zoning Map due to annexation by Carlisle.

OLD BUSINESS:

- I. Mr. Hanahan updated the Board on the Valley View Water and Sewer Dist. activities. The agreement with attorney Albers & Albers has been finalized and the agreement with the Engineering Firm CESA is being finalized. Areas identified as potential projects are: Farmersville Pike, Eby Rd., Sunbury, Little forest, and German Twp. West (PCLR, Baden Rd., Kiefer Rd., etc.

NEW BUSINESS: none**PURCHASE ORDERS AND BANK RECONCILIATIONS** were signed.**Meeting Adjourned** at 9:15 P. M.Signed: Randy Benson,Attest: 