

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 08, 2012
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Held _____

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 Department 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 – Anna Sizemore, City of Germantown Manager; and Harley Branham 11820 Sigel Rd.

VISITOR COMMENTS –

I. Mr. Branham opened a discussion about the Sower property and reported the fence in the Sigel Road right of way that was causing sight distance issues from his driveway, has been removed. He is “OK” with the situation.

Mr. Holbrook reported that the fence will stay down and that the fence on the other side of the property will be moved back. He further reported that he has consulted with the Mont. Co. Engineer Office and the Mont. Co. Prosecutor Doug Trout and there is no problem with the township re-installing the fence in the right of way. If the road is ever changed the moving of the fence will have to be at township cost.

II. Mrs. Sizemore reported that the Germantown water study should be completed by the end of the year.

She further reported that the swimming pool will be operated by the City next year, instead of a management company.

She also asked if City and the Township could combine efforts next year for the National Night Out. The Board advised they would work toward a joint effort.

MINUTES –

The Board reviewed the minutes of the September 10, 2012 regular meeting.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to approve the minutes of the September 10, 2012 regular meeting as submitted. After discussion, all present voted in favor, **MOTION** passed.

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

- A. OTA – October Grassroot Clippings
- B. Montgomery Co. Auditor – 2013 Estimated Local Government Fund amounts; and 2013 Amounts & Rates resolution information
- C. Valley View High School – Fouts Fund request for \$200.00.
- D. Valley View HS Volleyball - request for donation.
- E. Mont. Co. Administrator – 2013 ED/GE information request
- F. Auditor of State – Bulletin 2012-007
- G. Mont. Co. Board of Elections – Recreation (pool) Levy language
- H. Time Warner – consolidation of areas letter
- I. Mont. Co. Engineer – request for resolution to contract to join storm water collaboration.
- J. OTARMA – nomination request for OTARMA Board member

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 10/08
- B. City of Germantown – 9/10
- C. Monthly & Quarterly – Unemployment, IRS, State, School, OPERS reports & payments
- D. Secretary of State – request for elected official information for Ohio Municipal, Township, School Board roster.
- E. Mont. Co. Administrator – 2013 ED/GE information

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 44935 thru 45026. After discussion, all present voted in favor. **MOTION** passed.

III. Mr. Rohrbach opened a discussion concerning the request for approval of the 2013 Amounts & Rates.

Mr. Hanahan introduced a **RESOLUTION 2012-37**, seconded by Mr. DeGroat to accept the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. After discussion the adoption vote by the German Township Board of Trustees was as follows: Mr. Benjamin DeGroat–Yes,

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Mr. Randy Benson–Yes, Mr. Gregory Hanahan–Yes; RESOLUTION 2012-37 passed.

IV. Mr. Rohrbach reported on the receipt of a Fouts fund request from Valley View High School for school fees for a student that has parents that have become unemployed. Mr. Rohrbach explained to the Board that the lack of interest has caused a decrease in available funds for distribution. He further advised that the trash assistance is currently using all available funding.

The Board asked Mr. Rohrbach to send a letter to the High School explaining the lack of ability to fund the request.

V. Mr. Rohrbach opened a discussion regarding the request by the Mont. Co. Engineer Office to enter into a contract for the storm water collaboration.

The Board discussed the issue and took no action. They further directed Mr. Holbrook to investigate the need for German Township to participate in the collaborative. If a need is found, the issue will be re-considered.

VI. Mr. Rohrbach opened a discussion concerning the request from Three Valley Conservation Trust for a resolution to support Jackson Twp., in supporting Warren Flory for inclusion of the 12498 Manning Rd. farm into the Trust.

The Board took no action as it was noted that the location noted was in German Twp., not Jackson Twp. so support to Jackson Twp. was not needed.

RECORDS COMMISSION –

I. At 7:33 PM, Mr. Rohrbach opened the Record Commission meeting with Mr. Rohrbach, Mr. Benson, Mr. DeGroat, and Mr. Hanahan in attendance.

II. Mr. Rohrbach presented a Records Retention Schedule update from the Police Department for review and approval.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to approve the Record Retention Schedule as submitted by the police department and for it to be forwarded to the Ohio Historical Society and

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State Auditor for approvals. After discussion all present voted in favor, MOTION passed.

- III. At 7:35 PM, having no further business, the Records Commission Meeting was adjourned.

PRESIDENT REPORT –

- I. Mr. Benson reported that the Pool Levy (Recreational Levy renewal) was issue #48 on the November 6 ballot.

POLICE REPORT –

- I. Chief Wilcox reported that the Weather Sirens have been re-banded and should now be working correctly.
- II. Chief Wilcox reported that the Township Hall and Offices energy efficiency lighting project has been completed. He reported that they cannot be sold and have no value. He requested a motion to authorize the disposal of the old fixtures.

Mr. Hanahan introduced **RESOLUTION 2012-038**, seconded by Mr. DeGroat to authorize the disposal lighting fixtures removed from the township buildings during the energy efficiency upgrade project. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2012-038 Passed.**

- III. Chief Wilcox recommended that Tuesday October 30, 2012 be established as Beggars Night from 6 to 8 PM.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to establish beggars night as noted above. After discussion, all present voted in favor, MOTION passed.

- IV. Chief Wilcox noted a letter of appreciation received for Police Officer C. S. Birch.
- V. Chief Wilcox reported that the GTPD has been selected to participate in the Ohio Prescription Drug Drop Box Program and will receive a permanent drug drop box for secure placement of used-no longer needed prescription or over the counter drugs. The program was awarded through a grant by the Ohio Attorney General.
- VI. Chief Wilcox opened a discussion regarding the police building addition project. He advised that the bids for work are coming in much higher than

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the original estimate of \$45,000.00. Due to the high cost, he recommended the project be stopped and the dedicated funds be used for other miscellaneous smaller projects within the police department facilities. He also advised that Mrs. Rohrbach would be taking the lead on these projects. The Board agreed with the changes and use of the Police Boomershire Estate Fund.

VII. Chief Wilcox requested that the participation in the Countywide OVI Task Force be continued. He presented a Memo of Understanding with Dayton PD for review and signature by the Trustees, to continue the participation of GTPD.

Mr. Hanahan introduced **RESOLUTION 2012-39**, seconded by Mr. DeGroat, to continue to participate in the Countywide OVI Task Force and to sign the Memo of Understanding with the City of Dayton. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2012-39** passed.

VIII. Chief Wilcox advised that with the pension system reform legislation in Ohio, that after nearly 40 years of service, it has become necessary for him to retire. Therefore, he regretfully submitted a letter of resignation effective October 25, 2012. It was noted that he started employment with German Township Police Dept. on November 25, 1972.

Mr. Hanahan introduced **RESOLUTION 2012-40**, seconded by Mr. DeGroat, to accept the resignation of Chief Wilcox, with regret, effective October 25, 2012. During discussion, it was noted that Chief Wilcox’s decision to retire/resign was completely in response to the pension reform legislation passed by the legislation of Ohio, and that there are/were no issues locally in regard to retirement/resignation. The adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2012-40** passed.

ROAD/SERVICE DEPARTMENT REPORT –

I. Mr. Holbrook reported that a transmission problem has occurred on the JD 5400 road mower. A split washer (spacer) came loose within the transmission, damaging most of the gears and shafts within the ABC ranges of the transmission. Koenig Equipment estimates repairs to cost approx.

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\$8,327.62.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Benson, to authorize the repair of the JD 5400 mower by Koenig Equipment. After discussion, all present voted in favor, MOTION passed.

- II. Mr. Holbrook reported that the Road Dept. has installed the LP gas lines from the underground tank to the appropriate heating units.

Mr. Benson opened a discussion concerning future purchasing of LP gas. He will begin investigating sources and prices.

ZONING & TRASH COLLECTION REPORT - none

OLD BUSINESS:

- I. Mr. Hanahan updated the Board on the Valley View Water & Sewer District activities.
- A appraiser has been hired for the Eby Rd./Sunbury project
 - A contract has been let to dismantle and transport to storage, the water tower previously purchased.
 - The Eby Road project will hold a Public Meeting in the very near future. The project is being planned so that it can be implemented in phases.
- II. Mr. DeGroat noted that he will talk with Mrs. Rohrbach to ensure that the new laws are being followed on the exotic animals on Preble County Line Rd. The Board suggested that he also contact the State authorities (Game Warden) as the law is being enforced at a State level.
- III. Mr. Hanahan thanked Mr. Holbrook and the Road Dept. for assisting with the repair of the Germantown Union Cemetery mower. It saved the Cemetery several hundred dollars in labor.

NEW BUSINESS: none

EXECUTIVE SESSION –

- I. At 8:15 PM Mr. DeGroat presented a **MOTION**, seconded by Mr. Hanahan, to enter into executive session, with Mr. Rohrbach, to personell issues and retirement of the Chief of Police. After discussion, all present voted in favor, Motion passed.
- II. At 9:10 PM Mr. Benson presented a **MOTION** to reconvene the meeting, seconded by Mr. DeGroat.

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MEETING RECONVENED –

I. Mr. Hanahan opened a discussion regarding an Acting Chief of Police.

A Resolution to appoint Sgt. Joseph A. Andzik as Acting Chief of Police was introduced by Mr. Hanahan, seconded by Mr. DeGroat, at the Regular Board of Trustees Meeting held on October 8, 2012.

WHEREAS, William L. Wilcox presented his resignation, due to retirement, after approximately 40 years of dedicated and exemplary service to the citizens of German Township in the capacity of Police Chief; and

WHEREAS, William L. Wilcox also noted that he will be on vacation beginning October 12, 2012.

WHEREAS, the German Township Board of Township Trustees have received and accepted the resignation of Chief Wilcox, with regret, to be effective October 25, 2012, in RESOLUTION 2012-40; and

WHEREAS, that Sergeant Joseph A. Andzik will be the supervisor on call during Chief Wilcox's vacation, beginning October 12, 2012.

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

SECTION 1, that Sergeant Joseph A. Andzik, second in command of the German Township Police Dept., shall be appointed as Acting Chief of Police, effective October 25, 2012; and

SECTION 2, that Sergeant Joseph A. Andzik, receive a temporary 10% increase in pay during this temporary duty assignment, effective October 12, 2012.

Adoption vote as follows: Randy Benson - Yes, Benjamin DeGroat - Yes, Gregory A. Hanahan - Yes

RESOLUTION 2012-41 Passed.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Benson, requesting the Mr. Hanahan and Mr. Rohrbach draft a proposed process for selecting a permanent chief of police. After discussion, all present voted in favor, **MOTION** passed.

PURCHASE ORDERS AND BANK RECONCILIATIONS were signed.

Meeting Adjourned at 9:14 P. M.

Signed: Randy Benson

Attest: [Signature]