

## RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

Held \_\_\_\_\_ 20\_\_\_\_\_

**JANUARY 02, 2013**

The 2013 Organizational and Regular Meeting was called to order at 10:45 AM by Fiscal Officer Robert W. Rohrbach Jr.. Trustees Randy R. Benson, Benjamin F. DeGroat, and Gregory A. Hanahan were present. Also, in attendance were Acting Police Chief Joseph Andzik, Zoning Inspector Laurie Rohrbach, and Road/Service Superintendent Jeremy Holbrook.

All local newspapers were notified and the meeting was digitally recorded and the CD is on file.

**VISITORS** – none

**VISITOR COMMENTS** – none

**BOARD OFFICERS** -

- I. Mr. Rohrbach opened nominations for President of the Board. Mr. DeGroat nominated Mr. Benson, seconded by Mr. Hanahan. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to close the nominations. After discussion, all voted in favor, **MOTION** passed. Mr. Benson is elected President by acclimation.
- II. Mr. Rohrbach opened Nominations for Vice President of the Board. Mr. Hanahan nominated Mr. DeGroat, seconded by Mr. Benson. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat to close the nominations. After discussion, all voted in favor, **MOTION** passed. Mr. DeGroat is elected Vice President by acclimation.

**APPOINTMENTS** -

- I. Mr. DeGroat presented a **MOTION**, seconded by Mr. Hanahan, appointing Mr. Hanahan as Police Commissioner; appointing Mr. DeGroat as Road Commissioner; and appointing Mr. Benson as Zoning Commissioner. After discussion. All present voted in favor, **MOTION** passed.
- II. Mr. Hanahan presented a **MOTION**, seconded by Mr. DeGroat, appointing Mr. DeGroat to the Parks Oversight Board; Mr. Benson to Fire/EMS Oversight Board; Mr. Hanahan to the Germantown Union Cemetery Board; Mr. DeGroat to the Senior Oversight Board; and Mr. Benson to Pool Oversight Board; after discussion, all present voted in favor, **MOTION** passed.
- III. Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to appoint Laurie J. Rohrbach as the Health Insurance Coordinator for 2013. After discussion, all present voted in favor, **MOTION** passed.

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IV. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to appoint the 2013 Purchasing Agents as follows:

Road Department - Jeremy Holbrook

Police Department – Acting Chief Joseph Andzik

Zoning and Garbage & Waste Disposal Fund - Laurie Rohrbach

After Discussion, all present voted in favor, MOTION Passed

V. Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to appoint the Zoning Appointments as follows:

Zoning Commission: Dave Jenks – 01/01/2012 thru 12/31/2016

Zoning Commission: Kurt Jacoby – 01/01/2013 thru 12/31/2017

BZA: DeLone Jones – 01/01/2013 thru 13/31/2017

After discussion, all present voted in favor, MOTION passed.

**MEETING SCHEDULE** - Mr. DeGroat introduced a **MOTION**,

seconded by Mr. Hanahan, to continue the regular Board of Trustee Meetings on the second Monday of every month at 7:00 PM., with Work Sessions and Special Meetings announced as needed. After discussion, all present voted in favor, MOTION passed.

**APPROPRIATIONS** - Mr. Hanahan introduced **RESOLUTION 2013-01**,

seconded by Mr. DeGroat, authorizing the Fiscal Officer to establish permanent appropriations, as presented, not to exceed the amounts of the 2013 Official Certificate of Estimated Resources issued by the Montgomery Co. Auditor and the 2012 Unencumbered Fund Balances as of December 31, 2012, to be effective 1/1/2013. After discussion and review, the vote was as follows: Mr. Benson - Yes, Mr. Hanahan - Yes, Mr. DeGroat – Yes, RESOLUTION 2013-01 was adopted.

**COMPENSATION** -

I. Full Time Compensation - Mr. DeGroat introduced a **MOTION**, seconded by Mr. Benson, to raise the police full time employee salary schedule index and the full time township employee salary index by 2%, effective 1-1-2013 and to continue the bonus program Road Superintendent Jeremy Holbrook. After discussion, all present voted in favor, MOTION passed.

II. Benefits - Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to continue the current level of benefits for 2013 for all full time employees.



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After discussions, all present voted in favor, MOTION passed.

**III. Miscellaneous & Hourly Compensation Rates - Mr. Hanahan**

Introduced a **MOTION**, seconded by Mr. DeGroat, to establish the rates for the following positions; effective 1-1-2013:

\$ 1.00 / year - Honorarium Reserve Police Officers

\$ 15.00 / per meeting - Reimbursement of expenses for

Zoning Commission, Board of Zoning Appeals, and Alternate members of both Boards.

\$ 15.60 / hour - Reserve Police Officers Overtime

**IV. Annual Elected Officials Compensation – Mr. Hanahan introduced**

**RESOLUTION 2013-02**, seconded by Mr. DeGroat, to continue the Annual Salary Method for Trustees DeGroat, Hanahan, & Benson and Fiscal Officer Rohrbach; paid monthly, as established by Ohio Revised Code; and to further authorize salary payments for the elected officials from the General Fund, Road & Bridge Fund; and Police Fund; in proportion to certification of time spent working for that fund.

After discussion the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2013-02** passed.

**MISCELLANEOUS:**

**I.** The Board reviewed Resolution 94-02 & 98-30 and ORC authorizing the transfer of interest monthly from the General Fund to the Sunbury Cemetery Fund, Fire & EMS/Fire Levy Funds, Fouts Fund, Enforcement & Education Fund, Drug Law Enforcement Fund, Law Enforcement Trust Fund, Senior Citizen Levy Fund and Pool Fund.

Mr. DeGroat presented a **RESOLUTION 2013-03**, seconded by Mr. Hanahan, to transfer interest monthly from the General Fund to the Sunbury Cemetery Fund, Fire Levy Fund, EMS/Fire Fund, Drug Law Enforcement, Law Enforcement Trust Fund, Fouts Fund, Enforcement & Education Fund, Senior Citizen Levy Fund and the Pool Levy Fund during 2013. After discussion and review, the vote was as follows: Mr. DeGroat - Yes, Mr. Benson - Yes, Mr. Hanahan - Yes, **RESOLUTION 2013-03** passed.

**II.** Mr. DeGroat presented a **MOTION**, seconded by Mr. Hanahan, to continue the 15<sup>th</sup> and last day of the month, or if either fall on a weekend or holiday, the

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last normal business day prior, as payday for employees of German Township.

After discussion, all voted in favor, MOTION passed.

**Meeting turned over to the new President of the Board:**

**FISCAL OFFICER REPORT**

**I. Correspondence In:**

- A. OTA – January Grassroot Clippings
- B. OPERS – Notice & forms for independent contractors ref. membership determination.
- C. OTARMA – notice of 2013 distribution and 2013 budget information request
- D. John A. Baker – Complaint against Zoning Inspector
- E. Strategic Claims Services – notice of settlement and unclaimed fund check.

**II. Correspondence Out:**

- A. Germantown Press, Dayton Daily News, & Middletown Journal – Mtg reminders 01/02
- B. City of Germantown – 12/10 information
- C. Monthly & Qtrly – IRS, J&FS, State, School, OPERS reports & payments.
- D. Montgomery Co. Auditor – Res 2012-47 requesting 2013 tax advances; Res. 2012-46 Amended Appropriations; Request for Amended Certificate of estimated Resources.
- E. All Police Officers – memo ref. police chief vacancy internal application process.

**III. Distribute Financial Reports –**

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to authorize the payment of the bills, checks #45175 thru 45252. After discussion, all present voted in favor, MOTION passed.

**IV. The Board reviewed the minutes of the December 10, 2012 Regular Meeting.**

Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to approve the minutes as submitted, after discussion, all present voted in favor, MOTION passed.



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- V. The Board reviewed the 2013 inventory. Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to approve the 2013 inventory and direct the Fiscal Officer to forward it to the Mont. Co. Engineer, per ORC. After discussion, all present voted in favor, **MOTION** passed.

**PRESIDENTS REPORT** –

- I. Mr. Benson reported on Fire Oversight activities. He has been asked by the City of Germantown to serve on the Firefighter Dependence Fund Board. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to authorized Mr. Benson to serve and represent the Board of Trustees on the Firefighter Dependence Fund Board. After discussion, all present voted in favor, **MOTION** passed.
- II. Mr. Benson reported that the Pool Oversight, Fire Oversight, and Germantown Union Cemetery Citizen at Large positions have expired and need to be reappointed. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to appoint the following:
- Pool Oversight 01/01/2013 to 12/31/2014 – Jim Lawson  
Fire Oversight 01/01/2013 to 12/31/2014 – Mark Kozarec  
Germantown Union Cemetery Board – 01/01/2012 to 12/31/2014 –  
Steven Wright
- After discussion, all present voted in favor, **MOTION** passed.
- III. Mr. Benson reported that City Manager Mrs. Sizemore has requested that the Board again place the Recreational Levy - Pool on the ballot in 2013. The Board discussed the Primary ballot, but wouldn't have enough meetings to pass a certification resolution and a levy resolution prior to the filing deadline. They asked Mr. Benson to check with Pool Oversight regarding if they desired it placed on a special election
- IV. Mr. Benson reported on his investigation into propane providers. He has met with Century Propane and they have guaranteed the \$1.42 rate for the season. He also recommended that we purchase a reconditioned 500 gallon tank for \$600, to replace the Road Dept. tank owned by Kuhn & Co. Mr. Benson introduced **RESOLUTION 2012-04**, seconded by Mr.

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DeGroat, to purchase this season's propane at a rate of \$1.42 per gallon and a reconditioned 500 gallon replacement tank for the Road Dept. at a cost of \$600.00; from Century Propane. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; RESOLUTION 2013-04 passed.

- V. Mr. Benson opened a discussion about scheduling a meeting with the City of Germantown Council, possibly during their January Work Session. The Board agreed and ask Mr. Benson to schedule it.

**POLICE REPORT:**

- I. Acting Chief Andzik updated the Board on the Taser training. He is still attempting to secure an instructor.
- II. Acting Chief Andzik noted that the Ohio Prescription Drug Drop Box has been secured to the building and is ready for use.
- III. Acting Chief Andzik reported that Reserve Officer Reese-Bowlin has submitted her resignation to take full time employment at Middletown PD, effective December 29, 2012.

Mr. Hanahan, introduced a **MOTION**, seconded by Mr. Benson, to accept the resignation of Officer Bowlin. After discussion, all present voted in favor, MOTION passed.

- IV. Acting Chief Andzik opened a discussion regarding the proposed Police addition and possible other less expensive projects, instead of the addition.

The Board discussed the projected cost of the addition and possibly obtaining financing via the Township Master Lease Program. The Board also discussed having a Crews Construction review the original plans and to submit a budget estimated for the project. The Board asked Mrs. Rohrbach to contact Ken Crews of Crews Construction and provide them with the plans for the review. Once a budget figure is agreed upon, the Board can investigate financing. The project will be let for bid, if the Board decides to move forward.

**ROAD:**

- I. Mr. Holbrook reported that approx. 65 tons of highway salt was used during December.

**ZONING –**

- I. Mrs. Rohrbach provided the annual listing of zoning certificates and cases



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for variances and conditional uses, to the Board for review.

II. Mrs. Rohrbach reported that the Prosecuting Attorneys Victoria Watson and Doug Trout; as well as attorneys from Surdyck's office have been provided copies of the Baker letter of complaint against the Zoning Inspector. The attorneys will provide the Board with a response, in the mean time the Board does not need to do anything, due to the pending lawsuit.

III. Mrs. Rohrbach reported that she received a call from Mr. Rusty Davis on Preble Co. Line Road, upset that "someone must have tipped his neighbor off regarding the line fence issue, as the fence in question has been moved well onto the neighbor's property. Now his neighbor will not get into trouble."

The Board discussed the issue and Mr. Benson will visit the Davis property and contact Mr. Davis to see if the fence line inspection is still needed.

IV. Mrs. Rohrbach also noted that the letter of suggestions, from Mr. Lurker, concerning the Little Twin Creek construction dumping issue; the issues were already forwarded to the appropriate agencies including the Ohio EPA.

**OLD BUSINESS** –

I. Mr. Hanahan reported on the Germantown Union Cemetery re-organizational meeting.

II. Mr. Hanahan opened a discussion regarding permitting the Valley View Water & Sewer District Fiscal Officer to set up a business office in the office across the hall from the Zoning Office. The office is currently used by the Police Dept. for special operations. This discussion was during the previous mentioned discussion about the police addition. The issue of charging rent for the office was also discussed, with no decisions made.

III. Mr. DeGroat reported that a meeting of the Western Regional Council of Governments is being scheduled, including invitations to other local governments, to discuss trash pickup for 2013.

**NEW BUSINESS** – none

The meeting was adjourned at 12:22 PM.

Signed: Randy R. Benson, Attest: 