

RECORD OF PROCEEDINGS

Minutes of

Meeting

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____²⁰
August 11, 2014

The regular meeting was called to order at 7:06 P.M., at the German Township Hall located at 12102 SR 725, Germantown, Ohio by Board President Randy Benson with the Pledge of Allegiance. Trustees Randy R. Benson, Jacob C. Stubbs and Fiscal Officer Robert W. Rohrbach Jr. were present. Trustee Benjamin F. DeGroat was absent and excused by a MOTION from Mr. Benson, seconded by Mr. Stubbs, all present voted in favor Motion passed. Police Chief Joe Andzik, Road & Service Superintendent Jeremy Holbrook and Zoning Inspector Cheryl Watson were also present. This meeting was digital tape recorded and the CD is on file. The Germantown Press and Dayton Daily News were notified of the meeting.

VISITORS – David Gehron of 14239 Kiefer Rd.; Lloyd Johnson of 7404 Browns Run Rd.; Beverly & Mary Abner of 8850 S. Main St.; John Herlinger of 9683 Eby Rd.; Tom Tiller of 8175 Germantown Pike; Greg Helmers of 9216 Germantown Middletown Rd.; Billy Saunders of Ray Hensley, Inc.; Aaron & Patty Parker of 11331 Friend Rd.; Tabitha & Steve Nelson of 5837 Terrace Park Dr., Dayton; Stephen R. Nelson of 1008 Fiona Dr., Ft. Wayne, Indiana; Kenneth Lee of 9631 Eby Rd.; and David & Susie Sanger of 11890 Friend Rd.

POLICE OFFICER SWEARING IN CEREMONY:

I. Chief Andzik introduced Stephen Nelson to the Board and recommended that he be hired as a Reserve Police Officer effective August 15, 2014, with a one year probation period.

Mr. Benson introduced **RESOLUTION 2014-33**, seconded by Mr. Stubbs to hire Stephen Nelson as a Reserve Police Officer, effective August 15, 2014, with a one year probation period. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Stubbs – Yes, Mr. DeGroat – Absent; **RESOLUTION 2014-33** passed. Mr. Rohrbach administered the oath of office. The Board congratulated Officer Nelson.

NUISANCE ABATEMENT PUBLIC HEARINGS

I. Mr. Benson opened a Public Hearing on Nuisance Abatement at 11967 State Route 725, Parcel ID D14 00804 0041.

Zoning Inspector, Cheryl Watson was sworn in. She reported that this public hearing was advertised as required by Ohio Revised Code. She reported the

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issue of high grass with supporting photographs. She stated the property is now in violation of the Nuisance Abatement Resolution and recommended abatement.

No one from the audience spoke.

Mr. Benson closed the Public hearing

Mr. Benson introduced RESOLUION 2014-34, seconded by Mr. Stubbs, declaring the property at 11967 State Route 725, Parcel ID D14 00804 0041, a nuisance and ordered the abatement as outlined in the Nuisance Abatement Resolution, with the cost to be assessed on the property. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Stubbs – Yes, Mr. DeGroat – Absent; RESOLUTION 2014-34 passed.

II. Mr. Benson opened a Public Hearing on Nuisance Abatement at 11952 Friend Rd., Parcel ID D14 00906 0021.

Zoning Inspector, Cheryl Watson was still sworn in. She reported that this public hearing was advertised as required by Ohio Revised Code. She reported the issue of high grass with supporting photographs. She stated the property is now in violation of the Nuisance Abatement Resolution and recommended abatement.

No one from the audience spoke.

Mr. Benson closed the Public hearing

Mr. Benson introduced RESOLUION 2014-35, seconded by Mr. Stubbs, declaring the property at 11952 Friend Rd., Parcel ID D14 00906 0021, a nuisance and ordered the abatement as outlined in the Nuisance Abatement Resolution, with the cost to be assessed on the property. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Stubbs – Yes, Mr. DeGroat – Absent; RESOLUTION 2014-35 passed.

BID OPENING –

I. Road & Service Superintendent Holbrook requested the bids received for the 2014 Chip & Seal project be opened. Mr. Rohrbach provided Mr. Holbrook with the four bids that were received. Mr. Holbrook opened the sealed bids with the following results:

- Ray Hensley, Inc. 3790 Crabill Rd., Springfield, OH. 45502 - \$1.78 per sq. yard for single seal and \$3.56 per sq. yard for double seal.

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- Strawser Construction, Inc. 8600 Bilistein Blvd, Hamilton, OH 45015
- \$2.62 per sq. yard for single seal and \$5.10 per sq. yard for double seal.
- Miller Mason Paving Co., 8591 Mad River Rd., Hillsboro, OH 45133 -
\$2.00 per sq. yard for single seal and \$4.00 per sq. yard for double seal.
- Wagner Paving, Inc. 2640 Pemberton Rd., PO Box b, Laura, OH
45337 - \$1.78 per sq. yard for single seal and \$3.56 per sq. yard for
double seal.

Mr. Holbrook requested to be excused from the meeting for short time to review the bids and return to the meeting with a recommendation.

VISITOR COMMENTS – Mr. Benson stated that there would be no questions taken regarding the Valley View Water & Sewer Dist tonight as Mr. DeGroat is absent.

- I. Mr. Abner stated he attended the VVWSD meeting and the next meeting is scheduled at 6PM on the same night as the 7PM regular trustee meeting, advising that may cause a conflict. Mr. Benson thanked Mr. Abner and advised he would check with Mr. DeGroat to avoid any conflict.
- II. Mr. Sanger asked about the how and if there was a process for the purchase of the property at 11952 Friend Rd. Mr. Rohrbach directed him to the Montgomery County Treasurer Office and will have contact information forwarded to him.
- III. Mr. Helmers suggested that as the VVWSD is dissolved, could the court be asked to place the debt on the township residents ^{trash} water bill, for a couple of dollars per quarter. Mr. Rohrbach commented that not everyone in the trash district is in the water district. The water district only covers areas that were not already in a water district, noting as an example that Germantown Liberty Rd. in German Twp. is in the Jefferson Regional Water Dist.

MINUTES –

The Board reviewed the minutes of the July 14, 2014 Regular meeting. Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs, to approve the minutes of the July 14, 2014 Regular meeting as corrected. After discussion, All present voted in favor, **MOTION** passed.

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

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IN

- A. OTA – Aug Grassroot Clippings
- B. VVWSD – Notice of Aug 4, meeting
- C. Peter Lurker – resume for VVWSD Board position if/when Mr. Slusser position becomes vacant.
- D. Ohio Public Works – invoice for Mont. Co. Engineer – Eckhart Rd. & Friend Rd. District 4 Integrating Committee Expenses - to Jeremy for approval.
- E. Frank Gates – confirmation of 2015 participation
- F. USDA – Summary Acreage History Report for verification for Germantown Union Cemetery West Land – to Cemetery
- G. Montgomery Co. Board of Elections – Res. 2014-30 a 1 mil renewal levy for Roads
- H. Cresendo Capital Trust – Cell Phone tower information/solicitation
- I. Mont. Co. Engineer – request for attendance and participation in the multi-jurisdictional cooperative aerial photo project for budget year 2016.
- J. First National Bank of Germantown – Credit Card for Cheryl Watson
- K. Mont. Co. Administrator Office - Sale of radio tower information

OUT

- A. Germantown Press & DDN - Mtg. reminders 8/11
- B. City of Germantown – 7/5 & 7/14 minutes & Qtrly Levy Financial Reports
- C. Monthly – IRS, State, School, OPERS reports & payments
- D. Montgomery Co. Auditor – Waive 2015 Budget hearing
- E. Frank Gates Service Co. – 2015 BWC Group Rating continued participation
- F. Patriot Communications – Certified letter advising of contract cancellation
- G. First National Bank of Germantown – Credit card request for Cheryl Watson

II. Distribute Financial Reports: 2014 YTD – Cash Summary by Fund, Fund Status, Payment Report, 2nd Qtr YTD Appropriation Status and Revenue Status; Qtrly Blanket PO Charge Reports to Department Heads.

Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs to approve

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the financial reports and authorize the payment of the bills, checks 46615 thru 46665, including employee payroll direct deposits payments and payroll tax EFT's to IRS. After discussion, all present voted in favor, MOTION passed.

- III. Mr. Rohrbach reported on the request from the Montgomery County Engineer regarding the aerial photograph project. Mr. Holbrook advised that he has been following this project and will advise.
- IV. Mr. Rohrbach reminded the Board of the upcoming Montgomery County Township Association meeting to be hosted by German Twp. on August 21, at 6 PM.
- V. Mr. Rohrbach reported that Resolution 2014-30 to placing the 1 mil Road renewal levy on the November ballot has been filed.
- VI. Mr. Rohrbach reported that he was contacted by Amy Weideman of Mont. Co. advising that the decision has been made to convert the Montgomery County public safety radio system to the State owned MARCS system. It is his understanding that they are going to sell the tower located at the Township Hall to the State, thus terminating our contract. We will then have to negotiate with the State for an annual fee for the land lease for the tower. This will also result in our needing to contract with the RDC for dispatching. Per Amy, our current cost is approx. \$40,000 per year for dispatching and radio maintenance. Apparently this is going to fast track.

Mr. Benson stated he would take the lead on this issue and be the Board contact person.

PRESIDENT REPORT –

- I. Mr. Benson updated the Board on the activities of the Germantown Union Cemetery. He reported that they are experiencing some equipment maintenance issues.

POLICE REPORT –

- I. Chief Andzik reported that a hunter safety course, instructed by Auxiliary Officer Jerry Frame, will be held at the Township Hall on Saturday November 11 from 8AM to 1 PM.
- II. Chief Andzik reported that the department has applied for a Federal COPS grant for one additional police officer. The grant will run for four years.

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They should know the status of the application in October or November.

ROAD/SERVICE DEPARTMENT REPORT –

I. Mr. Holbrook advised that he has reviewed the bids and found them all to be properly submitted. He recommended the acceptance of the lowest bid, that being from Ray Hensley, Inc.

Mr. Benson introduced **RESOLUTION 2014-36**, seconded by Mr. Stubbs to accept the 2014 Chip and seal bid from Ray Hensley, Inc. After discussion, noting that this was the lowest bid received, The Adoption vote was as follows: Mr. Benjamin F. DeGroat - Absent, Mr. Jacob C. Stubbs - Yes, Mr. Randy Benson - Yes. **RESOLUTION 2014-36** passed.

II. Mr. Holbrook reported that bids have been received and reviewed by Kramer and Associates for the Eckhart Rd. Phase 2. He recommended that the Board award the contract to the lowest bidder, Walls Bros. Asphalt Co. in the amount of \$87,203.51 (base price).

Mr. Benson introduced **RESOLUTION 2014-37**, seconded by Mr. Stubbs to award the contract for the Eckhart Rd. Phase 2, Issue II project, to Walls Bros. Asphalt Co. in the amount of \$87,203.51 (base price). After discussion, noting that this was the lowest bid received, The Adoption vote was as follows: Mr. Benjamin F. DeGroat - Absent, Mr. Jacob C. Stubbs - Yes, Mr. Randy Benson - Yes. **RESOLUTION 2014-37** passed.

III. Mr. Holbrook opened a discussion regarding condition of Harris Road, the necessity to rebuild the entire roadbed, and the submitting of an Issue II project for Harris Road Widening & Resurfacing Phase 1, between Astoria Rd. and just East of 12330 Harris Rd. as being the most cost effective solution to repairing Harris Rd.

Mr. Holbrook also discussed possibly acquiring a loan (approx. \$150,000) from the State Small Government Fund at zero percent interest for a period up to 20 years, for the Township portion of the grant. The higher township portion (loan) would make the project more likely to be approved. He further stated the Mont. Co. Engineer Office is in agreement and the annual Partnership Pool funding could be used to pay off the loan early, without penalty.

Mr. Herlinger of 9683 Eby Rd. (from the audience) asked questions concerning the need for the loan and payoff options.

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Mr. Benson introduced **RESOLUTION 2014-38**, seconded by Mr. Stubbs to authorize the submittal of a grant application to the Ohio Public Works Commission for funding of a Harris Road Widening and Resurfacing Project Phase 1, from Astoria Rd. and extending West approx. 0.8 miles; and to authorize Trustee Benson to execute any documents and contracts necessary to improve Harris Rd. After discussion, the Adoption vote was as follows: Mr. Benjamin F. DeGroat - Absent, Mr. Jacob C. Stubbs - Yes, Mr. Randy Benson - Yes. RESOLUTION 2014-38 passed.

ZONING & TRASH COLLECTION REPORT -

- I. Mrs. Watson notified the Board that the Rural Zoning Commission has opened a case # 2014-05ZTC to delete the language in the current zoning resolution in Section 3803B as it is redundant with the Nuisance Abatement Resolution and Resolution 2011-25 for Junk Motor Vehicles, as provided in Ohio Revised Code Section 505.871. During the Zoning Commission Public Hearing held on August 5, 2014, the Zoning Commission voted to approve the change and to forward the case # 2014-05ZTC to the German Township Board of trustees with a recommendation for approval. The Board will hold a public hearing during the next regular Board meeting on Sept. 8, 2014.

OLD BUSINESS:

- I. Mr. Stubbs reported that the July Pool Oversight meeting was cancelled and the next meeting is scheduled for August 20, at 7PM at the City of Germantown Council Chambers.
- II. Mr. Stubbs noted Mr. Pete Lurkers interest in serving on the Valley View Water and Sewer District Board should there become a vacancy.

NEW BUSINESS: none**PURCHASE ORDERS AND BANK RECONCILIATIONS** were signed.

Meeting Adjourned at 7:45 P. M.

Signed: Randy R. Benson, Attest: 