

## RECORD OF PROCEEDINGS

Minutes of

Meeting

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ 20\_\_\_\_  
 July 14, 2014

The regular meeting was called to order at 7:00 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 and Road & Service Superintendent Jeremy Holbrook 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.; Cheryl Watson of 8777 Oak Dr.; Jeff Brandenburg of 11816 SR 725; John Herlinger of 9683 Eby Rd.; and Tom Tiller of 8175 Germantown Pike.

**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. He also stated that Mr. DeGroat asked that he announce that the VVWSD has met with new Board members. All local attorneys have been contacted and asked if they would represent the VVWSD. All have declined citing lack of expertise in water matters. The VVWSD Board is still searching for an attorney after the resignation of Mr. Albers.

- I. Mr. Gehron thanked the Road Department of the road patching on Kiefer Road.
- II. Tom Tiller of 8175 Germantown Pike addressed the Board. (arrived just prior to the end of the meeting) asked if the German Twp. Board of Trustees have contacted the Auditor of State to have the VVWSD audited. Mr. Rohrbach answered the questions, stating that the VVWSD Fiscal Officer John Faulkner stated to him that the State Auditor Office has been in contact with him and an audit has been scheduled and items are being prepared for the audit.

**MINUTES** –

The Board reviewed the minutes of the June 9, 2014 Regular meeting and the June 23, 2014 Special Meeting. Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs, to approve the minutes of the June 9, 2014 Regular meeting as

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corrected; and the June 23, 2014 Special Meeting as submitted. After discussion, All present voted in favor, MOTION passed.

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

- A. OTA – July Grassroot Clippings
- B. VVWSD – Board appt. & June meeting schedule e-mails
- C. Mont. Co. Auditor – Certificate of Estimated Prop Tax Revenue for Road renewal levy in November; Budget Hearing meeting info; Local Gov. Fund revisions; and 2014 Tax Revaluation Results. (Still digesting – appears EMS and Pool Levy may lose some income- \$12,844 total)
- D. Blue Sky Tower – radio tower information
- E. Ohio Public Works – Eckhart Rd. & Friend Rd. Issue II Project Approvals and contracts for signature – signed then to Jeremy
- F. Frank Gates – 2015 BWC Service invoice (projected savings of \$3,237)
- G. State of Ohio Auditor – Final Audit report
- H. City of Germantown – invitation for Germantown Chamber of Commerce meeting
- I. Secretary of State – request for elected officials listing
- J. Ohio BMV – request annual employee driver license abstracts

**III. OUT**

- A. Germantown Press & DDN - Mtg. reminders 6/23 & 7/14
- B. City of Germantown – 6/9 & 6/23 minutes
- C. Monthly & Qtrly – Unemployment, IRS, State, School, OPERS reports & payments
- D. Montgomery Co. Auditor – Res. 2014-25 requesting certification for renew road levy November 2014.
- E. Cintas – service agreement
- F. Miami Valley Lighting – 2015 – 2019 contract
- G. Gene Hosler (via Ken Lee) – copy of 6/9 meeting audio disk.
- H. Secretary of State – elected officials listing
- I. Ohio BMV – Annual employee driver license abstracts

**II. Distribute Financial Reports: 2014 YTD – Cash Summary by Fund,**



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Fund Status, Payment Report, 2<sup>nd</sup> 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 the financial reports and authorize the payment of the bills, checks 46526 thru 46614, 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 that the 2012/2013 period audit is complete and provided a copy to the Board and Department Heads.

Only 2 issues were noted under the Compliance – Budgetary section in Items #1, #3, #4, and #5.

A. The Police and General Fund issues were the result of mistake I made, that created an overpayment to Ohio Deferred Compensation on behalf of Chief Wilcox when he retired. Deferred Comp. refunded the overpayment, and I paid the refund to Chief Wilcox as directed during consultation with the Auditor Office. The Independent Auditor that did our audit, insisted that the refund and resulting transfers should be counted as income and the fund transfers and the resulting payment to Wilcox as an expense. That meant the Certificate of Estimated Resources should have been increased, Appropriations and Revenue Budgets increased in both the General and Police Funds. I felt then and still feel that accounting for the funds, as per the audit, would have created phantom income and expenses, inappropriately increasing our budget. We agreed to disagree – this has no impact on anything beyond the 2012 yearend report, as all final fund balances were correct.

B. The Fire fund issue was a result of receiving more income than originally anticipated and not projecting the extra amount in the Revenue Budget. The money was booked into the Fire Fund correctly. The Auditor issue was that by not updating the UAN Revenue Budget the Board would not have had the information that more money was available if needed. It has no yearend reporting impact.

- IV.** Mr. Rohrbach reviewed the proposed 2015 participation/renewal with Frank Gates Service Co., for our Bureau of Workers Compensation issues. By staying in the group rating we will save approx. \$3,237, with the cost of \$1,113 to Frank Gates. He recommended approval.

Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs to continue with Frank Gates Service Co. for the BWC issues of German Township.

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

- V. 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. He requested a resolution to approve the expenditure of General Funds to provide the meal for the meeting.

Mr. Benson introduced **RESOLUTION 2014-28**, seconded by Mr. Stubbs, to authorize the expenditure of General Funds to provide the meal for the Montgomery County Township Association meeting to be held on August 21, 2014 at 6 PM at the German Township Hall. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Absent, Mr. Stubbs – Yes; **RESOLUTION 2014-28** passed. The Board will ask Ms. Watson coordinate the meal.

- VI. Mr. Rohrbach recommended that a credit card from the First National Bank be obtained for Zoning Inspector Cheryl Watson with a limit of \$2,500.

Mr. Benson introduced **RESOLUTION 2014-29**, seconded by Mr. Stubbs, to authorize the issuance of a credit card from the First National Bank of Germantown for Zoning Inspector Cheryl Watson, with a limit of \$2,500. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Absent, Mr. Stubbs – Yes; **RESOLUTION 2014-29** passed.

- VII. Mr. Rohrbach opened a discussion regarding the FY 2015 Montgomery County Budget Commission Hearing. He knew of no issues and recommended that Board waive the hearing.

Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs to waive the hearing on FY 2015 with the Montgomery County Budget Commission. After discussion, all present voted in favor, MOTION passed.

- VIII. Mr. Rohrbach reported that he has received direction from Asst. County Prosecutor Jonathan Ketter regarding canceling the tower contract with Patriot Communications. Mr. Rohrbach will send a letter of notice that the contract is cancelled, prior to the next meeting.

**PRESIDENT REPORT –**

- I. Mr. Benson reported that during Fire Oversight it was decided that per new Ohio regulations the Fire Dept. will have to purchase new fire hose.



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He also reported that the Antique Fire apparatus show that was held in Veterans Memorial Parks was a success.

- II. Mr. Benson thanked the Road Department on behalf of the Germantown Union Cemetery for their assistance with mowing the new West land and assisting with digging graves when necessary.

#### POLICE REPORT –

- I. Chief Andzik reported that the new cruiser is in service.
- II. Chief Andzik reported on potential improvement projects for the Police Offices to be paid for from the donations in the Donna Boomershine Fund:
- Replacing the block window in the patrol room with two separate windows that will be able to open. There is a possible third window to be stained glass depicting the police patch, to sit between the two new windows, depending on price.
  - Updating the CCTV camera system to include adding a camera into the patrol room to monitor suspect interviews, since no interview room exists.
  - Possible painting the police offices to include having the key elements of the police mission statement painted around the top of the patrol room walls.
- III. Chief Andzik reported that the Commission for Accreditation of Law Enforcement Agencies on-site inspection went very well. The assessors informed the department that they are being recommended for re-accreditation.
- IV. Chief Andzik noted that Reserve Officer Luke Agee has submitted his resignation and recommended that the Board accept it.
- Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs to accept the resignation of Reserve Officer Luke Agee. After discussion, all present voted in favor, **MOTION** passed

#### ROAD/SERVICE DEPARTMENT REPORT –

- J. Mr. Holbrook opened a discussion regarding the positioning of the street lights at Eby Rd. and Rt. 4. He noted that they have been re-positioned over Rt. 4 when repaired from traffic accidents. Previous Boards have requested that

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they be placed to direct light on the Eby Rd. portions of the intersection. He will continue to follow up on the issue.

- II. Mr. Holbrook opened a discussion concerning placing the renewal of the road levy on the 2014 November ballot. He reported that the Certification of the Amounts has been received from the Montgomery County Auditor.

Mr. Benson introduced **RESOLUTION 2014-30**, seconded by Mr. Stubbs declaring it necessary to place a 1 mil levy Road Levy, for a 5 year period of time, a renewal tax; beginning tax year 2015, with first half collection in 2016; to provide funding "For the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in municipal corporations, counties, or townships;" as authorized in the ORC Section 5705.19 (G), outside the ten mill inside limit, to be voted on the November 4, 2014 General Election ballot. After discussion, the role being called and the adoption vote was as follows: Mr. Benjamin F. DeGroat - Absent, Mr. Jacob C. Stubbs - Yes, Mr. Randy Benson - Yes. **RESOLUTION 2014-30** passed. Mr. Rohrbach was directed to file this resolution with the Montgomery County Board of Elections prior to August 6, 2014.

- III. Mr. Holbrook requested a resolution to vacate 0.32 acres of Road Right of Way on Eckhart Road, due to the curve re-alignment.

**RESOLUTION 2014- 31**, A resolution to vacate 0.32 Acres of Eckhart Road, in German Township was introduced by Randy Benson, seconded by Jacob Stubbs, at the regular Board of Trustees meeting held on July 14, 2014.

**WHEREAS**, The German Township Board of Trustees re-aligned the curve on Eckhart Road, and deem the old right-of-way unneeded;

**WHEREAS**, The German Township Board of Trustees are required by law to pass a resolution to vacate the unused portion of Eckhart Road; and;

**WHEREAS**, a legal description of the property to be vacated has been attached to this resolution, and will be considered part of the resolution;

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

**SECTION 1:** That the German Township Board of Trustees vacates the section of Eckhart Road in German Township as described in the attached



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legal description.

After discussion, the adoption vote was as follows: Randy Benson - Yes, Ben DeGroat - Absent, Jacob Stubbs – Yes; RESOLUITON 2014-31 passed.

- IV. Mr. Holbrook requested a resolution to approve the soliciting of bids for Chip & Seal contract for Moyer Rd., Wetzel Rd., Little Forest Rd., Kiefer Rd., and Barlow Rd.

Mr. Benson introduced **RESOLTUION 2014-32**, seconded by Mr. Stubbs, to a solicit sealed bids for a Chip & Seal contract for Moyer Rd., Wetzel Rd., Little Forest Rd., Kiefer Rd., and Barlow Rd.; to be opened during the August 11, 2014 regular Board of Trustee meeting.

After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Stubbs – Yes, Mr. DeGroat – ~~Yes~~ <sup>Absent (W)</sup>, RESOLUTION 2014-32 passed.

**ZONING & TRASH COLLECTION REPORT** - none

**OLD BUSINESS:**

- I. Mr. Stubbs reported that the Pool Oversight meeting was cancelled for June and July.
- II. Mr. Stubbs complimented the Police Dept. on maintaining its Accreditation with limited resources.
- III. Mr. Stubbs reported that the Miami Valley Regional Planning Commission meeting was cancelled.
- IV. Mr. Stubbs reported that he received an apology from the Valley View High School regarding the confusion over the last German Twp. Board of Trustees meeting.

**NEW BUSINESS:** none

**PURCHASE ORDERS AND BANK RECONCILIATIONS** were signed.

Meeting Adjourned at 7:30 P. M.

Signed: Randy R. Benson Attest: [Signature]

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