

RECORD OF PROCEEDINGS

Minutes of

Meeting

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ 20____
October 13, 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, Benjamin F. DeGroat, and Fiscal Officer Robert W. Rohrbach Jr. were present. Police Chief Joe Andzik was also present. Road & Service Superintendent Jeremy Holbrook was absent. 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 – Beverly & Mary Abner of 8850 S. Main St.; David Gehron of 14239 Kiefer Rd.; Lloyd Johnson of 7404 Browns Run Rd.; and Cheryl K. Watson of 8777 Oak Dr.

VISITOR COMMENTS –

I. Mrs. Mary Abner informed the Board of a burning/smoke issue being generated across the street from her residence. The burning has been occurring for several years, but it has continued since a new resident moved in during Sept. and is often left unattended.

Chief Andzik and the Board advised that Chief Aldred of the Germantown Fire Dept. would be the appropriate person to call. They further advised Mrs. Abner to call the Regional Dispatch Center on the 855-7211 number the next time it is a problem and the responding police officer would contact Chief Aldred for her.

II. Mrs. Abner also asked if they will have the ability to go to and from their residence during the upcoming Octoberfest 5K run?

Chief Andzik advised the hours of the closing of the street and assured Mrs. Abner that if they needed in or out, they would be given access.

MINUTES –

The Board reviewed the minutes of the September 8, 2014 Regular meeting and the September 29, 2014 Special Meeting. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to approve the minutes of the September 8, 2014 Regular meeting and the September 29, 2014 Special meeting as submitted. After discussion, all present voted in favor, **MOTION** passed.

FISCAL OFFICER REPORT –

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I. Correspondence:**IN**

- A. OTA – October Grassroot Clippings
- B. VVWSD – Notice of October meeting
- C. Western Regional Council of Governments – trash collection contract extension resolution request.
- D. Montgomery County auditor – resolution request to accept the 2015 amounts an rates as set by the Budget Commission
- E. Montgomery co. Office Budget & Management – Request to verify the 2015 ED/GE data
- F. Montgomery Co. Asst. Prosecutor Jonathan Ketter – Open meetings law reminder.
- G. City of Germantown – Chamber of Commerce meeting invitation

OUT

- A. Germantown Press & DDN - Mtg. reminders 9/29 & 10/13
- B. City of Germantown – 9/8 & 9/29 minutes, and 3rd Quarter Levy reports
- C. Monthly & Quarterly – Unemployment, IRS, State, School, OPERS reports & payments
- D. Montgomery Co. Office Budget & Management – 2015 ED/GE data verification.

II. Distribute Financial Reports: 2014 YTD – Cash Summary by Fund, Fund Status, Appropriations Status, Revenue Status, Monthly payment report, and 3rd Quarter Levy Fund reports.

Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs to approve the financial reports and authorize the payment of the bills, checks 46711 thru 46780, 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 reminded the Board of the October 23rd, Montgomery County Township Association meeting being hosted by Clay Township.

IV. Mr. Rohrbach noted the he has not yet received the certified mailing receipt for the letter to Patriot Communications cancelling the tower management contract, however he has obtained a computer printout from the Germantown Post Office verifying the delivery of the certified letter. He

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also noted he has received no response from Patriot Communications.

V. Mr. Rohrbach reviewed the 2015 Amounts & Rates as determined by the Montgomery County Budget Commission with the Board.

Mr. DeGroat introduced **RESOLUTION 2014-42**, seconded by Mr. Stubbs accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the Montgomery County Auditor. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes, **RESOLUTION 2014-42** passed.

VI. Mr. Rohrbach presented a proposal to authorize the installation and ongoing use of a Amateur Radio Station at the German Township Hall by the Montgomery County Amateur Radio Emergency Services group, to support the German Township Citizens Emergency Response Team and to install two 20 amp circuits into the area to be used by the radio station. The Montgomery Co. ARES group have reviewed and approved the proposal. Mr. Rohrbach requested a resolution approving the proposal and authorizing him to sign the Memo of Understanding on behalf of the Board of Trustees.

RESOLUTION 2014-43, to approve the installation of an amateur radio station at the German Township Hall and enter into a Memorandum of Understanding between German Township and the Montgomery County Amateur Radio Emergency Services was introduced by Mr. Benson, seconded by Mr. DeGroat, during the Regular Board of Trustees Meeting held on October 13, 2014.

WHEREAS, German Township Board of Trustees and the German Township Police Department have created and supported an active Citizens Emergency Response Team (CERT) in German Township, and;

WHEREAS, the Montgomery County Amateur Radio Emergency Services group has participated in the German Township CERT training, and;

WHEREAS, the Montgomery County Amateur Radio Emergency Services group has recommended the installation of an amateur radio station at the German Township Hall to support the German Township CERT team and to provide an emergency resource for the community of

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German Township and the surrounding area.

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

SECTION 1: To approve the installation of amateur radio station(s) equipment and antennas, by the Montgomery County Amateur Radio Emergency Services group, at the Township Hall as recommended in the attached proposal that was submitted to the Board on October 13, 2014, and;

SECTION 2: To enter into a Memorandum of Understanding with the Montgomery County Amateur Radio Emergency Services group, for the installation and use of the amateur radio station(s), authorizing the Fiscal Officer Robert W. Rohrbach Jr. to sign on behalf of the Board, and;

SECTION 3: To install two 20 amp electrical circuits, connected to the emergency power generator, into the area of the installation for use of the amateur radio station, to be paid for from the General Fund.

After discussion, the adoption vote as follows: Mr. Randy Benson - Yes, Mr. Benjamin F. DeGroat – Yes, Mr. Jacob Stubbs - Yes
RESOLUTION 2014-43 passed.

- VII.** Mr. Rohrbach reported that the Police Department has requested an update to the Military Leave sections (Sec. 4, Subsection 4.8-3(b)) of the German Township Personnel Manual. He drafted the necessary changes and requested that the trustees and department heads review the changes, the entire chapter, and advise of any other needed changes. Having received no other input. He requested a resolution to approve the changes.

Mr. DeGroat introduced **RESOLUTION 2014-44**, seconded by Mr. Stubbs, to amend Section 4, Subsection 4.8-3(b) Military Leave for Full Time Employees as presented (copy attached to the minutes). After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes, RESOLUTION 2014-44 passed.

- VIII.** Mr. Rohrbach reported on receipt of a request for a resolution from the Western Regional Council of Governments, to extend current residential solid waste collection contract with Rumpke Waste for one year.

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RESOLUTION 2014-45, RESOLUTION AND AGREEMENT

AUTHORIZING THE EXECUTION OF A ONE-YEAR EXTENSION OF THE RESIDENTIAL WASTE COLLECTION SERVICE AGREEMENT OF OCTOBER 1, 2010 BY AND BETWEEN THE VILLAGE OF FARMERSVILLE, THE TOWNSHIPS OF GERMAN, JACKSON AND PERRY, AS MEMBERS OF THE WESTERN REGIONAL COUNCIL OF GOVERNMENTS OF MONTGOMERY COUNTY, OHIO AND RUMPKE WASTE, AS THE CONTRACT SERVICE PROVIDER; was introduced by Mr. DeGroat and seconded by Mr. Benson, during the Regular meeting held on October 13, 2014 at the Township Hall.

WHEREAS, Sec. 7.1 of the contract of October 1, 2010, by and between the Villages of Farmersville and the Townships of German, Jackson and Perry, as members of the Western Regional Council of Governments of Montgomery County, Ohio, and Rumpke Waste, as the Residential Solid Waste Collection Service Contractor, provides that said Agreement may be extended for up to three (3) additional one (1) year periods beyond the initial contract termination date of September 30, 2013.

WHEREAS, the said Contractor has offered to continue to deliver said service at a cost of \$14.43 per household per month, inclusive of all applicable fees, for the option year commencing on October 1, 2014 and terminating on September 30, 2015.

WHEREAS, the Village of Farmersville and the Townships of German, Jackson and Perry, as members of the Western Regional Council of Governments (hereinafter, the WRCG), have duly passed Resolutions authorizing the acceptance of the option price of \$14.43 per household per month for the option year described above, which Resolutions are attached hereto and incorporated herein for evidentiary purposes;

NOW, THEREFORE, BE IT HEREBY RESOLVED AND AGREED, that pursuant to Sec. 7.1 of the Residential Solid Waste Collection Service Agreement of October 1, 2010, the Village of

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Farmersville and the Townships of German, Jackson and Perry, as members of the WRCG, hereby accept the Rumpke Waste offer to deliver sold waste collection services to each of their respective jurisdictions at a cost of \$14.43 per household per month, inclusive of all applicable fees, for the option year commencing October 1, 2014 and terminating on September 30, 2015;

BE IT FURTHER RESOLVED AND AGREED, that the Village of Farmersville and the Townships of German, Jackson and Perry, and Rumpke Waste, hereby recognize and acknowledge that the Village of New Lebanon has voluntarily opted out of its right to exercise the option referred to above, and further state that the option price of \$14.43 per household per month was calculated exclusive of the residential population of the Village of New Lebanon;

BE IT FURTHER RESOLVED, AGREED AND WARRANTED, that all other terms and conditions of the contract of October 1, 2010, save and excepting those explicitly modified as to contract term and price as described above, shall remain in full force and effect during the aforesaid option year; that the persons executing this Resolution and Agreement on behalf of each respective governmental member of the WRCG and the Contractor are duly authorized to do so; and that no separate contractual agreement beyond that expressed herein shall be required to exercise the option to extend the aforesaid contract for an additional one year term as the aforesaid price per household per month;

IN WITNESS WHEREOF, the Parties identified below, with the intent to be legally bound, have affixed their signatures on this 13th day of October, 2014.

SO RESOLVED, AGREED, AND WARRANTED

By the Participating Members of The Western Regional Council of Governments of Montgomery County, Ohio:

The adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs –Yes; Resolution 2014-45 passed.

PRESIDENT REPORT –

- I. Mr. Benson reported on the meeting with Montgomery County, State of

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Ohio MARCS Radio System, and entities with Montgomery County Public Safety antenna site contracts. Montgomery County has advised it is converting the Montgomery County Public Safety Radio System to the State of Ohio MARCS public safety radio system. It is turning all county owned antenna sites over to the state, thus all existing antenna lease contracts will become null and void. Political subdivisions within Montgomery County that have antenna lease contracts, will have to negotiate contracts with the State MARCS system. During the meeting the State explained the contract language to all present, and attempted to negotiate costs with little success. German Township advised the State that it wanted to remain whole, that the new contract not to be less than the current contract. The State of Ohio Marcs advised they would contact each entity present, individually with an offer.

POLICE REPORT –

- I. Chief Andzik reported on the Neighborhood Watch meeting on Oct. 9. The presentation was about scams and was well received by those in attendance.
- II. Chief Andzik reported on the Hunter Safety Education class that was held on Oct. 11. Well attended and well received.
- III. Chief Andzik reported on the police department building renovations. The windows in the patrol room and the small stained glass window have been installed. The entire police area will be painted this week.
- IV. Chief Andzik recommended that beggars night be established as Thursday, October 30, 2014 and noted that it would coincide with Germantown.
 Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to establish beggars night on October 30, 2014 from 6PM to 8PM. After discussion, all present voted in favor, MOTION passed.
- V. Chief Andzik requested a resolution to approve participation in the 2015 OVI Countywide Task Force and to sign the agreement.
 Mr. DeGroat introduced **RESOLUTION 2014-46**, seconded by Mr. Stubbs to participate in the 2015 OVI Countywide Task Force and to sign the agreement. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes; RESOLUTION 2014-46 passed.
- VI. Chief Andzik requested that the annual employee appreciation dinner be

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scheduled for Saturday, November 8, 2014 starting at 5 PM to be held at the Township Hall. That everyone invited bring a side dish or desert with the meat and the drinks to be supplied by the General Fund.

Mr. DeGroat introduced **RESOLUTION 2014-47**, seconded by Mr. Stubbs to schedule the annual employee appreciation dinner for Saturday, November 8, 2014 starting at 5 PM, to be held at the Township Hall and that everyone invited bring a side dish or desert with the meat and the drinks to be supplied by the General Fund. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes; **RESOLUTION 2014-47** passed.

- VII.** Mr. Benson requested an update regarding the special event permit project. Chief Andzik advised he was just getting started with the research.

ROAD/SERVICE DEPARTMENT REPORT –

- I.** Mr. Holbrook, in his written report, noted the 2014/15 highway salt shortages and extremely high prices. He requested a resolution to purchase 50 tons of highway salt from the South West Ohio Purchasing 4 Group to be picked up at Middletown; and 180 tons from the City of Kettering to be picked up in Kettering and to authorize Mr. Holbrook to sign any agreements on behalf of the Board of Trustees.

Mr. DeGroat introduced **RESOLUTION 2014-48**, seconded by Mr. Benson to purchase 50 tons of highway salt from the South West Ohio Purchasing 4 Group to be picked up at Middletown; and 180 tons from the City of Kettering to be picked up in Kettering and to authorize Mr. Holbrook to sign any agreements on behalf of the Board of Trustees. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes; **RESOLUTION 2014-48** passed.

- II.** Mr. Holbrook, in his written report, reported on meeting with the Auglaize County Engineer regarding salt applications. After researching, Mr. Holbrook felt the best option was to purchase two liquid pre-wet systems to be mounted on both of the Township trucks. This system would apply de-icer directly onto the salt reducing bounce and starting the salt melting process sooner. Thus using less salt while accomplishing better results.

Mr. Holbrook requested a resolution to purchase two new electric tailgate

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Person to exceed \$2,700.00
Mr. DeGroat introduced RESOLUTION 2014-19, seconded by Mr. [unclear]

Resolution 2014-19 passed in support of the same price as the 2014 chip & seal program

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mounted pre-wet systems from Moulton Township, Auglaize County, for a price not to exceed \$2,700.00.

Mr. DeGroat introduced **RESOLUTION 2014-49**, seconded by Mr. Benson to purchase two new electric tailgate mounted pre-wet systems from Moulton Township, Auglaize County, for a price not to exceed \$2,700.00. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes; **RESOLUTION 2014-49 passed.**

- III. Mr. Holbrook, in his written report, reported that he has received a letter from Ray Hensley, Inc. asking to postpone the 2014 chip & seal program until next spring, at the same price as quoted. This is due to the temperature concerns and lack of limestone 8s gravel until 2015.

The Board concurred.

- IV. Mr. Holbrook's report also noted that the Eckhart Road Issue II phase 2 project will begin in the middle of next week and last one to two days to complete the Eckhart Rd. restoration to Butter St.

ZONING & TRASH COLLECTION REPORT - none

OLD BUSINESS:

- I. Mr. DeGroat announced that the next Valley View Water & Sewer District meeting would be held on October 21, at 5:00 PM at the German Township Hall, with a new attorney present.
- II. Mr. Stubbs reported that the Pool Oversight meeting for October is scheduled for October 22.
- III. Mr. Rohrbach reminded the Board of the previous tabling of the Montgomery County Engineer Aerial Mapping Project. The Board tabled the discussion until the next meeting.

NEW BUSINESS: none

PURCHASE ORDERS AND BANK RECONCILIATIONS were signed.

Meeting Adjourned at 7:45 P. M.

Signed: _____, Attest: _____

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NEW BUSINESS: none

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Meeting Adjourned at 7:45 P. M.

Signed: Randy R. Benson Attest: 

Note: Pages 713 & 714 Destroyed by Printer 

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