

RECORD OF PROCEEDINGS

Minutes of

Meeting

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

_____ 20_____
APRIL 13, 2015

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, 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.; Mark Cross of 7444 Stiver Rd.; Linda Watson of 8777 Oak Dr.; Lloyd Johnson of 7404 Browns Run Rd.; Steve Mersch of 7347 Weaver Rd.; Lynn Cleveland of 11858 Oxford Rd.; Beverly & Mary Abner of 8850 S. Main St.; Mark Keener 7865 Jamaica Rd.; and Nathaniel & Shannon Reveal of 7370 Browns Run Rd.

VISITOR COMMENTS –

Mr. Mersch provided a presentation regarding the Point Source relocation to the Butter St. and Lower Miamisburg Rd. location. He explained the building project with a proposed ground breaking of about mid May. He explained that the nature of the business was research and development and that there would be no impact on the neighboring community. Receiving no questions he thanked the Board for the time.

MINUTES –

The Board reviewed the minutes of the March 09, 2015 Regular meeting and the March 27, 2015 Special Meeting.

Mr. Benson introduced a **MOTION**, seconded by Mr. Stubbs, to approve the minutes of the March 09, 2015 Regular meeting as corrected and the March 27 Special meeting as submitted. After discussion, all present voted in favor, **MOTION** passed.

FISCAL OFFICER REPORT –

I. Correspondence:

IN

- A. OTA – April Grassroot Clippings
- B. CareWorksComp (Frank Gates Service Co). – 2015 invoice with projected savings of \$2,404.

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- C. Valley View After Prom - request for donation.
- D. Mont. Co. Prosecutor Jonathan Ketter – Antenna site negotiation info and updates
- E. Mrs. Neal Harris of Little Twin Rd – request for March 9 & 27 minutes
- F. Mont. Co. Engineer – information regarding 2015 Partnership Pool and notice of reduction of the program in 2016 and ending in 2017; Invitation to annual Township meeting.
- G. Mont. Co. Township Association – April 23 meeting notice in Jackson Twp.
- H. Valley View Water & Sewer Dist – receipt for \$2,500 to hire attorney
- I. Ohio Public Works Commission Dist. 4 – Training session May 14 & Integrating Committee information.

OUT

- A. Germantown Press & DDN - Mtg. reminders 03/27 & 4/13
 - B. City of Germantown – 3/9 & 3/27 minutes
 - C. Qtrly & Monthly – Unemployment, IRS, State, School, OPERS reports & payments
 - D. Ohio Township Association Risk Management Authority – 2015 Insurance payment.
 - E. Western Regional Council of governments – 2015 membership payment
 - F. Ohio Historical Society – Certificate of Records Disposal for Trustees for May 2nd shredding.
 - G. Mrs. Harris of Little Twin Road – 3/9 & 3/27 minutes
- II. Distribute Financial Reports:** 2015 YTD – Cash Summary by Fund, Fund Status, and Monthly payment report. 2015 YTD Appropriation & Revenue Status reports; PO expenditure reports to Department Heads; and 1st Qtr Levy reports.
- Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to approve the financial reports and authorize the payment of the bills, checks 47105 thru 47169, including employee payroll direct deposits payments and payroll tax EFT's. After discussion, all present voted in favor, **MOTION** passed.
- III.** Mr. Rohrbach reminded the Board that the MARCS antenna site contract is scheduled to be presented at the May 11th meeting

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- IV.** Mr. Rohrbach updated the Board on the Montgomery County Amateur Radio Emergency Services, Inc. project. Station equipment continues to arrive and be installed. The Internet has been installed to the station computers. On March 17th the MoCoARES group originated their VHF Communication Net from the German Township Station. All went very well. The High Frequency antenna will be installed as soon as weather is suitable.
- V.** Mr. Rohrbach discussed and recommended that German Township remain a member in the BWC pool rating plan with CareWorksComp (formerly Frank Gates Service Co.) for 2015 with a projected savings of \$2,404.
- Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to remain a member in the BWC pool rating plan with CareWorksComp (formerly Frank Gates Service Co.) for 2015 with a projected savings of \$2,404. After discussion, all present voted in favor, **MOTION** passed.
- VI.** Mr. Rohrbach requested approval for the creation of a fund to enable the accounting of the Ohio Dept. of Transportation Sign Grant.
- Mr. DeGroat introduced **RESOLUTION 2015-15**, seconded by Mr. Stubbs to Create Fund 4901 ODOT Sign Grant. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes, **RESOLUTION 2015-15** passed.
- VII.** Mr. Rohrbach advised that additional updates to the Township Personnel Manual are now ready for approval. The Board reviewed the recommended changes to the Chapter 14, Section 14.3 Zoning/Planning Dept.; the creation of Section 14.4 Waste Collection Billing Dept. and Section 14.5 Administrative Assistant to the Board of Trustees – as attached
- Mr. Benson introduced **RESOLUTION 2015-16**, seconded by Mr. DeGroat to amend Chapter 14, Section 14.3 Zoning/Planning Dept.; and the creation of Section 14.4 Waste Collection Billing Dept. and Section 14.5 Administrative Assistant to the Board of Trustees – as attached. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes, **RESOLUTION 2015-16** passed.

PRESIDENT REPORT –

- I.** Mr. Benson opened a discussion regarding the ditch line driveway culvert

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replacements that are no longer being done by the Road Dept.

Mr. Holbrook advised that the issue was decided by the Board many years ago. Only new home driveway installations would be completed by the Road Dept. with the homeowner providing the materials. The reasoning of the restriction being only for homeowners was the number of farmer field entry locations being requested.

Mr. DeGroat stated that he would like to do the service if the owner paid for or supplied the culvert and all materials.

Mr. Rohrbach suggested that Mr. Holbrook be asked to create a policy and bring it back to the next Board meeting for review and approval.

- II.** Mr. Benson opened a discussion regarding the invitation to become a contributor to the website payment listing program being implemented by the Treasurer of State. The goal is to promote open government.

Mr. Rohrbach advised he had reviewed the proposal by the State Treasurer and that it is a beta testing program. He also noted that the Auditor of State Uniform Accounting Software is working on the ability to submit from the software. He further advised he is not willing to manually enter the data a second time in order to participate in the program. He noted that while he agrees with the strategy of the program, he will wait until it can be up loaded from the UAN system.

- III.** Mr. Benson reported on a charitable 5K run that occurred at about 6 PM on Friday April 10th during the evening in the area of Conservancy Rd. While out walking in the area he observed close calls between traffic and pedestrians. He spoke with one of the creators of the event and was advised they had contact Metro Parks about the event. He also noted that Metro Parks advised the group to contact the Miami Conservancy District for permission to park vehicles in District parking lots. German Township Police and Miami Conservancy were never notified.

The Board asked Chief Andzik for an update on creating the event policy. Chief Andzik advised he was still working on a permit process for events in the township and working to coordinate his efforts with neighboring entities. He also discussed past issues with previous events.

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POLICE REPORT –

- I. Chief Andzik reminded everyone that the eleventh class of Citizens Emergency Response Team (CERT) will begin training on April 21st.
- II. Chief Andzik reminded all that the next Shred It day will be May 2nd. Unwanted Medications (no sharps) will also be collected.
- III. Chief Andzik requested a credit card be obtained in his name to be used for official police business.

Mr. DeGroat introduced **RESOLUTION 2015-17**, seconded by Mr. Stubbs to issue a Township credit card via the First National Bank of Germantown for official police business, with a limit of \$2,500.00. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes. **RESOLUTION 2015-17** passed.

- IV. Chief Andzik reported on the resignations of Officer Nelson and Officer Howard and recommended the Board accept the resignations.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to accept the resignations of Officers Nelson and Howard as recommended by the Chief. After discussion, all present voted in favor **MOTION** passed.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook reported on the GovDeals.com sales of items declared surplus last year. \$1,157.18 was received.
- II. Mr. Holbrook reported on his and Trustee Benson attendance at the Montgomery County Soil & Water District March 25th meeting to discuss current and proposed drainage projects and ditch line procedures within their jurisdiction.
- III. Mr. Holbrook opened a discussion regarding the Road Dept. budget. He reported that he has met several times with Mr. Rohrbach regarding the budget. He pointed out the reductions in income including the reduction and future elimination of the Partnership Pool Program. He also discussed impact of inflation on materials and equipment, with the rising cost of wages, insurance, and fixed expenses. The funds left for road maintenance and improvement is getting less every year. He provided a copy of his budget for the Trustees to review. He felt the Board will soon need to find additional

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revenue streams for the roads.

Mr. Rohrbach suggested that a work session be scheduled to review the road budget and options for expense reduction and potential income sources.

IV. Mr. Holbrook reported that the Quick Claim Deed for Eckhart Road has been executed and given to Mr. Weidle Corp.

V. Mr. Holbrook reported that the 2015 hot mix patching program has begun.

ZONING & TRASH COLLECTION REPORT -

I. Zoning Inspector Ms. Watson updated the Board on the issues raised by Mr. Haffner at the last meeting. She reported that she and three members of the BZA have visited the location and viewed the fence. She then discussed her review of the Variance Case # 2012-12V that was previously approved by the BZA. She will also be reviewing the issue with the BZA during their April 14th meeting.

II. Ms. Watson also reported that the BZA will be meeting on April 14th to review an ongoing Conditional Use filed by Mr. Greg Apple.

OLD BUSINESS:

I. Mr. DeGroat reported on the Valley View Water and Sewer District. There is a meeting of the community group to put together something to be put out to the public to help the water board make the right choice. The water board would then review it.

Mr. Rohrbach interjected that the community group is putting together some options, that will be brought to the water board for review and discussion, then the water board would have it put out for the public. The community group will not put anything out to the public.

There was a lengthy discussion regarding the process that will be followed by the community group and their providing options to the water board.

Mr. DeGroat emphasized his desire to ensure information is provided to the public. Mr. Rohrbach agreed, but emphasized that all public information must come from the water board, not the community group.

Mr. DeGroat explained the debt has to be paid prior to shutting down the district.

Mark Cross asked if the water board attorney was at the community group meeting.

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Mr. DeGroat asked Mr. Rohrbach if the attorney was present at the last community meeting. Mr. Rohrbach responded that the attorney was there and his primary purpose for attending was to assist with development of options and the elimination of options that would not be legal.

Mr. DeGroat advised that he had spoken with VVWSD Board Member Mr. Donson, and the Water Board will have a meeting later this month with options that the attorney is going to present for the Board to consider to move forward.

Mr. Cross then asked if there was any discussion of reducing the debt with CESO and Albers the previous water board attorney. Mr. DeGroat responded yes, that the attorney is writing letters to CESO and Albers & Albers about the outstanding debt to reduce the debt that is still owed to them.

Mr. Rohrbach stated that debt reduction is one of the options being discussed, but that the water board will have to review the option and task their attorney to do it, that the community group cannot task the attorney to do anything.

Mr. DeGroat stated that is why they are having the meeting. He further stated that this committee was created to work up options and then provide them to the community so the community knows what is going on. The water board will make the decisions of which options to do, but the public needs to be communicated with about the options available. The thought was to have several options provided without a room full of people shouting options.

Mr. Cross further asked who is going to pay the expenses to shut down the district once the \$5,000 loaned by the township is exhausted. Mr. DeGroat stated he is trying to sell the water tower and those funds will be used for expenses.

Mr. Johnson wanted to know how the water board squared the meeting of the adhoc group, that won't allow the public to attend, with the sunshine laws.

Mr. Rohrbach responded that the group was not established by the water

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district and is not a committee of the district. It was created by Mr. Winning of the First National Bank to bring the stakeholders of the loans together to create options that could potentially satisfy the loans to be given to the water district in order to expedite the shutting down of the district. Mr. Rohrbach explained the makeup of the group and how the group is working through the brainstorming of options. Once the options are brainstormed Mr. Donson will bring the final options back to the water board.

Mr. Johnson asked if the debt liability is equal between the two townships and their citizens. Mr. Rohrbach stated he did not know but that the issue is being discussed.

Mr. DeGroat stated the attorney is looking into that, but as far as he knows the ones that can be taxed/assessed are the people within the district.

Mr. Rohrbach explained that assessments can only be made to property owners within an entities jurisdiction. Thus only people in the water district can be assessed. Mr. Rohrbach explained his interpretation of the water district boundaries.

Mr. Johnson ~~the~~ stated that the bulk of the assessment would be German Township.

Mr. Abner asked if only the people of Eby Rd. would be assessed to pay the debt.

Mr. DeGroat responded no, as the money was spent for more than just the Eby Rd. There was money spent for Chicken Bristle Rd. so they may be assessed.

Mr. Rohrbach responded that only people who live in the district can be assessed. No one outside the district can be assessed.

Mr. Cross asked if there is a time line for the next meeting.

Mr. DeGroat stated that the bank note is due the middle of May and they wanted to put it to the courts before then to close down the district.

Hopefully that decision will be made at the next water board meeting.

Mr. Rohrbach stated that the water district will not get the issue before the courts by the middle of May.

Mr. DeGroat stated they have to get something in place before the note is

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due, ~~that they have to have a plan in place by the date the note is due~~, or they are defaulting on the loan.

Mr. Abner questioned the payment of the loan. Mr. Rohrbach advised that only the interest is due in May. The discussion then went toward assessment being completed by May. Mr. Rohrbach advised that would be impossible as assessments are only filed in September.

Mr. DeGroat explained that the debt will have to be paid prior to closing down the district.

II. Mr. DeGroat reported that the Senior Oversight meeting was cancelled and re-scheduled for this Wednesday April 15th.

III. Mr. Stubbs reported his attendance at the Pool Oversight meeting.

- The 2015 prices will remain the same, there has not been an increase in the past two years.
- The Senior pass program has been a success, so for Germantown and German Townships residents over 62, they will be given a lifetime pass for the Germantown pool.
- Dayton Pool Management will manage the pool again this year.
- Planned improvements for 2015 are: painting the light poles and flag pole, replacing the diving board and chairs.
- They are currently hiring for the 2015 season. ~~Apply~~ ^{Apply} at the city building
- The Germantown Pool will be donating a 4 person family pass to the Valley View and Twin Valley South schools after prom.

NEW BUSINESS: none

PURCHASE ORDERS AND BANK RECONCILIATIONS were signed.

Meeting Adjourned at 8:30 P. M.

Signed: Randy Benson, Attest: _____

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2015-16
B,D

Memo

To: German Twp. Board of Trustees

From: Laurie Rohrbach

Date: 3/26/15

Re: Personnel Policy Changes

The attached changes to the Personnel Manual Section 14 are being proposed to bring the personnel manual in line with the current employee positions. Please consider making the changes at your regular April meeting.

- The Zoning Inspector was added, with the other zoning positions deleted.
- The Waste Collection Billing Clerk position was added.
- The Administrative Assistant to the Board of Trustees was added.

Maintenance Laborer shall report to the Maintenance Superintendent. (Cannot exceed 1500 hours per year.)

14.3 ZONING/PLANNING DEPARTMENT

14.3-1 Zoning/Planning Administrator (Department Head)

~~The Zoning/Planning Administrator is responsible to and serves at the pleasure of the Board of Trustees. This person is responsible for carrying out all zoning/planning strategies and philosophies of the township.~~

14.3-2 Zoning Compliance Officer

~~This person performs duties as directed by the Zoning/Planning Administrator/Trustee. Duties consist of neighborhood inspections, enforcing provisions of the township zoning resolution and personal contact with zoning violators. (Cannot exceed 1500 hours per year.)~~

14.3-3 Zoning Secretary (Revised 6/22/00)

~~This person performs duties as directed by the Zoning Administrator and/or Township Trustees. Duties required my include, but not limited to, the following: answering the telephone & greeting the public; accepting waste collection payments and balancing cash drawer; running and verifying various waste collection reports; various correspondence; typing and verifying various zoning reports; typing minutes of Zoning Board meetings; copying and assembling Zoning Board packets as created by the Zoning Administrator; ordering office supplies as requested by the Zoning Administrator; keeping county parcel information correct; sending packets and/or meeting reminders notices to Zoning Board members; copying zoning information for distribution; and all other duties as assigned. The Zoning Secretary's hours cannot exceed 1500 hours annually.~~

14.3-1 Zoning Inspector - NEW

This person responds to zoning complaints, handling requests for zoning certificates, provides information on variances, conditional uses, and zoning changes, and prepares cases for the BZA, ZC, and Board of Trustees. Keeps minutes for zoning meetings, handles all zoning correspondence and other paperwork associated with this office, updates zoning information in software, is available to the public during set hours, and other duties as assigned. The Zoning Inspector is responsible for enforcing the German Township Zoning Resolution in compliance with the Ohio Revised Code. The hours will not exceed 1500 hours annually.

14.4 WASTE COLLECTION BILLING DEPARTMENT - NEW

14.4-1 Waste Collection Billing Clerk

The waste collection billing clerk is responsible for the day to day operations of the waste

Effective 1/1/96

collection billing office and will include, but is not limited to, maintaining the billing software program, accepting and posting payments, updating accounts, solving problems, working with the public, and all other paperwork associated with this office. The billing clerk is responsible for preparing reports and deposits to be submitted to the township fiscal officer. The billing clerk is also the contact person for the waste hauler company. The hours for this position cannot exceed 1500 hours per year.

14.5 ADMINISTRATIVE ASSISTANT TO THE BOARD OF TRUSTEES - NEW

14.5-1 Administrative Assistant to the Board of Trustees – duties as assigned by the Board. Not to exceed 1500 hours per year.

Effective 1/1/96
