

## RECORD OF PROCEEDINGS

Minutes of

Meeting

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_

MARCH 09,

20  
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.; Mark Haffner of 6907 Little Twin Rd.; and Nathaniel & Shannon Reveal of 7370 Browns Run Rd.

**VISITOR COMMENTS** –

I. Mr. Haffner (arrived at end of meeting and was given time to address the Board). Mr. Haffner reported on a privacy fence that his neighbor has erected at the rear of his property, at 6907 Little Twin Rd. He provided pictures and stated the fence was of poor construction, with nails protruding through to his side of the fence and that the fence is 17 feet high in several places. He went on to say that the Township had approved the fence.

The Board advised they had not approved any fence and further discussion revealed that it was probably the result of a BZA Variance hearing.

Mr. Haffner advised that they have had problems with the neighbor in the past and several police reports had been filed. Mr. Haffner pleaded his case several times and was advised that Ms. Watson would investigate the issue to determine if it was (1) a violation of the Variance that was granted; (2) violation of the Zoning Resolution; and if neither one apply (3) a civil complaint that will require him to contact an attorney.

**MINUTES** –

The Board reviewed the minutes of the February 09, 2015 Regular meeting.

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

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_

MARCH 09, <sup>20</sup>2015**FISCAL OFFICER REPORT** –**I. Correspondence:****IN**

- A. OTA – March Grassroot Clippings
- B. Frank Gates Service Co. – announcement of merger with CareWorkComp.
- C. Deborah Brancomb of Baden Rd. – request for assistance to obtain Time Warner Internet.
- D. Western Regional Council of Governments – Annual membership invoice and draft of February 26 meeting minutes.
- E. Ohio Township Association Risk Management Authority – 2015 Insurance invoice and policy.
- F. Mont. Co. Engineer – invitation to the 2015 annual Township Trustee meeting

**OUT**

- A. Germantown Press & DDN - Mtg. reminders 03/09
- B. City of Germantown – 2/09/15 minutes
- C. Monthly – IRS, State, School, OPERS reports & payments
- D. Miami Valley Regional Planning Commission – notice of non-renewal

**II. Distribute Financial Reports:** 2015 YTD – Cash Summary by Fund, Fund Status, and Monthly payment report.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to approve the financial reports and authorize the payment of the bills, checks 47049 thru 47104, including employee payroll direct deposits payments and payroll tax EFT's. After discussion, all present voted in favor, MOTION passed.

- III. Mr. Rohrbach reported that the Road & Bridge Fund advance has been repaid as of February 27<sup>th</sup>.
- IV. Mr. Rohrbach reminded the Board that the next MARCS antenna site meeting will be March 23, 2015 at 1:30 PM at the Montgomery County Administration Building. Our attorney Mr. Ketter, myself, Mr. Benson and possibly Sgt. Wallace will be attending.
- V. Mr. Rohrbach updated the Board on the Montgomery County Amateur Radio Emergency Services, Inc. project. Station equipment continues to arrive and be installed. Internet is in the process of being installed to the

# RECORD OF PROCEEDINGS

Meeting

Minutes of

## THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ 20\_\_\_\_  
**MARCH 09,** **2015**

station computers. On March 17<sup>th</sup> the MoCoARES group will originate their Communication Net from the German Township Station.

- VI.** Mr. Rohrbach recommended that German Township remain a member in the Western Regional Council of Governments.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to continue the township membership during 2015. During discussion, Mr. DeGroat explained the importance of the organization and the annual saving obtained by membership. After discussion, all present voted in favor, **MOTION** passed.

- VII.** Mr. Rohrbach recommended that the Township continue using OTARMA for insurance during 2015, at a cost of \$20,424.00. He further noted that because of the length of membership, the Township will receive a refund of \$1,476.72 later in 2015.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Stubbs to continue the OTARMA insurance during 2015. After discussion, all present voted in favor, **MOTION** passed.

### RECORDS COMMISSION MEETING –

- I.** At 7:09 PM, Mr. Rohrbach called the German Township Records Commission Meeting to order. Fiscal Officer Rohrbach, Trustees Benson, DeGroat, and Stubbs were present.
- II.** Mr. Rohrbach reviewed and recommended approval of a One-Time Disposal of Obsolete Records dated March 4, 2015, submitted by the Police Chief. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to approve the disposal request. After discussion, all present voted in favor, **MOTION** passed.
- III.** At 7:10 PM, Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to adjourn the Records Commission Meeting. After discussion, all present voted in favor, **MOTION** passed.

### PRESIDENT REPORT –

- I.** Mr. Benson reported on Fire/EMS Oversight. He distributed run reports and noted that Engine 63 has been returned and successfully rehabilitated.
- II.** Mr. Benson opened a discussion regarding his surprise of the proposed annexation of the area on the North East corner of Lower Miamisburg Rd. and

## RECORD OF PROCEEDINGS

Minutes of

Meeting

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

MARCH 09, 2015

Butter Street, as noted in the minutes of the City of Germantown Council meetings. It was apparently initiated by Mr. Steve ~~Dersch~~ <sup>Mersch</sup>. Mr. Benson's main concern was the potential loss of road mileage on Butter Street.

- III. Mr. Benson advised that he had contacted Ms. Brancomb of Baden Rd. regarding her request for Time Warner Internet. She was under the impression that the Board of Trustees were blocking the installation of Time Warner Cable on Baden Rd. Mr. Benson advised her that that was not the case, and that Time Warner Cable had a formula for providing service that included the number of residences in the proposed area. He gave her various options for internet service.

Mr. Reveal noted from the audience that his was told by Time Warner to have all the property owners in the area to call and request service, in order to have Time Warner investigate the possibility of cable in the area.

- IV. Mr. Benson noted that our District House Representative had followed up with him regarding his question about requiring Boards such as the Five Rivers Metro Park Board to be elected by the people.

**POLICE REPORT –**

- I. Chief Andzik reported that the eleventh class of Citizens Emergency Response Team (CERT) will begin training on April 21<sup>st</sup>.
- II. Chief Andzik reported that the Police Dept. will host the Case One Detective 's Meeting and the Case One Chief's meeting on March 12th.
- III. Chief Andzik reminded all that the next Shred It day will be May 2<sup>nd</sup>. Unwanted Medications (no sharps) will also be collected.
- IV. Chief Andzik reported that the February Neighborhood Watch meeting was well attended. The topic was Home Security.
- V. Chief Andzik reviewed the annual Police Report with the Board.
- VI. Mr. Benson opened a discussion regarding the memo and recommended Personnel Policy Changes submitted by Police Admin Asst. Laurie Rohrbach. It was recently discovered that holiday worked pay was being handled differently between the Road and Police Department. The proposed policy amendments would clarify the policy and provide guidance for equal implementation. Chapter 4, Sections 4.2-3 Holidays and 4.4 Overtime were proposed to be amended, as attached.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_

MARCH 09, <sup>20</sup>  
2015

Mr. Benson introduced **RESOLUTION 2015-12**, seconded by Mr. DeGroat to amend Chapter 4, Sections 4.2-3 Holidays and 4.4 Overtime as recommended (attached). After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes; **RESOLUTION 2015-12** passed.

**ROAD/SERVICE DEPARTMENT REPORT –**

**I.** Mr. Holbrook reported on the GovDeals.com sale of Parcel D14 00813 0070, consisting of 0.537 acres of excess property from the Eckhart Road project. Scott Weidle was the winning bidder at \$3,201.00. Mr. Holbrook requested a resolution to accept the bid; approve the sale and authorize the issuance of a deed to Mr. Weidle.

Mr. DeGroat introduced a **RESOLUTION 2015-13**, seconded by Mr. Stubbs to accept the bid; approve the sale to Mr. Scott ~~Weidle~~<sup>Weidle</sup> with the bid of \$3,201.00; and to authorize the issuance of a deed to Mr. Weidle for the property. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Stubbs – Yes, **RESOLUTION 2015-13** passed.

**II.** Mr. Holbrook reported on his attendance at the ODOT sign grant informational meeting held in Columbus. He has submitted the grant paperwork requesting \$7,618.44 in funding. The only Township cost will be the Road Dept. labor of installing the signs.

**III.** Mr. Holbrook opened a discussion regarding recent problems found on the 2008 Ford F250 pickup truck used by the Road Dept. Rust on the engine block around the freeze plugs and oil pan add to other issues previously known. The discussion centered around replacement of the truck prior to the estimated life of 10 years; the cost of purchasing a new truck and potential income from selling the Ford.

Mr. Gehron inquired from the audience, if the Township had a vehicle/equipment replacement program.

Replacement and replacement programs were then discussed between the Mr. DeGroat, Mr. Holbrook and Mr. Gehron. No action was taken

**IV.** Mr. Holbrook reported that the Germantown Union Cemetery had borrowed the Ford One Ton dump truck for the last month as they needed four wheel drive capability during the snows.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

**THE GERMAN TOWNSHIP BOARD OF TRUSTEES**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_ MARCH 09, <sup>20</sup>\_\_\_\_\_ 2015

- V. Mr. Holbrook advised that 100 % of the purchased highway salt has been received and the remaining is in the salt bin.
- VI. Mr. Holbrook reported that the backhoe had been involved in a minor accident.

**ZONING & TRASH COLLECTION REPORT** - none**OLD BUSINESS:**

- I. Mr. DeGroat reported on the Valley View Water and Sewer District. The First National Bank of Germantown has put together a citizen committee to investigate and recommended the best solution for handling the outstanding debt of the VVWSD. The recommendations will be provided to the VVWSD Board. Mr. DeGroat further stated that the goal is to get everyone to reduce the debt to lower what citizens will need to pay.

Mr. DeGroat also reported that a VVWSD meeting will be upcoming, hopefully by the end of the week. The purpose of the meeting will be to hire an attorney.

Mr. Cross asked from the audience, if interest was still accruing on the VVWSD debt. Mr. DeGroat advised currently – yes.

- II. Mr. DeGroat reported that the March Parks Oversight meeting has been cancelled. The next meeting will be in April.
- III. Mr. Stubs reported that the February Pool Oversight meeting was cancelled.

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

Meeting Adjourned at 8:14 P. M.

Signed: Randy R. BensonAttest: 

4.2-2 (i) Medical Examination. In the interest of health and safety, the Department Head may require any employee to undergo a physical and/or mental health examination for the purpose of assessing the employee's physical and/or mental health status relative to his/her job duties. All such examinations shall be conducted by a physician and/or mental health professional of the Department Head's choosing at the Department's expense.

If, after reviewing the medical and/or mental health evaluation, the Department Head and the Board of Trustees determines that a question exists as to the employee's physical and/or mental fitness to perform the duties and responsibilities of his/her position, the Department Head may request the Board of Trustees, at its sole discretion, to relieve the employee of his/her duties until such time as the Department Head and the Board of Trustees are satisfied that the employee is physically and/or mentally fit to return to duty. Any employee relieved of duty for physical and/or mental health reasons shall be placed in an inactive employment status, which after sick and vacation benefits have been exhausted, shall be without pay. Health insurance benefits, however, may be maintained by the employee, at his/her own expense, during the duration of a relief from duty under this section.

Upon relieving an employee from duty under this section, the Department Head and the Board of Trustees shall present the employee with specific written criteria describing the physical and/or mental condition which must be remedied before the employee may return to his/her position. Upon presentation of a written medical and/or mental health re-evaluation to the Department Head specifying that the employee has successfully complied with the written criteria above, and is, without any reservation, fit to return to active duty, the Board of Trustees shall return the employee to active employment and pay status in his/her prior position, if still available, or to any other commensurate or lesser open position within his/her department or other township department in the event that his/her old position is no longer available. The Board of Trustees may require a medical release to return to duty.

4.2-3 Holidays. Each full time employee ~~is entitled to~~ **will be paid** Holiday Pay, **which is eight hours of regular pay, while having the day off.** ~~or compensatory time in relation to hours normally worked.~~ **If an employee is scheduled by their supervisor to work, they will be paid an additional amount at the rate of one and a half times the normal pay rate, or compensatory time, for the eight hours of the holiday. Any time worked beyond that eight hours will be paid at the normal overtime rate.**

4.2-3 (a) Standard Holidays. The following holidays are observed by German Township:

- |                           |                        |
|---------------------------|------------------------|
| 1. New Years Day          | January 1st            |
| 2. Martin Luther King Day | 3rd Monday in January  |
| 3. Washington/Lincoln Day | 3rd Monday in February |
| 4. Memorial Day           | Last Monday in May     |

Effective 1/1/96

5. Independence Day	July 4
6. Labor Day	1st Monday in September
7. Columbus Day	2nd Monday in October
8. Veteran's Day	November 11
9. Thanksgiving Day	4th Thursday in November
10. Christmas Day	December 25th

Holidays which fall on Saturday will be observed on the preceding Friday unless it is a regularly scheduled day. Holidays which fall on Sunday will be observed on the following Monday unless it is a regularly scheduled day.

#### **4.3 BEREAVEMENT LEAVE** (Revised 11/10/14)

Full time employees are allowed a maximum of three (3) days absence with pay for death in the immediate family or house-hold. Immediate family consists of husband, wife, son, daughter, son-in-law, daughter-in-law, father, mother, brother, sister, father-in-law, mother-in-law, step-son, or step-daughter.

#### **4.4 OVERTIME DRAFT**

Overtime will be scheduled and approved only in emergency situations and for infrequent non-routine projects or work. Overtime may be scheduled only when authorized by the proper authority upon the recommendation of the immediate supervisor. **Overtime will be paid at the rate of one and a half times the normal pay rate.**

#### **4.5 COMPENSATORY TIME**

4.5-1 Subject to the following limitations imposed by Federal Law, compensation time may be provided to full-time employees, in lieu of overtime:

- a. Maximum accumulative hours
  1. Police 480 hours
  2. Road and all other full time personnel 240 hours

4.5-2 Compensation time is "paid" at rate of 1 1/2 times regular rate, for hours in excess of scheduled 8 hour work day.

4.5-3 In the event of termination of employment (voluntary or involuntary), the accumulated compensatory hours (on the books) will be paid to employee with last payroll check.

4.5-4 Compensation time to be taken off is subject to departmental scheduling requirements and approval of department Supervisor. Individual department may require employees to maintain lower over-all totals and may schedule employees to reduce total of accumulated compensation hours.

Effective 1/1/96