



**GERMAN TOWNSHIP BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 12, 2019**

The REGULAR MEETING was called to order with the Pledge of Allegiance by Board President Jacob Stubbs at 7:00 p.m. The meeting was held at the German Township Hall located at 12102 St. Rt. 725 West, Germantown, OH 45327. The meeting was digitally recorded and a CD is on file. Attendees included:

Trustee Jacob Stubbs  
Fiscal Officer Mark Keener  
Zoning Inspector Halie Sewell

Trustee Mark Cross  
Police Chief Joseph Andzik

Trustee Abra Reed  
Road Sup't Jeremy Holbrook

**VISITORS:**

Name	Address	Name	Address
Lynn Cleveland	11858 Oxford	Lloyd Johnson	7404 Browns Run Rd
David Gehron	14239 Kiefer Rd.	Matt Burns	11601 Segel Rd.
Mark Heistand	364 E. Market St.	Julie Smith	511 W. Market St.
Dylan Jones	12 Bruce Ct.	Steve Marsden	12102 SR 725
Deb Cross	7444 S. Stivers Rd.		

**VISTOR COMMENTS:**

**Julie Smith:** Ms. Smith made a presentation regarding "Sonshine in a Bag" to the Board. This program provides food to kids in the free lunch program in the Valley View School District. The age group for the program is from Headstart through 6<sup>th</sup> grade. Bags are discreetly delivered to kids on the firsts and third Thursday of each month. They are currently serving 127 students and have been running the program for seven school years.

**FISCAL OFFICER REPORT:**

1. Correspondence In:
  - OTA – November "Grassroots Clippings"
2. Correspondence Out:
  - Germantown Press – Meeting Reminders
  - Monthly – IRS, State, School, OPERS reports and payments
3. Distribute Financial Reports –Monthly Payment Reports.
  - MOTION to approve the financial reports and authorize the payments of the bills, checks 49815 to 49849 including payroll direct deposit and payroll tax/withholding EFT's and other electronic

payments was introduced by Jacob Stubbs and seconded by Mark Cross. After discussion –  
MOTION PASSED

4. A MOTION to approve the minutes of the October 15, 2019 REGULAR meeting as submitted was introduced by Mark Cross and seconded by Jacob Stubbs. After discussion - MOTION PASSED.
5. **RESOLUTION 2019-29 – a RESOLUTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING HELD ON DECEMBER 26, 2018** was introduced by Jacob Stubbs and seconded by Mark Cross. After discussion, the roll was called and the vote was as follows: Jacob Stubbs – YES, Mark Cross – YES, Abra Reed – NO. **RESOLUTION 2019-29 PASSED.**
6. **RESOLUTION 2019-30 – a RESOLUTION TO APPROVE THE MINUTES OF THE ORGANIZATIONAL MEETING HELD ON JANUARY 3, 2019** was introduced by Jacob Stubbs and seconded by Mark Cross. After discussion, the roll was called and the vote was as follows: Jacob Stubbs – YES, Mark Cross – YES, Abra Reed – NO. **RESOLUTION 2019-30 PASSED.**
7. **RESOLUTION 2019-31 – a RESOLUTION AUTHORIZING THE PAYMENT FROM THE GENERAL FUND OF EXPENSES RELATED TO AN EMPLOYEE APPRECIATION LUNCHEON FOR THE EMPLOYEES OF GERMAN TOWNSHIP** was introduced by Mark Cross and seconded by Jacob Stubbs. After discussion, the roll was called and the vote was as follows: Jacob Stubbs – YES, Mark Cross – YES, Abra Reed – YES. **RESOLUTION 2019-31 PASSED.**
8. At 7:25 pm, a motion was made to suspend the regular meeting in order to convene a meeting of the Records Commission. The roll was taken and the vote to suspend was as follows: Mr. Stubbs – YES, Mr. Cross – YES, Mrs. Reed – YES. The Records Commission meeting was called to order and the Commission reviewed the changes to the Police Department’s Records Retention Policy (mainly dealing with the length of time to retain body cam footage based on whether or not it involved a case). As such, **RESOLUTION 2019-32 – a RESOLUTION APPROVING THE CHANGES TO THE GERMAN TOWNSHIP POLICE DEPARTMENT’S RECORDS RETENTION POLICY** was introduced by Jacob Stubbs and seconded by Mark Cross. After discussion, the roll was called and the vote was as follows: Jacob Stubbs – YES, Mark Cross – YES, Abra Reed – YES. **RESOLUTION 2019-32 PASSED.** At 7:28 p.m., the meeting of the Records Commission was adjourned and the regular meeting resumed.
9. Mr. Keener reminded the Board of the following “dates to remember”:
  - Next Regular Board of Trustees Meeting – Monday December 9, 2019
  - Auditor’s Annual Update – Friday, December 13, 2019
  - OTA Conference – February 5 – 8, 2020
10. Mr. Keener reminded the Board to sign the Minutes, Bank Recs and the Purchase Orders.

**POLICE REPORT:**

Chief Andzik reported the following:

- Santa is coming – November 30, 2019 from 9-11 a.m. There will be pictures with Santa and Mrs. Santa along with a pancake and sausage breakfast, gift bags, hot chocolate and coffee.
- Marijuana vs. Hemp:
  - Last month a discussion took place at the Board meeting regarding the detection of marijuana vs. hemp by a K-9, and any potential problems that could be caused if an adequate, relatively inexpensive test was not developed to differentiate between the two.

- By the end of the week, word was received from the Miami Valley Crime Lab advising that an adequate, inexpensive test had been developed.
- As a member agency, this new test will not cost German Township any additional money
- **CALEA Accreditation:**
  - CALEA is the Commission on Accreditation for Law Enforcement Agencies. CALEA is an international organization with member agencies in 9 countries.
  - Accreditation assures the community that its law enforcement agency is committed to the provisions of service of the highest quality and that its policies and procedures are effective and responsive on the one hand, and fair and equitable on the other.
  - The German Township Police Department is the smallest fully accredited agency in the world.
  - November 20, 2019 marks the 20<sup>th</sup> Anniversary of the German Township Police Department's Accreditation.
    - Our first accreditation was awarded in November of 1999
    - Since then, we have been award Accreditation with Meritorious and Excellence or both on many occasions, and we always strive to meet the Gold Standard within CALEA.
  - Members of the Board received invitations to a small private ceremony that the Department is planning to commemorate this accomplishment.
- The Department received the OVI Countywide Task Force agreement. Signatures from the Board are needed for the agreement.

**ROAD / SERVICE DEPARTMENT REPORT:**

- **Generator Transfer Switch:**
  - The transfer switch that directs generator power to the German Township Administration Building apparently was struck by lightning and is in need of repair. The main control board was sent to a repair company and the cost of the repair should not exceed \$600.00. The cost of this repair should be split between the departments that benefit from the generator: Police, Zoning, Trash Billing and Trustees/Clerk.
    - **RESOLUTION 2019-33 – a RESOLUTION AUTHORIZING THE REPAIR OF THE GENERATOR MAIN CONTROL BOARD AND TO ALLOCATE PAYMENT OF SAID REPAIR TO THE POLICE DEPARTMENT, ZONING, TRASH BILLING AND TRUSTEES BASED ON THE UTILITY BILL ALLOCATIONS** was introduced by Abra Reed and seconded by Jacob Stubbs. After discussion, the roll was called and the vote was as follows: Jacob Stubbs – YES, Mark Cross – YES, Abra Reed – YES.  
**RESOLUTION 2019-33 PASSED**
- The Road & Service Department salted and brined the Township Roads on November 11 and 12 during the first snow event of the season.
- **Other Items:**
  - The propane agreement has been set up with Earheart Petroleum
  - Earheart has inspected the Township's propane tanks
  - 2019 chip seal contract has been completed by Miller Mason
  - 2019 pavement marking has been completed under contract with the Montgomery County Engineer's Office
  - The Road Levy that covers the Township and the City was passed by the voters.

#### **ZONING DEPARTMENT REPORT:**

Mrs. Sewell reported the following:

- Permits issued in the last month included the following:
  - 3 permits for ag-exempt buildings
- On October 7, 2019, the Board heard case 2019-10ZC (minutes provided to the Board). Motion to approve the minutes of the meeting was introduced by Jacob Stubbs and seconded by Mark Cross. After discussion, motion passed.
- On October 30, 2019, the Board heard case 2019-11ZC (minutes provided to the Board). Motion to approve the minutes of the meeting was introduced by Jacob Stubbs and seconded by Abra Reed. After discussion, motion passed.
- Ms. Sewell attended an OTA meeting on November 1.
- A BZA will be held on November 14 to hear a discussion on two lot splits.
- A Zoning Commission meeting will be held on November 19
- Mrs. Sewell is planning on attending the OTA Conference in February. The Board, via a motion introduced by Jacob Stubbs and seconded by Mark Cross, did confirm that the Township would cover the cost of the conference as well as travel, food and lodging for Mrs. Sewell. Motion Passed.

#### **TRUSTEE STUBBS REPORT:**

Mr. Stubbs reported the following:

- Cemetery – Cemetery manager Mark Steinaker had surgery on his wrist but is recovering nicely.
- Cemetery – The City needs to appoint a Council person to fill the Cemetery Board position that was vacated due to Mr. Koogle's passing.
- Cemetery – They will be holding an employee appreciation luncheon on December 23 at noon.
- Cemetery – The starter motor on the diesel tractor needed replaced.
- Cemetery – The truck purchased from the Township Road & Service Department is working well for them.
- WRGC – Will meet in December to discuss the trash contract with Rumpke.
- Mr. Stubbs asked Trustee-Elect Matt Burns if he would request an official written determination from the Ohio Ethics Commission to confirm that no conflicts of interest exist due to Mr. Burrrns' position with the City of Germantown. Mr. Burns stated that he had already received an opinion from them.

#### **TRUSTEE CROSS REPORT:**

Mr. Cross reported the following:

- The Fire/EMS oversight committee met on 10/22/19 to approve the budget. The major change to the budget from last year was to increase salaries to be more in line with other area departments in an effort to attract new employees. Annual revenues for EMS are currently \$471,000 and annual revenues for the Fire Department are \$356,000. The construction on the new building is progressing on schedule.
- Mr. Cross, Mrs. Rohrbach and other Township employees will be meeting again on 11/21 with Burnham & Flowers regarding health insurance. At this time, it's anticipated that in order to keep the current policy in place, there will be a 19% increase in the premiums.
- Mr. Cross an update on the Fouts Trust. He has calculated that there is approximately \$20,000 in the fund to distribute. He provided a proposed resolution to approve the distribution of the

funds. He also met with the VVSD superintendent to discuss potential recipients of the fund money. The superintendent suggest that Sonshine in a Bag would be a worthy recipient. Additionally, Mr. Cross spoke with Amanda Stidham from the State Auditor's Office regarding disbursement of the funds. Ms. Stidham informed him that the Auditor would check to see if the fund was being distributed as per the intent of the fund and that they would also check to be sure that only the interest from the fund was being disbursed. Mr. Cross suggested annual disbursements be in increments of \$1,000 - \$2,000. He also agreed that, due to its wide community support, Sonshine in a Bag would be a good initial recipient of the fund.

- Mr. Cross suggested that one of the Trustees continue to attend the Germantown Council meetings in 2020.
- Mr. Cross researched the amount of land in the Township that is owned by Five Rivers Metroparks. There are 22 different properties in the Township with a combined value of \$2 million. This amounts to roughly \$11,000 in lost tax revenue to the Township.

#### **TRUSTEE REED REPORT:**

Mrs. Reed reported the following:

- Senior Center - The Senior Oversight Committee did not meet last month.
- Parks – "Christmas in the Park" is scheduled for 12/14/19. They are hoping to have a parade prior to the event.
- Parks - New fields are being installed at Kercher Park.
- Purchase of Chief's car:
  - Mrs. Reed stated that she would like to get things out in the open and on the record as she questions the legality of the recent purchase of an unmarked car for the Chief's use.
  - Mrs. Reed stated that Nathaniel Peterson the Montgomery County Prosecutor's Office (the legal counsel for the Township) stated that the purchase was illegal under ORC 505.50. Mrs. Reed stated that she had also contacted Amanda Stidham at the State Auditor's office who advised her to follow the advice of Mr. Peterson.
  - Mrs. Reed continued to maintain that the Prosecutor's Office stated that the purchase was illegal and would not acknowledge the fact that in the chain of correspondence with the Prosecutor's Office that the Prosecutor changed his original opinion and twice said that the purchase was legally made once he was aware of additional information provided to him by Mr. Keener. This fact was repeatedly pointed out to Mrs. Reed by the other elected officials during the course of the 21 minute exchange.
  - At the end of the exchange, Mrs. Reed stated that we would have to agree to disagree.

**OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**

**EXECUTIVE SESSION:**

At 8:27 p.m., Jacob Stubbs made a motion to suspend the regular meeting and convene an executive session to discuss pending litigation. The roll was taken and the vote was as follows: Mr. Stubbs – YES, Mr. Cross – YES, Mrs. Reed – YES.

At 8:42 the Board returned from Executive Session and the regular meeting was reconvened.

**PURCHASE ORDERS WERE SIGNED**

**MEETING ADJOURNED:**

With no further business, A MOTION to adjourn was made by Jacob Stubbs and seconded by Mark Cross. MOTION Passed, the Meeting Adjourned at 8:43 p.m.

Signed: Jacob Stubbs

Attest: Mark Cross