



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON MARCH 13, 2023

The meeting was held at the German Township Hall located at 12102 St. Rt. 725 West, Germantown, OH 45327 and virtually using WebEx.

The meeting was called to order by Board President Mark Cross at 7:00 pm. In attendance were:

President Mark Cross	Vice-President Jacob Stubbs	Trustee Lou Potter
Fiscal Officer Mark Heistand	Police Chief Joe Andzik	Road Admin. Jeremy Holbrook
	Zoning Inspector Shauna Close	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Deb Cross	7444 S. Stiver Road	Mark Keener	7865 Jamaica Road
Abigail Hale-Dennis	13091 Oxford Road	David Gehron	14239 Kiefer Road

ONLINE ATTENDEES:

Name	Name	Name	Name
KC	Sam	Call in User 2	

The Germantown Press was notified of the Regular Meeting on 3/7/23 at 3:55 pm.

Dr. Cross led the group in the Pledge of Allegiance.

VISITOR COMMENTS:

- **Mark Keener, 7865 Jamaica Road:** Mr. Keener, the Township’s representative on the Joint Economic Development District (JEDD) Board, gave an update. The Board has opened a bank account and deposited tax payments. The next meeting will be on 3/15/23. It will be the first Board meeting not attended by JEDD Attorney Brenda Wehmer.

FISCAL OFFICER’S REPORT:

- Mr. Heistand submitted minutes for the 2/13/23 Regular Meeting. Dr. Cross noted an error on page one. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as amended. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand presented the February Financial Reports: (1) 2/28/23 Fund Status; (2) YTD 2/28/23 Cash Summary by Fund; (3) Month of February Cash Summary by Fund; (4) February 2023 Receipt Listing; and (5) February 2023 Payment Listing. He stated that there were no unusual transactions during the month.

- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the February financial reports and authorize the payment of February bills (warrants 50655 through 50663 and vouchers 89 through 175 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand announced that the Township's 2022 transactions are available for review on the Ohio Checkbook website. He noted that the easiest way to review the transactions is by using the hyperlink to the Ohio Checkbook on the home page of the Township's website.
- He reported that the Board of Elections sent the Township the ballot language for the pool levy on the May ballot. It will read as follows:

“A renewal of a tax for the benefit of German Township (incorporated and unincorporated) for parks and recreational purposes that the county auditor estimates will collect \$96,292 annually, at a rate not exceeding 0.5 mill for each \$1 of taxable value, which amounts to \$13 for each \$100,000 of the county auditor's appraised value, for 5 years, commencing in 2023, first due in calendar year 2024.”

He noted that the ballot language does not state that the purpose of the levy is for the pool. He was told by the Board of Elections that the Ohio Secretary of State requires that ballot language stating the purpose of a levy must exactly match previous ballot language. Since this levy is a renewal, it must match the language used in 2013 and 2018 (which apparently stated that the purpose was for parks and recreation). He assured Township voters that the taxes raised by the levy will ONLY be used for the Germantown swimming pool. He informed the City about the confusing ballot language, which he was told would be highlighted in the City's April newsletter.

 - **Visitor Comment: Mark Keener:** Mr. Keener stated his belief that the levies in 2013 and 2018 did state that the purpose was for the swimming pool
- Mr. Heistand stated that he received notice from JEDD Board Chair Randy Stiver requesting payment of the Township's proportionate share of the \$15,000 initial contribution by the four jurisdictions. Even though this amount was detailed in the JEDD Contract when approved by the Trustees in 2021 and by the voters in 2022, he asked the Trustees to approve the payment.
 - Dr. Cross introduced **RESOLUTION 2023-15**, seconded by Mr. Potter: **A RESOLUTION APPROVING A \$5,250 PAYMENT TO THE VALLEY VIEW JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) IN ACCORDANCE WITH SECTION 7 OF THE JEDD CONTRACT APPROVED BY THE CONTRACTING PARTIES. THE PURPOSE OF THE PAYMENT IS TO HELP PAY THE INITIAL LEGAL, ADMINISTRATIVE AND OTHER COSTS GENERALLY IDENTIFIED IN THE JEDD CONTRACT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-15 WAS ADOPTED.**
- At the February meeting, the Trustees agreed to move forward with an electric and gas aggregation contract with Trebel LLC. Mr. Heistand reported that the Prosecutor's office had reviewed the Energy Consulting and Management Agreement submitted by Trebel and approved it as to form only. He stated that they also reviewed the Resolution approving the Agreement.
 - Mr. Stubbs introduced **RESOLUTION 2023-16**, seconded by Dr. Cross: **A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENERGY CONSULTING AND MANAGEMENT AGREEMENT WITH TREBEL, LLC.** Mr. Stubbs read the entire Resolution out loud. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-16 WAS ADOPTED.**
- Dr. Cross noted that the Trebel Agreement seemed fair and that there would be no cost to the Township. He stated that Scott Belcastro of Trebel told him that Trebel will assist in getting the issue on the November ballot and will help market the ballot measure.

- He noted that Miami Township recently sent letters to its residents (aggregation was approved in November 2022) and Trebel would send similar letters to our residents if aggregation is approved in November. The Miami Township letter set forth easy ways for residents to opt out of aggregation, if desired. The Miami Township electric rate is \$0.0699 per kwh through June 2025.
 - He reported other area aggregation rates: (1) \$0.0447 per kwh for Green County through May 2024; and (2) \$0.0686 per kwh in Clearcreek Township through May 2025.
 - He noted that residents with solar panels or other residents under an existing supplier agreement (including residents who receive service from Butler Rural Electric Cooperative, Inc.) will not be included in aggregation through Trebel.
 - He noted that Trebel has been discussing aggregation with Jackson Township's Trustees.
 - He agreed with Mark Keener's statement at the February Trustees' meeting that the vote in November should be for both electric and gas aggregation.
 - Mr. Stubbs stated that, if aggregation is approved by the voters, any resident may opt out of the Trebel program at any time (even after initially joining the program) at no cost.
- Mr. Heistand said he attended the Western Regional Council of Governments (WRCG) meeting on 2/28/23 along with Mr. Stubbs.
 - He reported that he is the 2023 Montgomery County Township Association (MCTA) treasurer. He met with MCTA President Georgeann Godsey at a Fifth Third Bank branch in Harrison Township on 3/6/23 to sign bank account cards.
 - He announced that the next MCTA meeting would be held on 3/30/23 at the Montgomery County Business Solutions Center on Cincinnati Street in Dayton. He stated that he would be on vacation that week and would be unable to attend.

POLICE DEPARTMENT REPORT:

- Chief Andzik stated that the annual Shred It/Dump It Day would be held on 5/6/23 from 10-noon.
 - Dr. Cross asked if the Shred Day was available to Germantown residents. Chief Andzik stated that Shred Day is for anyone, no matter where they live.
 - **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross asked if items to be shredded need to be in boxes. Chief Andzik stated there are no requirements; items can be in boxes, bags or anything else.
- He distributed received copies of the Police Department's 2022 Annual Report. He said that he would be happy to answer any questions concerning the Report.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that the 2023 chip seal program would include the following:
 - Germantown-Liberty Road
 - Weaver Road
 - Eby Road from SR 4 to Sunbury
 - Friend Road from the Ben DeGroat property to Browns Run Road
 - Boomershine Road
 - Harris Road

He stated that bid requests would be advertised in the Germantown Press two times starting 3/20/23. The estimated cost for the seven miles is \$168,000. The bids will be opened at the 4/10/23 Trustees' meeting.
- Mr. Potter asked if chip seal bids would include work on the Township Hall parking lot. Mr. Holbrook replied that the parking lot would be bid separately at a later date.

ZONING DEPARTMENT REPORT:

- Mrs. Close reported that she wrote permits in February for rooftop solar panels on Moyer Road and Jamaica Road. She also wrote a permit for a steel frame garage on Preble County Line Road.
- She stated that the next quarterly Zoning Commission (ZC) meeting would be held on 4/4/23. She noted that the vacant ZC alternate seat had been filed by Trisha Taylor.

TRUSTEE POTTER'S REPORT:

- Mr. Potter reported that the Parks Board discussed parking lot paving at Kercher Park at their recent meeting. The City recommended paving the two north parking lots during 2023. The Parks Board felt that the south parking lot (the loop area between the press box and the shelter house) was a higher priority. He stated that the \$109,000 cost to pave this area was significantly more than the cost to pave the north lots. Stating that the City's 2023 Parks Fund budget could not absorb the higher cost, he requested that the City advance half of the cost from the General Fund to the Parks Fund in 2023, with the advance to be repaid out of the Parks Fund's 2024 budget.
- He noted that the City had received a 70% grant to help move the Kercher Park dumpster to the south side of the Astoria Road maintenance building. The City's share is \$9,000 to create a concrete pad to reduce truck damage to the parking lot when the dumpster is emptied. The dumpster move was approved by the Parks Board.
- He reported that the concrete around the flagpole at the Miami Military Institute (MMI) Park had been poured. John Longworth donated his time and SRM Concrete donated ten yards of concrete.
- He noted that the next Pool Board/Oversight meeting would be held on 3/15/23.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs reported that the Cemetery Board hired Keith Burnett as the new Sexton. Mr. Burnett started on 3/1/23 and will work with current Sexton Mark Steinecker until his retirement on 6/1/23. He stated that several damaged trees at the cemetery will be removed this Spring.
- He discussed the 2/28/23 WRCG meeting. The current Rumpke extension expires 9/30/23. The contract allows one more three-year extension through 9/30/26. Kristen Hamaker at Jackson Township will contact Rumpke to determine pricing for the next extension period. He felt that German Township would need to increase fees to residents during the next extension period to maintain a healthy Fund Balance. The next WRCG meeting will be on 3/21/23.
- Mr. Potter stated that he would tear down the old cemetery storage building the week of 3/20/23.

TRUSTEE CROSS' REPORT:

- Dr. Cross attended the Germanton Council meeting on 3/6/23. Highlights included:
 - During Citizens' Forum, he discussed the Pool Levy language and urged Council to get the word out that the levy is for the pool and that it is not a parks levy. (A parks levy was approved by the voters at the November 2021 election).
 - He attempted to get more information on the Nelda Judy Lane bequest to the Senior Center but after some initial feedback he was informed that Citizen's Forum was not meant for dialog and that he would not be able to ask further questions. He later emailed City Manager Judy Gilleland and was told that: (1) the City did not know the amount of the bequest; (2) the funds will be placed in a separate account; and (3) the funds will only be used for the Senior Center.
 - He suggested to Council that the City use StarOhio to deposit the funds from Mrs. Lane's bequest to receive better interest. Later in the meeting, Council approved a Resolution designating Farmers & Merchants Bank as the public depository for all City funds.

- The City entered into a contract with Cincinnati Urban Design and Architecture Studio for assistance in preparing a redevelopment plan for the downtown area. The cost of the contract is \$50,000, with \$37,500 paid by a grant.
- Council passed an Emergency Ordinance to purchase three parcels owned by Dave Bishop for \$168,500. The goal, according to Council, was to develop the back lots for public parking. Use of the former auto service garage is still being investigated. He noted that the only other person to speak during Citizen's Forum was Clay Alsip who complained that the City bought the parcels before anyone else had a chance to purchase and develop the property. Council did not explain the source of the funds to purchase the property.
- He discussed communications the Township received from Symphony Wireless offering to purchase the Township cell tower. Mr. Stubbs stated that the Township owns the land the tower sits on, but does not own the tower. The State of Ohio's annual payment is for the land lease. It was agreed that no further action was needed on the subject.
- Dr. Cross stated that he wants to evaluate the School Resource Officer contract with Valley View Local Schools once the school year ends in June. Mr. Stubbs noted that SRO grants are available from the State of Ohio and thought that Valley View is applying for a grant for next school year.

OLD BUSINESS:

- None

NEW BUSINESS:

- None

OTHER BUSINESS:

- None.

MEETING ADJOURNED:

- With no further business, Mr. Potter made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 7:43 pm.

Signed: Mark Cross
Mark Cross, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the April 10, 2023 meeting.

Signed: Mark A. Heistand
Mark A. Heistand, Fiscal Officer