



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON MARCH 14, 2022

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 7:03 pm. In attendance were:

President Mark Cross	Vice-President Jacob Stubbs	Trustee Lou Potter
Fiscal Officer Mark Heistand	Police Chief Joe Andzik	Road Super. Jeremy Holbrook
	Zoning Inspector Halie Sewell	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
David Gehron	14239 Kiefer Road	Deb Cross	7444 S. Stivers Road
Lynn Cleveland	11858 Oxford Road	Sewell	8122 Lower M'sburg
Lonnie Pederson	TSC - Wapakoneta	Abigail Dennis	13091 Oxford Road
Mark Hanson	TSC	Mark Keener	7865 Jamaica Road
Nathaniel Peterson	Prosecutor's office	Anu Sharma	Prosecutor's office

ONLINE ATTENDEES:

Name	Name	Name	Name
Mark Heistand	Sam	KC	Todd Dennis

The Germantown Press was notified of the Regular Meeting on 3/5/22 at 10:44 am.

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

VISITOR COMMENTS:

- **Lonnie Pederson (820 Glenwood Road, Wapakoneta, Ohio) and Mark Hanson (168 Southmoor Shores, St. Mary's, OH) of Hanson Communications** discussed Hanson's 2/1/22 acquisition of the Ohio assets of Consolidated Communications (which included the Germantown operation). Consolidated's Ohio assets will be managed by Hanson subsidiary TSC Communications (aka Telephone Service Company), headquartered in Wapakoneta. Mr. Pederson stated that the final customer bills from Consolidated will be in May. The new company has plans to provide fiber optics throughout the Township. Until then, they will improve the copper network. They will do their best to improve service. Mr. Hanson stated that Hanson focuses its service in rural areas.
 - Dr. Cross asked about installing fiber optic to the entire Township. Messrs. Pederson and Hanson said that the timeline depends on many factors, but noted that there are broadband grants available which they have used in other areas that they service.

- Mr. Stubbs noted that currently the internet speed in many parts of the Township is terrible. Messrs. Pederson and Hanson stated that they will offer two types of residential service: 100 megabyte or 1 gigabyte. Their monthly charge for 100 meg service is \$70. There is no charge for installation.
- **Visitor Comment: David Gehron, 14239 Kiefer Road:** Mr. Gehron asked how the fiber optic will reach his house. Mr. Pederson said the fiber will be brought into the house to a modem which will be provided by TSC-Hanson.
- **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked how long it will take to get fiber to the entire township. Mr. Pederson stated that in another part of Ohio similar to the Township they installed fiber to all customers within two years. He stated that improvements to all of Consolidated's operations throughout Ohio will occur at the same time. He noted that the purchase of Consolidated's Ohio assets had to be approved by the Federal Communication Commission (FCC). Hanson's FCC filing committed to investing \$10 million in Consolidated's Ohio service areas within the next five years.

FISCAL OFFICER'S REPORT:

- Mr. Heistand attended virtually, but those in attendance were unable to hear him. As a result, Dr. Cross read Mr. Heistand's report. Mr. Heistand noted that the governor recently signed House Bill 51 which allows elected officials to attend meetings electronically through 6/30/22.
- He stated that he had not been able to complete the minutes of the 2/14/22 Regular Meeting. He noted that after preparing a draft, he always watches the WebEx recording to ensure that he has accurately reflected the business conducted. He stated that the recording had not yet been posted on the Township's YouTube channel.
- His report included the February Financial Reports: (1) 2/28/22 Fund Status; (2) YTD February 2022 Cash Summary by Fund; (3) Month of February 2022 Cash Summary by Fund; (4) February 2022 Receipt Listing; and (5) February 2022 Payment Listing. There were no unusual items to note.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the February financial reports and authorize the payment of February bills (warrants 50557-50571 and vouchers 86-196 for payroll direct deposit, tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand included a RESOLUTION to declare the entire American Rescue Plan Act (ARPA) grant of \$303,149.58 as Revenue Loss by electing to use the Standard Allowance that was allowed under the US Department of the Treasury's Final Rule. He noted that the Revenue Loss category is the most flexible of the four categories of allowable ARPA uses, as it allows the funds to be used for any Government Service.
 - He reminded the Trustees that since the ARPA grant is federal money the Township is required to follow Federal procurement rules, not Ohio's procurement rules. Before the Trustees start spending ARPA funds, written policies and procedures regarding federal program compliance requirements will need to be adopted. He needs to do research to see if there are templates that can be used to develop these policies and procedures.
- Dr. Cross introduced **RESOLUTION 2022-16**, seconded by Mr. Stubbs: **A RESOLUTION ADOPTING THE USE OF THE AMERICAN RESCUE PLAN ACT OF 2021 STANDARD ALLOWANCE AND ITS PRESUMPTION OF REVENUE LOSS DUE TO THE PUBLIC HEALTH EMERGENCY AND TO USE THE AMOUNT AUTHORIZED HEREIN TO FUND GOVERNMENT SERVICES.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-16 WAS ADOPTED.**

- Mr. Heistand noted that the 2021 Annual Financial Report is now available online at: <https://ohioauditor.gov/references/SummarizedAnnualFinancialReports/>. Once on the Auditor's website, viewers should choose 2021 from the drop-down screen. A spreadsheet will open. Click on the Township tab and scroll down to find German Township-Montgomery County – line #362.) In addition, the Township's 2021 transactions will soon be viewable on the Ohio Checkbook website. He will provide information on how to access the Ohio Checkbook once it is posted.
- He noted that the Township received the Ohio Township Association Risk Management Authority (OTARMA) renewal for the upcoming policy year. The invoice amount was \$23,785 and was paid. The OTARMA renewal included an announcement of a \$800,000 distribution to member townships. The Township's dividend is \$1,472.53 and should be received in 30-60 days.
- His report expressed his condolences to former Trustee Abra Reed and the entire Rettich family on the recent passing of her father Judge Robert Rettich III. He noted that he had known Judge Rettich since they were in high school together and their families have been friends for generations. His passing is a huge loss to the German Township community.

POLICE DEPARTMENT REPORT:

- Chief Andzik reported that the 2021 Annual Police Report was completed and a copy was included in the Trustee's packet. He stated that the public can request a copy by coming to the Police Department or sending an email.
- He announced that Shred Day will be on 5/7/22 from 10am-Noon. Drop off begins at 9:30 am.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that German Township was not chosen to be awarded funds through the Ohio Department of Transportation's Stimulus Grant Program for the Sigal Road Paving Project. The only Township within Montgomery County to receive funding was Washington Township, which received \$189,000 for sidewalks. He requested that the Trustees consider using APRA funds for the Sigal Road project in 2022.
- He stated that he and Scott Hamilton completed mowing limbs on all Township maintained roads.
- He presented his plan for 2022 road resurfacing and asked for informal approval to seek competitive bids. The Trustees agreed that Mr. Holbrook should obtain bids for the following:
 - (1) CAPE Seal/Micromix – Estimate \$32,000
 - (a) Windancer Drive – Jamaica Road to cul-de-sac
 - (b) Starry Night Drive – Cul-de-sac to cul-de-sac
 - (2) Chip Seal – Estimate \$60,000
 - (a) Shimp Road – Boomershine Road to Oxford Road
 - (b) Moyer Road – Area not sealed in 2021 (between Browns Run and Puddenbag)
 - (c) Kiefer Road – Area not sealed in 2021 (west of Browns Run)
 - (3) Asphalt Paving – Estimate \$220,000
 - (a) Sigal Road – Oxford Road to SR725 (Estimate \$140,000) – perhaps using ARPA funds
 - (b) Butter Street (cooperative project with City of Germantown) – East lane from north city limits to south city limits – Estimate \$80,000. Butter Street is a boundary road.
- He noted that the Montgomery County Engineer's Office requires county approval for driveway access prior to obtaining a driveway permit from the Township. He has received the MCEO policy.
- **Visitor Comment: Mark Keener:** Mr. Keener asked if Butter Street will be widened as part of the repaving project. Mr. Holbrook responded that this is not in the plan for the Township's east lane due to lack of funds. He noted that the potholes and the crumbling berm will be repaired.

ZONING DEPARTMENT REPORT:

- Mrs. Sewell reported that the Board of Zoning Appeals (BZA) heard Case #2022-60CUV for the Valley View school building on 3/8/22 and approved the conditional use and variance applications.
- She noted that she issued one permit this month for an agricultural exempt building on Beck Road.
- She reported that the Zoning Commission will meet on 4/5/22 and the BZA will meet on 4/12/22.

TRUSTEE POTTER' REPORT:

- Mr. Potter reported that at the recent Parks Board meeting a committee was created to consider uses for the former Camp Miami/Miami Military Institute property. The committee consists of Mayor Johnson, David Shortt, himself and two others.

TRUSTEE STUBBS'S REPORT:

- Mr. Stubbs reported that the Cemetery Board paid \$10,000 to the Township on the loan that was provided by the Trustees in 2006 for the purchase of additional cemetery land. He noted that several unneeded items in the old cemetery storage shed are available to the Township and City.
- He reported that the daily and season pass prices for the Germantown Pool will increase for 2022.
- He is working on a date for a meeting of the Western Regional Council of Governments.
- He reported that Jackson Township Trustees have agreed to hold a joint meeting with the Trustees sometime this summer to discuss common issues.
- He asked if the City had worked out the requirements for a third member of the Senior Oversight Committee. Dr. Cross said he had not heard anything.
- He expressed condolences to Jackson Township Police Chief Jon Schade on his father's passing.
- He reported on complaints he received about mud on Anthony Road caused by recent high water. He thanked Mr. Holbrook for quickly resolving the issue.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported on a call the Senior Center received about renting the Center. Director Chenoa Erisman told the caller that rentals can't be scheduled due to a lack of volunteers. People interested in volunteering at the Center are asked to contact Ms. Erisman or speak with Dr. Cross.
- He attended the 3/7/22 Germantown City Council meeting where Jeff Jones was sworn in as the newest Council member. At the meeting Chief Aldred recognized Aaron Jones for his actions to help a resident escape a fire on Kern Drive. Council Member Brian Wafzig reminded the Council of the upcoming 5/3/22 vote on the Joint Economic Development District (JEDD).
- Dr. Cross noted that if the JEDD is approved by the voters, a five-member JEDD Board of Directors will then be appointed. According to Ohio Revised Code 715.72, the Board members are selected as follows: (1) One member will represent the municipalities (Germantown gets the first pick) for a one-year term. (2) One member will represent the townships (German gets the first pick) for a two-year term. (3) One member will represent the JEDD's business owner(s) – Valley View Schools – for a three-year term. (4) One member will represent those employed within the JEDD – Valley View employees – for a four-year term. (5) The fifth member will be selected by the other four members for a five-year term. The fifth member will be the chairperson of the Board.
- He said that the JEDD Board must be formed before any action takes place. This includes setting an income tax rate and collecting income taxes. He asked that Township residents contact the Trustees if interested in serving on the JEDD Board. The JEDD Board positions are non-paying.

- Following up on Mrs. Sewell's report on the 3/8/22 BZA hearing, he noted that the conditional use and four variance approvals will allow Valley View to apply for a Zoning Certificate from the Township, which will then allow the school to apply for a building permit from the County.
- He noted that the Township's permit fee for new commercial construction is \$600 plus \$0.20 per square foot total area. The new school building has 217,500 square feet. Using the fee schedule would result in a \$44,100 charge. He researched zoning fees at neighboring townships, which vary considerably. He suggested that the Township reduce the school's Zoning Certificate fee to \$10,000, which is the maximum charged by Miami Township. He felt that the fee based on the Township's published schedule would be an excessive charge. No action was taken at the meeting.
- He reported that Shauna Close advised him that adding a notice on trash bills to request email addresses from residents so they can receive Township updates is not possible. He stated that the Trustees will need to think of another way to increase the Township's email lists.
- He noted that the Zoning Department had received four complaint letters concerning the pole barn and property at 6590 Diamond Mill Road. The complaints allege that the property is being used for non-agricultural business purposes in violation of the Township's Zoning Resolution. He plans to ask the Zoning Inspector to visit the property to verify the complaints. If a violation is suspected, he stated that he would consult with our prosecutors concerning the next step.

EXECUTIVE SESSION:

- Dr. Cross made the following MOTION, seconded by Mr. Stubbs: **I move to go into Executive Session pursuant to O.R.C. 121.22(G)(1) to consider the discipline of a public employee.** The roll was taken and the vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. The motion was approved. The Trustees entered into Executive Session at 7:56 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Assistant Prosecuting Attorneys Nathaniel Peterson and Anu Sharma. Fiscal Officer Mark Heistand attended the Executive Session via conference call.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote. The Trustees reconvened into Regular Session at 8:45 pm.

OTHER BUSINESS:

- None

MEETING ADJOURNED:

- With no further business, Dr. Cross made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 8:46 pm.

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

Attest: These minutes were approved by the Board of Trustees at the April 11, 2022 meeting.

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