



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON APRIL 11, 2022

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

Although the meeting was scheduled to also be held virtually using WebEx, the Zoning Inspector/WebEx Administrator was not able to access the website.

Due to a delay caused by the inability to access WebEx, the meeting was called to order by Board President Mark Cross at 7:15 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 Halie Sewell	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Scott Hamilton	9412 Coleman Rd, Miamisburg	Deborah Cross	7444 S. Stivers Road
Lynn Cleveland	11858 Oxford Road	Tyler Rehmert	8198 Wind Dancer Dr.
Mark Keener	7865 Jamaica Road	Abigail Dennis	13091 Oxford Road
Shauna Close	9984 Germ-Midd Rd	Shane Birch	12102 St. Rt. 725 West

ONLINE ATTENDEES:

Name	Name	Name	Name
None			

The Germantown Press was notified of the Regular Meeting on 4/1/22 at 10:03 pm.

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

VISITOR COMMENTS:

- None

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for four meetings: (1) the 2/14/22 Regular Meeting; (2) the 3/14/22 Regular Meeting; (3) the 3/21/22 Special Meeting; and (4) the 4/4/22 Special Meeting. There were no corrections. Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the four sets of minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand presented the March Financial Reports: (1) 3/31/22 Fund Status; (2) YTD March 2022 Cash Summary by Fund; (3) Month of March 2022 Cash Summary by Fund; (4) March 2022 Receipt Listing; and (5) March 2022 Payment Listing. He noted the following items:
 - Receipt #37-2022 for \$10,000.00 was a payment from Germantown Union Cemetery for the loan made by the Trustees in 2006. The remaining loan amount is \$19,276.23.
 - Receipt #41-2022 for \$605.12 was the Township's share of the undistributed funds from the first tranche of American Rescue Plan Act (ARPA) funds. These funds had originally been allocated to local Ohio governments that chose not to participate in the ARPA grants.
 - Warrant #50574 for \$23,785.00 paid to Ohio Township Association Risk Management Association (OTARMA) was for the Township's 3/28/22-3/28/23 insurance policy.
- Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the March financial reports and authorize the payment of March bills (warrants 50572-50577 and vouchers 184-272 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that the Township's 2021 transactions are now available online at the Ohio Checkbook website at checkbook.ohio.gov. Once on the website, click on "Local Governments and Schools," then select "Townships" and choose "German Township – Montgomery." Residents can also access the Ohio Checkbook using a hyperlink on the Township's website Home page.
- He reported that Ransae A. Lindamood-Hall was appointed by the Germantown City Council to the Fire/EMS Oversight Committee at the 4/4/22 Council meeting. He stated that the Trustees also need to approve the appointment. Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the appointment of Ms. Lindamood-Hall to the Fire/EMS Oversight Committee for a term ending 12/31/23. The MOTION WAS APPROVED by a unanimous voice vote.
- He attended the Parks Board meeting on 4/6/22 to present information on the budgeted tax receipts and payments for 2022. He explained to the Board the Trustees' position concerning retaining 10% of tax collections in the Township's fund balance and that, upon request, those funds may be available for special projects outside of the regular budget.
- He attended the Montgomery County Township Association (MCTA) meeting on 3/24/22. Two presentations were given by (1) Ohio Township Association (OTA) legislative director Marisa Myers and (2) Montgomery County Board of Elections director Jeff Rezabek. Mr. Rezabek noted that the county needed 500 additional poll workers for the 5/3/22 primary election. Miami Township Trustee John Morris also gave an update on the OneOhio Opioid Settlement and the establishment of the Montgomery County committee to administer the local settlement funds. Mr. Morris and MCTA President/Harrison Township Trustee Georgeann Godsey are the county township representatives on the local committee.
- He noted his decision not to attend the two-day Auditor of State Local Government Officials Conference on 4/13/22-4/14/22. He felt that the agenda topics were not deep enough to justify spending two full days in the seminar.
- He reminded those in attendance that two Township issues will be on the 5/3/22 primary ballot: (1) a renewal of the one-mill Senior Citizens Levy for five years; and (2) a decision whether the Joint Economic Development District should be formed with Germantown, Farmersville and Jackson Township for the land owned by Valley View Schools at the southwest corner of Manning Road and Farmersville-Germantown Pike. He encouraged all residents to vote.

- As a member of the Germantown Lions Club, he invited all German Township children to attend the Lions' Annual Easter Egg Hunt at Kercher Park on Saturday 4/16/22. He also announced that the Lions are holding a drive-thru chicken dinner fundraiser on Saturday 4/23/22. He had tickets available for purchase.

POLICE DEPARTMENT REPORT:

- Chief Andzik announced that Shred Day will be on 5/7/22.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook asked the Trustees their thoughts on using ARPA funds to resurface Sigal Road. All three Trustees were in support. Mr. Holbrook stated that he will research Federal procurement guidelines, since they must be used for ARPA spending.
- He noted that the Department has been busy preparing the dump trucks for summer use. This includes removing and cleaning salt spreaders, tire chains, and rinsing brine tanks and pumps.
- Germantown reported to him that Barrett Paving should begin work on Butter Street in the middle of April. Mr. Heistand asked what kind of notice is given to property owners on the Township side of the street. Mr. Holbrook stated that a notice is not required.
- Mr. Holbrook noted that the Department has begun mowing grass.
- He announced that he will be soliciting bids this month for the 2022 chip seal program. The bids will be opened at the 5/9/22 Trustee meeting.

ZONING DEPARTMENT REPORT:

- Mrs. Sewell reported that she issued permits for a new house on Sugar Street and two pole barns. She noted that the Board of Zoning Appeals (BZA) will hear a Germantown-Middletown Road lot split case on 5/10/22.
- Dr. Cross reported that the Zoning Commission (ZC) met on 4/5/22 to discuss goals for 2022 and verify that the changes to the Zoning Resolution approved by the Trustees on 7/12/21 were incorporated in the current Zoning Resolution document. The ZC is also working to get these changes recorded at the Montgomery County Recorder's Office. He stated that the Recorder's Office told him on 4/7/22 that the changes had not yet been recorded.
- He noted that the Trustees appointed Mr. Heistand as Backup Zoning Inspector at the 4/4/22 Special Meeting. The Township was advised by legal counsel to name a backup Inspector to serve when the regular Inspector is unavailable to serve the Township or has a conflict.
- He noted that the Township received a Public Records request for the video of the 3/8/22 BZA meeting. He stated that a concern was raised about the chain of custody of the thumb drive that was used to download the meeting video recorded at Germantown United Methodist Church. He assured everyone that the chain of custody was not compromised. The meeting video will be uploaded to the Township's YouTube Channel.
- He reported that he was contacted by Shea Parry, owner of Paw Paw's Lodge at Emrick Acres at 15026 Oxford Road. Ms. Parry wants to expand her dog boarding business by adding additional tiny houses. She stated that she was having trouble getting approval from the Zoning Department. He noted that when Ms. Parry's zoning variance was approved on 12/17/19 there was a condition added that any additional structures would need to be approved. (The variance didn't specify who would grant approval.) He stated that dog boarding is considered agricultural production under Ohio Revised Code 929.01. He felt that the original variance might not have been needed.

- He then read a draft letter to Ms. Parry informing her that she can expand her business and add boarding kennels without further approval from the Township Zoning Department. He noted that legal counsel approved the letter. Dr. Cross made a MOTION, seconded by Mr. Potter, to consider the property at 15026 Oxford Road as a farm and thus exempt it from Zoning Department oversight. The MOTION WAS APPROVED by a unanimous voice vote.

TRUSTEE POTTER' REPORT:

- Mr. Potter reported he missed the 4/6/22 Parks Board meeting due to illness. He planned to meet with Germantown Mayor Terry Johnson and Veterans Memorial Museum Director David Shortt regarding the former Miami Military Institute/Camp Miami land.
- He stated that he reviewed the Parks Oversight agreement with the City of Germantown. He and Mr. Heistand discussed the contract provision that sets forth how the Township is to remit tax revenues to the City. Mr. Heistand noted that the process could not be followed due to how the Township receives tax revenues from the Montgomery County Auditor.
 - **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener, the prior Fiscal Officer, noted that most of the joint levy agreements with Germantown have language requiring remittance of annual tax revenues to the City near the beginning of each year, which is before the Township actually receives the tax revenues.

TRUSTEE STUBBS'S REPORT:

- Mr. Stubbs reported that the Cemetery has begun Spring cleanup in preparation for Memorial Day. He noted that the insurance company has been very cooperative with the repairs needed to damaged grave markers that resulted from the January machinery accident.
- At the recent Pool Board/Pool Oversight Committee meeting, the Pool Board did not have a quorum. He pointed out to Mrs. Sewell that since she has taken a pool-related position with the City, she would probably start preparing the Board/Oversight meeting minutes.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported that he attended the 4/4/22 Fire/EMS Oversight Committee meeting. Chief Alldred reported that there were 292 calls so far in 2022, a 13% increase over 2021. The Chief noted that a lack of manpower is the Department's biggest issue.
- He noted that Chief Alldred requested at the 4/4/22 City Council meeting that Council change the Fire/EMS pay scale to increase base pay to all classes and move the Department to a 24-hour schedule with employees paid their hourly rate for time spent at the Fire Station. Currently the day crew is paid an hourly rate and the night crew is paid \$2 per hour plus run pay. Changes to the pay schedule will add \$91K to the annual budget, plus cost of living increases.
- At the 4/4/22 Council meeting, City Manager Judy Gilleland stated that the increased Fire/EMS personnel costs will be sustainable until mid-year 2025 when the funds will be tapped out. (The City will still have \$246K in the Fire/EMS Capital Fund at the end of 2025.) She stated that the Township has significant fund balances in both the Fire and EMS accounts and that these amounts should be added to the equation to extend the sustainability of the City's funds through 2026. She recommended that replacement levies be considered for the two Fire/EMS levies in the next year or two. She noted that Germantown Rescue Squad, Inc. (GRS) donated \$200K to the Fire/EMS Department. It was unknown if this donation depleted the GRS funds.
- Dr. Cross stated that the Fire/EMS Oversight Committee approved using \$33-50K from the Fire and EMS Funds, along with funds from the City's Parks and General Funds, to build a new basketball court in Veterans' Memorial Park since the new Fire/EMS building encroached on the existing court.

- Dr. Cross said that he gave a presentation at the Fire/EMS Oversight Committee meeting outlining the “Updates from the State Fire Marshal” seminar that he attended at the 2022 OTA Winter Conference. At the meeting, the Committee approved the appointment of Ransae Lindamood-Hall to the Fire/EMS Oversight Committee.
- He reported that the next Senior Oversight Committee meeting will be on 4/14/22 at 4:30 pm. The City has received an application from a resident to be appointed to the Committee. Once the appointment is approved by City Council, the Trustees will consider the appointment.

OLD BUSINESS:

- Dr. Cross provided an update on the complaints received about Germantown Oil Co. using the barn at 6590 Diamond Mill Road to store oil trucks. He drove past the company’s Route 4 location several times in the past month and trucks seem to be stored there overnight. He reported that Mrs. Sewell spoke with the Diamond Mill property owner who assured Mrs. Sewell that he was not moving his business to the Diamond Mill property from Route 4. Dr. Cross also spoke with nearby property owner Jeff Dondero who stated that he had not seen any trucks entering or leaving the property recently. Dr. Cross stated that he will continue to monitor the situation.
- He discussed the zoning fee to be paid by Valley View Schools for a Zoning Certificate (Permit) to construct the new school building. He noted that the BZA approved a conditional use and four variances for the building on 3/8/22, which will allow Valley View to apply for the permit. If the Township uses the approved fee schedule, the fee would be \$44,100 (\$600 plus \$.20 per square foot for the 217,500 square foot building). He recommended that the Trustees set the fee at \$10,000, the maximum charged by Miami Township. Mr. Potter and Mr. Stubbs agreed.
- Dr. Cross introduced **RESOLUTION 2022-19**, seconded by Mr. Stubbs: **A RESOLUTION SETTING THE ZONING CERTIFICATE FEE FOR VALLEY VIEW LOCAL SCHOOL DISTRICT’S NEW PREK-12 BUILDING AT \$10,000.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-19 WAS ADOPTED.**
 - **Visitor Comment: Tyler Rehmert, 8198 Wind Dancer Drive:** Mr. Rehmert stated that the Trustees are setting a precedent with this Zoning fee. He recommended that the Trustees modify the Zoning Fee Schedule to include a maximum fee of \$10,000.

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 7:51 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- Chief Andzik entered the Executive Session at 8:00 pm and left at 8:14 pm.
- 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 8:24 pm.

NEW BUSINESS:

- Dr. Cross introduced **RESOLUTION 2022-20**, seconded by Mr. Stubbs: **A RESOLUTION TO ACCEPT THE RESIGNATION OF ZONING INSPECTOR/ADMINISTRATIVE ASSISTANT HALIE SEWELL PURSUANT TO HER EMAIL DATED 4/7/22, EFFECTIVE IMMEDIATELY.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-20 WAS ADOPTED.**
- Dr. Cross introduced **RESOLUTION 2022-21**, seconded by Mr. Stubbs: **A RESOLUTION TO HIRE KRISTEN HAMAKER ON A TEMPORARY BASIS AS GERMAN TOWNSHIP ZONING INSPECTOR AT HER CURRENT JACKSON TOWNSHIP RATE OF \$19.06 PER HOUR WITH HER OFFICE HOURS TO BE 8 AM-11AM EVERY WEDNESDAY.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-21 WAS ADOPTED.**
- Trustee Stubbs presented detailed language for **RESOLUTION 2022-13: A RESOLUTION CONTINUING COVID SICK PAY FOR 2022, EFFECTIVE JANUARY 1, 2022**, which the Trustees originally adopted in summary form at the 2/14/22 Regular Meeting. Mr. Stubbs introduced **AMENDED RESOLUTION 2022-13**, containing the detailed language, seconded by Mr. Potter. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **AMENDED RESOLUTION 2022-13 WAS ADOPTED.**
- The Trustees instructed Mrs. Sewell to surrender all Township assets before leaving the building.

MEETING ADJOURNED:

- With no further business, Mr. Stubbs made a MOTION, seconded by Mr. Potter, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 8:29 pm.

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

Attest: These minutes were approved by the Board of Trustees at the May 9, 2022 meeting.

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

This meeting was recorded using a Police Department body camera. The recording has been posted to the Township's YouTube Channel.