



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON JANUARY 13, 2025**

**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 Jacob Stubbs at 7:00 pm. In attendance were:

President Jacob Stubbs	Vice-President Dr. Mark Cross	Trustee Louis Potter
Fiscal Officer Mark Heistand	Police Chief Shane Birch	Road Admin. Jeremy Holbrook
	Zoning Inspector Shauna Close	

IN-PERSON ATTENDEES:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Abigail Hale-Dennis	13091 Oxford Road	Kurt Jacoby	12955 Harris Road
Joe Garrett	Trebel, Delaware, OH	Mark Keener	7865 Jamaica Road
Isaac Morton	15090 Oxford Road		

ONLINE ATTENDEES:

<i>Name</i>	<i>Name</i>	<i>Name</i>	<i>Name</i>
KC	Sam	Cross	Ben

The Germantown Press was notified of the Regular Meeting on 1/3/25 at 1:52 pm.

Mr. Stubbs led the group in the Pledge of Allegiance.

VISITOR COMMENTS:

- **Joe Garrett, Trebel Energy, Delaware, Ohio:** Mr. Garrett reported that Township residents have saved \$141,187 since electric aggregation was started in May 2024. He anticipated that savings would be even greater in the second year of the program. He reviewed the process Trebel uses to determine an electric supplier. He noted that Township residents will receive a letter with the new rate once it is determined, and will again have the ability to opt-out if they do not wish to participate in electric aggregation. He asked the Trustees to approve an addendum to the Trebel Energy Consulting and Management Agreement.
 - Mr. Stubbs introduced **RESOLUTION 2025-10**, seconded by Dr. Cross: **A RESOLUTION TO APPROVE ADDENDUM NO. 1 TO THE ENERGY CONSULTING AND MANAGEMENT AGREEMENT WITH TREBEL, LLC.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-10 WAS ADOPTED.**

Dr. Cross asked if residents with solar panels will need to opt-out again this year. Mr. Garrett stated that solar residents could put themselves on a permanent "do not aggregate" list. Once on that list, they will no longer receive the annual letter with the new aggregation rates.

Mr. Stubbs made a MOTION, seconded by Dr. Cross, to authorize Mr. Stubbs to execute an Authorization Letter with Trebel, LLC to act as the Township's exclusive agent for electric aggregation. The MOTION WAS APPROVED by a unanimous voice vote.

Mr. Stubbs asked about the status of natural gas aggregation, especially for Germantown Union Cemetery. Mr. Garrett responded that gas rates are expected to increase due to weather demand and greater exports of natural gas to Europe. He stated that he could probably arrange a special off program just for the cemetery.

Visitor Comment: Mark Keener, 7865 Jamaica Road: Mr. Keener asked if he could join a program created for the cemetery. Mr. Garrett responded that Trebel would probably offer any natural gas aggregation program to all Township residents who have gas service. He felt it would be best to wait until closer to the 2025-2026 heating season to get the best rates.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 12/30/24 Year-End Special Meeting and the 1/2/25 Organizational Meeting. Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve both sets of minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.
- He presented the *FINAL* December Financial Reports: (1) 12/31/24 Fund Status; (2) YTD 12/31/24 Cash Summary by Fund; (3) Month of December 2024 Cash Summary by Fund; (4) December 2024 Receipt Listing; and (5) December 2024 Payment Listing. The reports include several end-of-the-month items: a credit card trash receipt, December interest from First National Bank of Germantown and Star Ohio, and an automatic medical payment.
- Mr. Stubbs made a MOTION, seconded by Dr. Cross, to approve the *FINAL* December financial reports and authorize the payment of the additional December bill (electronic payment voucher #1078). The MOTION WAS APPROVED by a unanimous voice vote.
- He noted that at the December Regular Meeting the Trustees agreed to transfer \$8,000 from the General Fund to the Road and Bridge Fund in 2025 as an approximate payment for mowing the rural cemeteries. To allow him to record the transfer, he asked for formal approval. Mr. Stubbs introduced **RESOLUTION 2025-11**, seconded by Mr. Potter: **A RESOLUTION APPROVING A TRANSFER OF \$8,000 FROM THE GENERAL FUND (#1000) TO THE ROAD AND BRIDGE FUND (#2031) AS APPROXIMATE PAYMENT FOR 2025 MOWING OF THE RURAL CEMETERIES BY THE ROAD DEPARTMENT.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-11 WAS ADOPTED.**
- Mr. Heistand asked for formal approval to transfer \$37,400 from the General Fund to help offset the allocation of Trustee and Fiscal Officer salaries to other funds. He noted that the Trustees agreed to this 2025 transfer at the December Regular Meeting. Mr. Stubbs introduced **RESOLUTION 2025-12**, seconded by Dr. Cross: **A RESOLUTION APPROVING THE TRANSFER OF \$37,400 FROM THE GENERAL FUND (#1000) AS FOLLOWS: \$16,300 TO THE POLICE DISTRICT FUND (#2081); \$16,300 TO THE GASOLINE TAX FUND (#2021); AND \$4,800 TO THE GARBAGE AND WASTE DISPOSAL FUND (#2071). THE PURPOSE OF THE TRANSFERS IS TO STRENGTHEN THE FUND BALANCES OF THE RECIPIENT FUNDS.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-12 WAS ADOPTED.**

- Mr. Heistand noted that the Trustees agreed at the December Regular Meeting to transfer amounts in 2025 from the General Fund to allocate interest to various other funds. He reviewed the State's requirements related to recording interest.
 - Certain Township funds are required to receive their pro-rata share of interest. These are the General, Motor Vehicle License Tax, Gasoline Tax, and Permissive Motor Vehicle License Tax funds.
 - Certain Township funds are **NOT** allowed to receive interest. These are the Road & Bridge, Garbage & Waste, Police District (as well as the five smaller police funds), Road Levy, and the five joint levy funds with Germantown. The State requires that the General Fund receive these funds' pro-rata share of interest.
 - Certain funds are allowed to receive interest with Trustee approval. These include the American Rescue Plan Act (ARPA), Sunbury Cemetery, and the Fouts Trust funds. The Trustees previously approved allocating interest to the Sunbury and Fouts funds. Interest related to the ARPA Fund is added to the General Fund.

He stated that during 2024, Star Ohio paid interest of \$123,525. He provided an analysis of the Star Ohio interest. First National Bank of Germantown paid interest of \$51. Since the FNB interest was small, he did not include this amount in his analysis. He noted that in January 2024 the Trustees approved transferring 2023 interest to the Road & Bridge, Police District, and Road Levy funds. He recommended a 2025 transfer to these same funds totaling \$35,500.

- Mr. Stubbs introduced **RESOLUTION 2025-13**, seconded by Mr. Potter: **A RESOLUTION APPROVING THE TRANSFER OF \$35,500 FROM THE GENERAL FUND (#1000) AS FOLLOWS: \$6,900 TO THE ROAD AND BRIDGE FUND (#2031); \$25,600 TO THE POLICE DISTRICT FUND (#2081); AND \$3,000 TO THE ROAD LEVY FUND (#2141). THE PURPOSE OF THE TRANSFERS IS TO STRENGTHEN THE FUND BALANCES OF THE RECIPIENT FUNDS.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-13 WAS ADOPTED.**
- Mr. Heistand noted that in January 2024 the Trustees decided NOT to transfer interest from the General Fund to the Garbage and Waste Disposal Fund. (#2071). He stated that if the Trustees were interested in transferring interest this year, he would recommend a \$9,000 transfer. The Trustees decided not to transfer 2024 interest to the Garbage and Waste Disposal Fund.
- He provided an analysis of the Fouts Trust Fund showing amounts available for distribution. He noted that the principal cannot be spent and only 75% of the increase above the principal may be distributed. He first prepared the analysis several years ago after reviewing Dr. Cross' 2019 work papers from his deep-dive review of the Trust Fund files. He stated his belief that \$13,811 of the \$31,952 balance at 12/31/24 is available for distribution. At the 1/2/25 Organizational Meeting the Trustees approved a \$2,000 appropriation for 2025. The Trustees agreed to consider a donation to the Sonshine in a Bag food ministry at Germantown First Church of God prior to the beginning of the 2025-2026 school year.
- Following the December Regular Meeting, Mr. Heistand submitted to the County Auditor the three Resolutions the Trustees adopted related to a proposed fire/EMS levy. He provided the Auditor's certificates to the Trustees. An additional 2.0 mill levy would generate \$599,000 per year, a 3.0 mill levy would generate \$898,000, and a 4.0 mill levy would generate \$1,197,000. The additional annual tax for each \$100,000 of the Auditor's appraised value would be \$70, \$105, and \$140, respectively. He stated that the study committee consisting of City staff, Tyler Rehmert, Dr. Cross and himself had not met since the Auditor's certifications were received. At the committee's 12/19/24 meeting they did not change their earlier recommendation that the Trustees approve placing a ten-year 4.0 mill levy on the 5/6/25 ballot.
 - Dr. Cross discussed the need for an additional fire/EMS levy. He noted that homeowner insurance rates would increase if fire service needed to be reduced due to lack of funds.

- **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** Mr. Jacoby stated that this levy needed to be sold better than the November 2024 levy and explained to the community. He felt that the Trustees need to provide leadership for the levy campaign.
- Mr. Heistand agreed with Mr. Jacoby that the levy needs to be better sold to the voters. He noted that a levy committee was being formed which may use tools such as yard signs, mailers, and door hangers. A \$10,000 citizen pledge will help fund the committee. He stated that elected officials and government employees need to be very careful if involved in promoting a levy. The best advice for these individuals is to promote the levy “on their time, using their dime.” He noted a recent Bellbrook School’s criminal case involving the misuse of public funds to promote a school levy.
- **Visitor Comment: Abigail Hale-Dennis, 13091 Oxford Road:** Ms. Hale-Dennis stated that a 4.0 mill levy is too high. She noted that the lack of advertising hurt the November levy. She cautioned the City to carefully consider who heads up the levy committee.
- Mr. Stubbs introduced **RESOLUTION 2025-14**, seconded by Dr. Cross: **A RESOLUTION TO PROCEED TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION, SPECIFICALLY THE PLACEMENT ON THE 5/6/25 BALLOT OF A 4.0 MILL ADDITIONAL LEVY, FOR A TEN-YEAR PERIOD OF TIME, FOR THE OPERATION OF THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-14 WAS ADOPTED.**
- Mr. Heistand reported that Dr. Cross received a request from the Montgomery County Office of Emergency Management that the Township adopt the County’s Natural Hazard Mitigation Plan. Dr. Cross introduced **RESOLUTION 2025-15**, seconded by Mr. Potter: **A RESOLUTION ADOPTING THE MONTGOMERY COUNTY NATURAL HAZARD MITIGATION PLAN AND AUTHORIZING DISTRIBUTION OF THE PLAN TO THE AFFECTED, INTERESTED AND RESPONSIBLE PARTIES.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-15 WAS ADOPTED.**
- At the December Regular Meeting, Mr. Heistand discussed an article in the November/December 2024 issue of the Ohio Township News magazine entitled “The Countdown Begins: DOJ Sets Deadlines for Web and Mobile App Accessibility.” A new Department of Justice rule requires that all governmental web content and mobile applications be accessible to people with disabilities. The compliance deadline is 4/26/2027. He recommended at the December meeting that the Trustees review a Fact Sheet available on the Department of Justice Civil Rights Division website. The Trustees decided to discuss the requirement at a future meeting.
- He asked if a response had been sent to KLA Risk Consulting setting forth actions the Township had taken or will take related to recommendations that resulted from KLA’s 2024 site visit to perform an OTARMA risk control audit. Mr. Holbrook responded that he submitted the “Statement of Action Taken” and would provide Mr. Heistand with a copy.
- Mr. Heistand stated that he planned to attend County Auditor Karl Keith’s 1/16/25 Annual Update at Sinclair College as well as the 1/29-1/31/25 Ohio Township Association’s Winter Conference in Columbus. Dr. Cross introduced **RESOLUTION 2025-16**, seconded by Mr. Stubbs: **A RESOLUTION AUTHORIZING PAYMENT FROM THE GENERAL FUND FOR EXPENSES INCURRED BY THE TRUSTEES AND FISCAL OFFICER WHEN ATTENDING THE 1/29/25-1/31/25 OHIO TOWNSHIP ASSOCIATION’S ANNUAL WINTER CONFERENCE.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-16 WAS ADOPTED.**
- Mr. Heistand noted that as part of the application to become an official America 250-Ohio community, the Township was required to partner with a local civic or nonprofit organization. The Township’s partner is The Historical Society of Germantown.

The City of Germantown is currently applying to also become an official America 250-Ohio community. The City will also partner with the Historical Society. The City's official status will probably be finalized in a month or two.

The America 250-Ohio Commission awards grants twice a year to official communities. Germantown is preparing an application requesting \$5,000 to enhance and expand the Historical Society's annual historical building student art project. The application filing deadline is 1/31/25. Since Germantown will not be an official America 250 community by the deadline, the application will need to be submitted through the Township.

He noted that as the Historical Society's treasurer, he is a member of the committee assisting the City with the grant application. He requested authority to sign the application on behalf of the Township. Mr. Stubbs introduced **RESOLUTION 2025-17**, seconded by Mr. Potter: **A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO SIGN AN AMERICA 250-OHIO COMMISSION GRANT APPLICATION ON BEHALF OF THE TOWNSHIP**. The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-17 WAS ADOPTED.**

POLICE DEPARTMENT REPORT:

- Chief Birch reviewed the Department's December and Total Year 2024 statistics.
- He noted that he had started the bid process to replace the unmarked police vehicle. He hoped to present the bids to the Trustees at the February Trustee Meeting. The expected cost is about \$45,000 plus minimal upfit expenses.
- He stated that Cruiser W was in the body shop for repairs from the second deer strike. While there, an engine misfire situation was being addressed.
- He was waiting on a response from KE Rose on the replacement of the push bumper on Car X due to a citizen backing into the cruiser during a recent traffic stop. Mr. Potter asked what type of bumper will be installed so that potential damage from a future deer strike could be minimized. Chief Birch stated that he is considering his options.
- He reported that a Trustee representative is needed for a seat on the county Emergency Communications Policy Committee (ECPC). The ECPC oversees operations of the Montgomery County Regional Dispatch Center and makes decisions on policy changes, capital purchases, and budget items related to emergency communications within the county. The Committee is comprised of representatives from all participating jurisdictions. Dr. Cross was the Township's 2024 representative. He agreed to continue in that role for 2025.
- Chief Burch noted that all the Township's portable and mobile radios were installed and ready for the July 2025 MARCS (Multi-Agency Radio Communication System) two-step verification upgrade.
- He noted that during December he met with the new Valley View School Safety Team lead by School Board Member Tyson Dillon. The 15-member Team consists of area Police Chiefs, School Faculty Members, School Resource Officers, a Dayton Officer who was involved in an active shooter situation, and a Montgomery County Attendance Officer who is well versed in Comprehensive School Threat Assessment Guidelines. He was thrilled to be a part of this group in an effort to make Valley View as safe as possible.

ROAD & SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that Air Force One recently put a hole in the rubber roof while performing maintenance on the HVAC unit above the Meeting Room. Subsequent rain damaged several ceiling tiles, insulation, and one troffer light. DryTech Exteriors performed the repairs to the rubber/silicone roof and the Road Department performed inside repairs. Invoices totaling \$1,288 for materials and labor were forwarded to Air Force One, which applied a credit to our account.

- To hopefully prevent future roof damage, he purchased and installed thick rubber mats around all three HVAC roof units at a cost of \$495.
- He noted that the Road Department had been extremely busy plowing and salting the roads. Over 50 tons of salt had been used since the beginning of the season. Mr. Stubbs was hopeful that Township residents understand that it takes quite a while for the two-person department to take care of all the Township roads during the winter.

ZONING & TRASH DEPARTMENT REPORT:

- Ms. Close issued two permits in December: (1) signs for Crickmore Collision in Sunbury; and (2) an agricultural exempt barn for Ben DeGroat.
- She announced that the next meeting of the Zoning Commission (ZC) will be on 2/4/25 at 7:00pm.
- Dr. Cross noted that the ZC and the Board of Zoning Appeals (BZA) held reorganization meetings on 1/7/25. To better serve the community, some members agreed to change positions. Dr. Cross made a MOTION, seconded by Mr. Potter, to make the following changes to the ZC and the BZA:
 - Move David Jenks from a ZC sitting member to a ZC alternate (term ending 12/31/26)
 - Move Jim Martin from ZC alternate to BZA alternate (term ending 12/31/26)
 - Move Rachel Albert from BZA alternate to BZA sitting member (term ending 12/31/25)
 - Move Joe Scholler from BZA sitting member to ZC sitting member (term ending 12/31/29)
 The MOTION WAS APPROVED by a unanimous voice vote.
 - Going forward, the BZA members are Pete Lurker, Valorie Hill, Marty Cox, Adam Blakley, Rachel Albert, William Heistand (alternate), and Jim Martin (alternate).
 - Going forward, the ZC members are Kurt Jacoby, Marvin Rieger, Fred Glander, Dan Lee, Joe Scholler, Tricia Taylor (alternate), and David Jenks (alternate).
- **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** Mr. Jacoby, ZC President, discussed how the recently enacted HB315, the Township Omnibus Bill, will affect zoning. He noted that ZC member Joe Scholler stated that the biggest change would be the ability of townships to impose civil fines for zoning violations.

TRUSTEE POTTER'S REPORT:

- Mr. Potter introduced new Parks Board member Isaac Morton who was present in the room. He noted that the Parks Board still has one vacant seat. Neither the MMI Park Committee nor the Pool Board had met in the past month.
- He reported that he examined Twin Creek at Kercher Park during the recent flood event and stated that the erosion repairs were working as expected.
- He noted that he was contacted in December by John Legate who informed him that he would be parking his Germantown Oil trucks at his Diamond Mill property during the winter months.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported that both the Fire/EMS Oversight Committee meeting and the Germantown City Council meeting were canceled on 1/6/25. Additionally, the Senior Oversight Committee meeting on 1/9/25 was cancelled due to the installation of new flooring at the Senior Center.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs reported that he reached out to TSC Communications to check on the progress of adding fiber optic service in the Township. He received an email from Lonnie Pedersen as follows:
 "We have completed the installation of approximately 165 miles of buried fiber optic cable, primarily in the western portion of German Township and passed [sic] 385 homes. We have included some maps to show the routes that we have completed. In 2024 we

applied for Ohio Broadband Grant that included most of German Township that we had not built (minus the City of Germantown) but did not get awarded to us. Altafiber contested many locations in German Township with the claim that they had plans for [sic] build fiber to them in the next two years.”

He stated that Mr. Pedersen wants to attend a Trustee meeting this Spring to provide an update.

- Mr. Stubbs made a MOTION, seconded by Dr. Cross, to reappoint John Skapiak to the Cemetery Board for a term ending 12/31/26. The MOTION WAS APPROVED by a unanimous voice vote.
- He commented that Officer Nichols, the Township’s School Resource Officer, is doing a great job.
- He thanked the Road Department for doing an excellent job clearing snow off Township roads.
- After the recent extreme weather, roads at the Cemetery were temporarily closed due to unsafe conditions. Mr. Stubbs stated that Sexton Keith Burnett and his team did an exceptional job to get them passable and opened as soon as possible. The recently purchased Kubota UTV made clearing the Cemetery roads easier and safer while also saving significant time.
- He noted that the Cemetery’s 2013 software was last updated in 2016 and is no longer supported by the vendor. Sexton Burnett and Interim Fiscal Officer Bob Rohrbach have done extensive research to find an affordable program that will maximize efficiency. At their meeting earlier on 1/13/25, the Cemetery Board approved new software from webCemeteries. The initial cost for the cloud-based system is \$14,000, with a \$440 monthly user fee. The new software will: (1) allow for credit card payments; (2) include an interactive website; (3) streamline paperwork and work orders to eliminate errors; and (4) allow for migration of data. The new software should be up and running by Summer 2025.
- Other Cemetery updates by Mr. Stubbs:
 1. Only one resume was received for the open Cemetery office position.
 2. The recent audit identified a few errors. He expected to learn more about them at the next Cemetery Board meeting.
 3. 236 wreaths decorated veteran graves in December as part of Wreaths Across America.
- He reported that the WRCG (Western Regional Council of Governments) will need to meet soon to reorganize and discuss the 2026 trash bid process and appoint a new Treasurer. He noted that Mr. Heistand had served as Treasurer for several years, but WRCG members had previously agreed to have that position rotate among the member jurisdictions.
- He stated that he would attend the 1/29-1/31/25 OTA Winter Conference.
- He listed his 2025 goals for the Trustees, as follows:
 1. Pursue vacation of Old Mill Road, transferring ownership to Five Rivers Metroparks.
 2. Paying off the Valley View Water and Sewer District loan with First National Germantown.
 3. Continue positive relations with Township residents.
 4. Increase holdback balances in the joint levy funds with the City of Germantown.

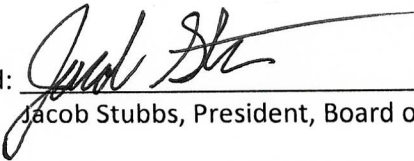
EXECUTIVE SESSION:

- Mr. Stubbs made the following MOTION, seconded by Mr. Potter: **I move to go into Executive Session pursuant to O.R.C. 121.22(G)(1) to consider the employment of a public employee.** The roll was taken and the vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. The MOTION was approved. The Trustees entered into Executive Session at 8:37 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand; and Police Chief Shane Birch.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).

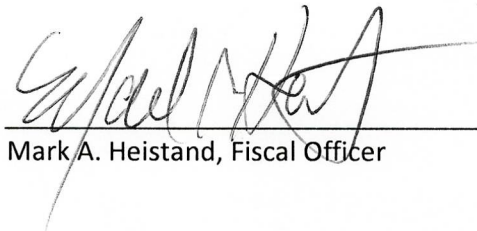
- At 8:46 pm, Mr. Stubbs made a MOTION, seconded by Dr. Cross, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote.

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 8:46 pm.

Signed: 
Jacob Stubbs, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the February 10, 2025 meeting.

Signed: 
Mark A. Heistand, Fiscal Officer