



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON MAY 8, 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
None			

ONLINE ATTENDEES:

Name	Name	Name	Name
KC	Sam	Call in User 2	

The Germantown Press was notified of the Regular Meeting on 5/3/23 at 4:51 pm.

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

VISITOR COMMENTS:

- None

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 4/10/23 Regular Meeting. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand presented the April Financial Reports: (1) 4/30/23 Fund Status; (2) YTD 4/30/23 Cash Summary by Fund; (3) Month of April Cash Summary by Fund; (4) April 2023 Receipt Listing; and (5) April 2023 Payment Listing. He noted the following items:
 - Receipt #55-2023 for \$11,999.98 from Valley View Local School District was payment for the School Resource Officer for January-March 2023.
 - Receipt #58-2023 for \$546,741.91 from Montgomery County Auditor was the final settlement for the first half real estate taxes. He noted that he had not received the

State's first half homestead and rollback payment of \$86,741.91. Once received, he stated that he would pay 90% of the joint levy collections to the City of Germantown.

- Receipt #66-2023 for \$9,740.97 from Star Ohio was the April interest, paid at 5.04%.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the April financial reports and authorize the payment of April bills (warrants 50674 through 50677 and vouchers 259 through 361 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand thanked Township residents who supported the .5 mill renewal of the pool levy at the 5/2/23 election. The levy passed with 57% in favor and 43% against. The renewal levy will be in effect for five years and will not raise taxes.
- On 4/27/23 he filed the two resolutions to place the electric and natural gas aggregation issues on the November ballot with the Board of Elections.
- He attended meetings of the Western Regional Council of Governments (WRCG) on 4/18/23 and 5/1/23. Between the two meetings, Rumpke revised its proposed price increases for 10/1/23-9/30/26. What originally was proposed as a 17.5% solid waste increase in the first year was reduced to an 8% increase. Unchanged were the 8% solid waste increases in the second and third years and recycling increases of 8% in each of the three years. At the 5/1/23 meeting the WRCG recommended approval of the revised increases by the four jurisdictions' governing boards.
 - Mr. Stubbs introduced **RESOLUTION 2023-20**, seconded by Mr. Potter: **A RESOLUTION APPROVING AN ADDENDUM TO THE SERVICE AGREEMENT BETWEEN THE WESTERN REGIONAL COUNCIL OF GOVERNMENTS (WRCG) AND RUMPKE OF OHIO, INC. (RUMPKE) SETTING FORTH THE RATES TO BE CHARGED BY RUMPKE TO WRCG MEMBERS FOR THE THREE-YEAR PERIOD OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2026 AND AUTHORIZING JACOB STUBBS TO SIGN SAID ADDENDUM ON BEHALF OF GERMAN TOWNSHIP.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-20 WAS ADOPTED.**
- The Trustees discussed the potential need to increase trash fees to residents as a result of the upcoming Rumpke price increases. It was noted that the quarterly trash bills do not have sufficient room to announce a rate increase; another method will be needed to inform residents.
 - Mr. Stubbs agreed to prepare a recommendation for a trash fee increase to be considered at a future meeting.
- Mr. Heistand reminded the Trustees that on 8/9/2021 they passed a Resolution to approve a proposed settlement with three large opioid distributors that was negotiated by the Ohio Attorney General and Ohio's subdivisions through OneOhio (the 2019 state-local government allocation agreement established for future opioid settlements). He then explained that earlier this year, the Township received notice of five additional proposed opioid settlements with Teva, Allergan, CVS, Walgreens, and Walmart. Payments from these settlements will be received over 6-15 years, with each settlement having a different payout period. Since the deadline to accept the five settlements was 4/17/23, he went ahead and signed on behalf of the Township. He asked the Trustees to retroactively give him this authority to sign the settlements.
 - Dr. Cross introduced **RESOLUTION 2023-21**, seconded by Mr. Potter: **A RESOLUTION RETROACTIVELY AUTHORIZING THE FISCAL OFFICER TO SIGN NATIONAL OPIOID SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-21 WAS ADOPTED.**
- Mr. Heistand reported that 5/15/23 is Peace Officers' Memorial Day. Mr. Stubbs introduced **RESOLUTION 2023-22**, seconded by Mr. Potter: **A RESOLUTION TO RECOGNIZE AND SHOW**

APPRECIATION TO ALL PRESENT AND FORMER GERMAN TOWNSHIP POLICE OFFICERS AND EMPLOYEES FOR THEIR CONTRIBUTIONS AND DEDICATION TO THE BETTERMENT OF THE GERMAN TOWNSHIP COMMUNITY. Mr. Stubbs read the proposed RESOLUTION in its entirety. He noted that the police officers do a fantastic job and have a heart for serving the community. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-22 WAS ADOPTED.**

- On 4/23/23 Mr. Heistand submitted the Township's annual report to the Department of the Treasury detailing spending of the American Rescue Plan Act funds from April 2022-March 2023.
- He reported that the City of Germantown invited Dr. Cross and himself to attend a 5/10/23 meeting to discuss the need for a fire/EMS levy in the "not too distant future." The current fire/EMS levies are 2.0 mills each and were passed in 2006 and 2010 as continuous levies. The purpose of a new levy would be to raise funds for new equipment and to address rising personnel costs. Should the meeting result in a recommendation to place a levy on the November ballot, he stated that the Trustees would need to start the process in June by requesting that the Montgomery County Auditor certify the amount that would be generated by the proposed levy.
- As a member of the Germantown Lions, he invited everyone to the Memorial Day program at Veterans' Park followed by the pilgrimage to the Cemetery. The program starts at 10 am.
- He expressed his condolences to Mr. Potter and his family on the passing of his father Louis Potter, Sr. on 4/29/23. Mr. Potter Sr.'s funeral service was held on 5/8/23.
- He requested that the Trustees approve an Executive Session to discuss the compensation of a public employee.

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 compensation 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 7:21 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand; Police Chief Joe Andzik; Road Administrator Jeremy Holbrook; Zoning Inspector Shauna Close.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- Dr. Cross made a MOTION, seconded by Mr. Potter, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote. The Trustees reconvened into Regular Session at 7:41 pm.
- Dr. Cross introduced **RESOLUTION 2023-23**, seconded by Mr. Potter: **A RESOLUTION TO MODIFY, EFFECTIVE JANUARY 1, 2022, SECTION 4.2-1(B) OF THE GERMAN TOWNSHIP PERSONNEL MANUAL BY REPLACING "A MAXIMUM OF 24 HOURS PER YEAR MAY BE CASHED IN AT THE SALARY RATE AT WHICH IT WAS EARNED" WITH "A MAXIMUM OF 80 HOURS PER YEAR MAY BE CASHED IN AT THE SALARY RATE AT WHICH IT WAS EARNED."** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-23 WAS ADOPTED.**

POLICE DEPARTMENT REPORT:

- Chief Andzik thanked the Trustees for approving Resolution 2023-22 commemorating Peace Officers' Memorial Day.

- He reported that Shred It/Dump It Day on 5/6/23 was a success, with the truck being half filled by the end of the event. He did not have an accurate count of how much was shredded, as the company had not sent him the data. He noted that there was a steady flow of drop-offs throughout the event and that 27.35 pounds of unwanted medication was also collected.
- He reported that Officer Anderson Bateman has accumulated 423 hours of compensatory time. Section 4.5-7 of the Township's Personnel Manual states "Police Department employees who reach 360 hours of comp. time (75% of maximum) may request a payout of up to 240 hours as approved by the Board of Trustees." Officer Bateman has requested a payout of 240 hours.
 - Mr. Stubbs introduced **RESOLUTION 2023-24**, seconded by Dr. Cross: **A RESOLUTION TO APPROVE A PAYOUT OF 240 HOURS OF EARNED COMPENSATORY TIME TO ANDERSON BATEMAN**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-24 WAS ADOPTED.**

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that three drainage improvement projects were recently completed:
 - Eby Road in front of the Hoffman residence – approximately 275'
 - Eby Road at the Twin Creek Metropark entrance – driveway culvert and 40' of ditching
 - Barlow Road in front of the Carlton residence – approximately 100'
- He stated that his department continued to mow the cemeteries and would soon begin road right-of-way moving.
- He reported that 200 feet of guardrail on Farmington Road that was damaged during an accident had been replaced.
- He stated that he had delayed obtaining bids for repairs to the Township Hall parking lot until the State finalizes changes to the force account limits.
- He noted that two companies are installing fiber optic lines along Township right-of-way.

ZONING DEPARTMENT REPORT:

- Mrs. Close reported that she wrote permits in March for a storage barn on Boomershine Road, solar panels on Stiver Road, a three-season room addition on Starry Night Drive, and a commercial body shop on Mudlick Road.

TRUSTEE POTTER'S REPORT:

- Mr. Potter announced that Township resident Fred Glander would be the Grand Marshal for the Independence Day parade.
- He reported that Germantown had proposed paving the Kercher Park gravel areas on either side of the shelter house for handicap parking. The gravel crossover islands near the shelter house will also be paved this year. The City is fronting \$30,000 from the General Fund for the paving, to be repaid by the Parks Fund over the next two years. He noted that the Kercher Park concrete dumpster pad was completed and the surrounding fence had been installed.
- As part of Valley View Schools' Service Day on 5/15/23, he stated that students would be working in various City parks to refresh mulch and add topsoil. They will also be removing debris at the Cherry Street bridge.
- He announced that the next MMI Park meeting would be held on 5/30/23.
- He noted that the Pool had been filled for the season, with the baby pool to be filled soon. More lifeguards have been hired and will be trained later in May. Pool passes can be purchased online, along with private party reservations, through the City's website.

- During the past month he met with Mr. Holbrook and Scott Hamilton a couple times for updates.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs thanked Dr. Cross for attending the 5/1/23 WRCG meeting. He was glad to see that Rumpke had revised their proposed fees for the upcoming three-year contract extension.
- He noted that Cemetery Sexton Mark Steinecker would retire on 5/31/23. He thanked Mr. Steinecker for his years of service. A retirement party will be scheduled during June.
- He noted that several unhealthy trees had been removed at the Cemetery. He contacted the Ohio Department of Transportation concerning the Cemetery's retaining wall and learned that the wall is in the right-of-way. He discussed the wall with City Manager Judy Gilleland who said that any repair costs would be the responsibility of the Cemetery as property owner. Council Member Bonnie Koogle had the City Engineer inspect the wall. It will be closed Memorial Day weekend.
- He reported that the Daughters of the American Revolution (DAR) requested permission to place a plaque on the headstone of a Revolutionary War veteran. The Cemetery Board denied the request, but agreed that the DAR could erect a free-standing plaque.
- He expressed his frustration with negative comments made about the School Resource Officer (SRO) by a local elected official. He commented that Officer Marsden does a good job as SRO.
 - Dr. Cross stated that he would like a detailed report on current school year costs to the Township, including health care, to supply an SRO to the schools. He asked if the school had plans to hire another SRO for 2023-2024. He stated that there should be a meeting with Valley View School Superintendent Joe Scholler, Chief Andzik, Jackson Township Police Chief Jon Shade, and a Township Trustee to discuss SROs for next school year.
 - Dr. Cross noted that Valley View Treasurer Valorie Hill stated at a recent Board of Education meeting that the school had funds available for a second SRO. He also noted that Mr. Scholler stated at the recent meeting of the Joint Economic Development Board that all SRO costs should be paid by the school.
 - Chief Andzik reported that Mr. Scholler talked to him before the recent School Board special meeting and stated that the school would like to have five SROs for the 2023-2024 year. He felt that the School Board wouldn't approve that many SRO's.
 - Dr. Cross asked how Police Department schedule would be determined this summer when Officer Marsden is back on regular duty. Chief Andzik responded that Officer Marsden would return to his normal non-SRO work schedule.
 - Mr. Potter stated that cruiser costs for the SRO should also be reimbursed in future years.
- Mr. Stubbs thanked the Road Department for maintaining Police Department cruisers. Chief Andzik agreed with Mr. Stubbs' appreciation.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported that he attended the 4/13/23 Senior Oversight Committee meeting. The Senior Center was the beneficiary of two life insurance policies from Nelda Judy Lane totaling \$379,313. The gift will be placed in a separate fund, controlled by City Council, that can only be used for the Senior Center. One possible use was the installation of air purifiers in the building.
- He spoke with Stacy Murray, Montgomery County Real Estate Coordinator, on 4/23/23 about the Township Hall radio tower. She provided documentation about the transfer of ownership from the County to the State of Ohio. County Commissioners passed Resolution 15-1038 on 7/16/15 approving the transfer and a Tier 2 Agreement between the State of Ohio Department of Administrative Services and the Montgomery County Board of Commissioners, which was signed that same day. These documents outlined the specifics of the sale and change in ownership.

- He attended the 5/1/23 Germantown City Council meeting and work session. Highlights included:
 - The City will spend \$5,000 in City funds and also solicit private donations for Christmas lighting this year.
 - There was a long discussion with Jeff Raser of Cincinnati Urban Design & Architecture Studio (CUDA) and Kathleen Norris of Urban Fast Forward (UFF) concerning the Downtown Redevelopment consulting project.
- He noted that he attended a meeting, along with Mr. Heistand, with Mr. Raser of CUDA and John Yung of UFF on 5/4/23 to provide the Township's perspective on the Downtown Redevelopment consulting project. He suggested trying to encourage out-of-town visitors who go to the Metroparks, the kayak rental, and the frisbee golf course to visit Downtown after their activities.
- He noted that several cities, including Brookville, Union, Middletown, Cedarville and Eaton, approved electric and natural gas aggregation at the 5/2/23 election.

OLD BUSINESS:

- None

NEW BUSINESS:

- None

OTHER BUSINESS:

- None.

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 8:14 pm.

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

Attest: These minutes were approved by the Board of Trustees at the June 12, 2023 meeting.

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