



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON MAY 9, 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 7:09 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
	WebEx Facilitators Scott Hamilton & Deborah Cross	

Note: Police Chief Joe Andzik participated in the meeting via WebEx.

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Clay Alsip	7150 Conservancy Rd	Beth Vandenberg	7150 Conservancy Rd
Lynn Cleveland	11858 Oxford Road	David Gehron	14239 Kiefer Road
Mark Keener	7865 Jamaica Road		

ONLINE ATTENDEES:

Name	Name	Name	Name
Karen Carmickle	Call in User 3	Call in User 5	

The Germantown Press was notified of the Regular Meeting on 5/4/22 at 10:52 am.

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

VISITOR COMMENTS:

- **Clay Alsip and Beth Vandenberg, 7150 Conservancy Road:** Mr. Alsip and Dr. Vandenberg discussed concerns with the decisions made by the Board of Zoning Appeals (BZA) at their 3/8/22 hearing. He stated that Valley View Schools have not prepared an environmental impact report for the new school building. He was concerned about runoff from the large parking lots. He noted that the current plot plan has moved the building closer to the back of the parcel, where it will be closer to his property. He estimated that the bus parking lot will be about 350 feet from his house. Dr. Cross noted that the 20-day period during which the applicant could file an appeal of the BZA's decision had expired. He suggested that Mr. Alsip and Dr. Vandenberg present their concerns to the Valley View Board of Education. He noted that the Trustees have no power to change a BZA decision. Mr. Alsip expressed his displeasure with the responses they received.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 4/11/22 Regular Meeting. There were no corrections. 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) 4/30/22 Fund Status; (2) YTD April 2022 Cash Summary by Fund; (3) Month of April 2022 Cash Summary by Fund; (4) April 2022 Receipt Listing; and (5) April 2022 Payment Listing. He noted the following items:
 - Receipt #49-2022 for a net of \$462,151.11 was the first half tax settlement from the Montgomery County Auditor. He noted that the first half Homestead and Rollback payment from the State of Ohio had not yet been received. Once received, he planned to remit joint levy payments to the City of Germantown.
 - Receipt #57 for \$428.00 was a refund from Burnham & Flower for the unused portion of the Fiscal Officer bond. The Township switched from bonds to Faithful Performance Insurance in January 2022.
 - Receipt #58-2022 for \$1,472.53 was the 2022 Capital Distribution from the Ohio Township Association Risk Management Authority.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the April financial reports and authorize the payment of April bills (warrants 50578-50581 and vouchers 273-383 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that Germantown City Council appointed Freda Emrick on 5/2/22 to the Senior Oversight Committee. The appointment also required approval by the Trustees. Dr. Cross made a MOTION, seconded by Mr. Potter, to appoint Mrs. Emrick to the Senior Oversight Committee for a term ending 12/31/23. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that 5/15/22 is Peace Officers' Memorial Day. Mr. Stubbs introduced **RESOLUTION 2022-22**, 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. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-22 WAS ADOPTED.**
- Mr. Heistand reported that on 4/21/22 he submitted the first annual report to the Department of the Treasury detailing the Township's spending (which was zero this year) of the American Rescue Plan Act grant funds.
- He noted that the Township received documents from the OTA related to the Federal procurement requirements for purchases using ARPA funds. He forwarded the documents to the prosecutors for their review prior to approval by the Trustees. In addition, he requested that the prosecutors provide guidance on additional questions related to use of the ARPA funds.
- He requested that the Trustees give him authority to transfer funds between accounts at First National Bank of Germantown and the Treasurer of State's STAR Ohio fund. He requested this authority due to the current spread between the interest rates paid by the two institutions. In April the Township's \$1.98 million balance at First National earned .05% interest. The STAR Ohio balance of \$415 thousand earned .41% interest in April, over eight times higher. As of the 5/9/22 meeting, STAR Ohio had raised its rate to .70%.

- Dr. Cross introduced **RESOLUTION 2022-23**, seconded by Mr. Stubbs: **A RESOLUTION GIVING AUTHORITY TO THE FISCAL OFFICER TO TRANSFER FUNDS BETWEEN ACCOUNTS AT FIRST NATIONAL BANK OF GERMANTOWN AND THE TREASURER OF STATE'S STAR OHIO FUND**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-23 WAS ADOPTED.**
 - **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener suggested that the Resolution allow the Fiscal Officer to transfer funds as he sees fit. He stated that in his opinion FNB Germantown would be happy to have the funds moved to STAR Ohio so the bank can avoid pledging securities through the Federal Home Loan Bank.
- Mr. Heistand reported that the Township elected officials were invited to the Valley View Schools groundbreaking on 6/2/22 at 2:00 pm at the high school. Prior to the ceremony, a lunch will be provided from 12:30-2:00 pm. He asked the Trustees to RSVP if they planned to attend.
- As a member of the Germantown Lions Club, he invited all Township residents to attend the Memorial Day program at Veterans' Memorial Park followed by the pilgrimage to the cemetery.

POLICE DEPARTMENT REPORT:

- Chief Andzik thanked the Trustees for their Resolution honoring Peace Officer's Memorial Day.
- He noted that the 5/7/22 Shred Day was a success. The poundage that was shredded had not yet been determined.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that Public Notices requesting chip seal bids were published in the Germantown Press on 4/18/22 and 4/25/22. Roads to be chip sealed in 2022 are Shimp, Moyer and Keifer. One bid was received. The sealed bid from Ray Hensley, Inc. was opened. The bid price for 37,209 square yards was \$2.39 per square yard for single seal and \$4.78 for double seal. Mr. Holbrook stated that he would ask the Trustees to accept the bid later in the meeting.
- He noted that Barrett Paving completed milling Butter Street for the joint resurfacing project with the City of Germantown. After removing the surface of the street, repairs became evident that needed attention. The repairs were completed and paving was scheduled for 5/12/22. He stated that once the project is completed and the quantities are figured, the Trustees may have to approve an increase in the total project cost.
- He reported that the Road/Service Department will start ditch and cemetery mowing, as well as guardrail spraying.

ZONING DEPARTMENT REPORT:

- Reporting for the Zoning Department, Dr. Cross reported that Jackson Township Zoning Inspector Kristen Hamaker started as temporary Zoning Inspector on 4/20/22. He stated that everything is going smoothly and he appreciated her stepping in to take the position. Her office hours are 8-11am on Wednesdays. He is in the office from 4-6pm on Thursdays for document drop-off.
- He stated that the Zoning Department issued two permits for house additions last month.
- He reported that the Board of Zoning Appeals (BZA) will consider two cases on 6/14/22.
- He reported that Valley View Schools submitted a permit application for construction of the new PK-12 building. The Trustees previously approved a \$10,000 fee for the permit, which the school has paid.

- He noted that BZA member Delone Jones submitted his resignation due to medical issues. He made a MOTION, seconded by Mr. Stubbs, to accept the resignation of Mr. Jones and appoint BZA Alternate Member Marty Cox as a Regular Member to complete Mr. Jones' term that ends 12/31/23. The MOTION WAS APPROVED by a unanimous voice vote. Dr. Cross stated that he will advertise for applications to replace Mr. Cox as an Alternate Member in the near future.
- He presented a revised draft Zoning Fee Schedule and recommended that the Trustees approve the Schedule to be effective immediately. He noted that the biggest change is that the Schedule was formatted to better organize the fees. He said that the new format would simplify finding the correct fee and would also indicate what is required to process a case, whether it would require a hearing before the BZA or Zoning Commission (ZC) or just require a permit application.
- He noted that most of the fees on the revised Schedule are the same with the exception of: (1) the certified mailing fee, which was modified to better cover actual costs; (2) the maximum fee for new commercial construction of \$10,000; and (3) a new \$10 fee for agricultural exempt declarations. He discontinued the fee for copies of the Zoning Text since it is now on the Township's website. He added a disclaimer that fees for copies conform with the Township's Public Records Request fees, which approximate the Township's actual costs per the Ohio Public Records Act. He noted that the new Schedule would not apply to cases already submitted to the Zoning Department.
- Dr. Cross introduced **RESOLUTION 2022-24**, seconded by Mr. Stubbs: **A RESOLUTION ADOPTING THE GERMAN TOWNSHIP ZONING FEE SCHEDULE AS UPDATED ON 5/9/22**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-24 WAS ADOPTED**. Dr. Cross stated that the updated Schedule would be posted on the Township website as soon as possible.
- He thanked the entire Township staff and his wife for getting the Zoning Department and Township digital services up and running again. He noted that some issues are still being worked out, but due to a true team effort the Township's zoning and digital services had been restored.
- He distributed copies of the BZA and ZC appointment terms.

TRUSTEE POTTER' REPORT:

- Mr. Potter reported that the Parks Board discussed the former Miami Military Institute-Camp Miami land at its recent meeting. The flagpole is bent, but may be taken to The Dupps Company for repairs. A quote has been requested to clear the underbrush on the entry hillside. He noted that Parks Board chair Tom Geglein asked about Parks Levy funds that are held by the Township.

TRUSTEE STUBBS'S REPORT:

- Mr. Stubbs reported that the Cemetery was preparing for Memorial Day. The policy related to burial of cremains was updated from a maximum of two per plot to a number at the discretion of the sexton. The number would be different if the plot is on a hill rather than on flat ground. He noted that the additional fees for evening/weekend/holiday burials have increased to: (1) \$250 for arrivals after 2:30 pm Monday-Friday; (2) \$600 for Saturdays, with an additional \$500 after 2:30 pm; and (3) \$900 for Sunday/holidays, with an additional \$500 after 2:30 pm.
- Mr. Potter asked when Cemetery Sexton Mark Steinecker was scheduled to retire. Mr. Stubbs replied that his retirement would probably occur in 2023 after Memorial Day. The position will be posted in Fall 2022.
- He reported that the most recent Pool Board/Pool Oversight Committee meeting was canceled. The Pool Board has a vacancy. Anyone interested in serving is asked to contact Mr. Stubbs.

- Commenting on the passing of the Joint Economic Development District (JEDD) contract at the 5/3/22, he stated his belief that having the issue decided by the voters was the correct process. He was disappointed to see false statements made by a representative of the City of Germantown in the Germantown Press about the 2-0-1 vote by the Township Trustees in November 2021.
- He thanked the Township employees for their efforts in resolving the problems caused by the departure of the Zoning Inspector. He was disappointed that the laptop was returned in an unusable condition and that the Township was locked out of our website and Facebook account. He said that the employees' hard work to get the Township back on track showed their character.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported that he attended the 4/14/22 Senior Oversight Committee meeting. He noted the following: (1) the Monday Senior Meal Program is continuing to do well; (2) the Senior Center has 251 members, up 31 from 2021; (3) volunteer and sponsor support is up along with demand to host events at the Center; (4) the Committee recommended the appointment of Freda Emrick to the Committee; and (5) the Committee increased the Center rental rate from \$50 to \$75 per hour to better cover costs. He thanked Township residents for passing the renewal levy in May.
- He attended the 5/2/22 Germantown Council meeting, noting the following: (1) one resident questioned why the Township was holding \$46,000 of Park Levy funds, suggesting that some of the funds be used to construct the new basketball court at Veteran's Park; (2) Council introduced an ordinance (with a Public Hearing to be held on 6/6/22) to ban the discharge of fireworks within the City limits, in response to the new Ohio law allowing fireworks that goes into effect on 7/1/22; and (3) Council voted 6-0-1 to deny the request by Bearcreek Farms, Inc. to change the Planned Unit Development zoning of the property on Dayton-Germantown Pike to increase the number of homes from 42 to 82.
- He noted that the Township will appoint the first member to fill the township seat on the JEDD Board of Directors. Since the issue passed in both the Township and Jackson Township at the May election, Ohio Revised Cord 715.72 states that the JEDD will go into effect 31 days thereafter. The Board will serve without compensation. The initial township seat will serve for two years, followed by Jackson Township appointing for the next four-year term, then alternating between the townships after that.

OLD BUSINESS:

- None.

NEW BUSINESS:

- Discussing the Ray Hensley, Inc. bid opened earlier in the meeting, Mr. Holbrook stated that the 2021 chip seal contract of \$1.75 per square yard used emulsion sealant for the higher traffic roads. This year's bid assumed using "cut back" asphalt. He noted that this year Medina County accepted a similar "cut back" chip seal bid for \$2.20 per square yard. He assumed that contract was much larger than the Township's plans for chip seal this year. He stated that cape seal will not be used for the 2022 road program.
- Mr. Potter introduced **RESOLUTION 2022-25**, seconded by Dr. Cross: **A RESOLUTION TO ACCEPT THE RAY HENSLEY, INC. BID OF \$2.39 PER SQUARE YARD FOR SINGLE SEAL FOR AN ESTIMATED 37,209 SQUARE YARDS AS THE TOWNSHIP'S 2022 CHIP SEAL PROGRAM.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-25 WAS ADOPTED.**

MEETING ADJOURNED:

- With no further business, Dr. Cross made a MOTION, seconded by Mr. Potter, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 8:10 pm.

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

Attest: These minutes were approved by the Board of Trustees at the June 13, 2022 meeting.

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

This meeting was audio recorded using a cell phone and is posted on the Township's YouTube Channel.