



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON JUNE 12, 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
Deb Cross	7444 S. Stiver Road	Kurt Jacoby	12955 Harris Road
Tricia Taylor	10165 Eby Road		

ONLINE ATTENDEES:

Name	Name	Name	Name
KC	Sam/Call in User 2	Call in User 3	

The Germantown Press was notified of the Regular Meeting on 6/5/23 at 11:16 am.

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

VISITOR COMMENTS:

- None

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 5/8/23 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 May Financial Reports: (1) 5/31/23 Fund Status; (2) YTD 5/31/23 Cash Summary by Fund; (3) Month of May Cash Summary by Fund; (4) May 2023 Receipt Listing; and (5) May 2023 Payment Listing. He noted the following items:
 - Receipt #67-2023 for \$6,920.00 from State Farm was an insurance payment for guardrail damage from a road accident on Farmington Road.
 - Receipt #79-2023 for \$86,870.91 from the State of Ohio was the first half homestead/rollback tax payment.

- Warrant #50681 for \$10,307.25 was the semi-annual payment to First National Bank of Germantown for the Valley View Water & Sewer District loan. The remaining payments through 12/1/2025 total \$51,536.24.
 - Warrant #50682 for \$594,156.98 paid to the City of Germantown was the first half joint levy collections. All levy payments except for the Road Levy represented 90% of tax receipts, less appropriate expenses. The Road Levy payment was split based on property valuations percentages in the City and Township.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the May financial reports and authorize the payment of May bills (warrants 50678 through 50682 and vouchers 327 through 457 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
 - Mr. Heistand noted that the Trustees previously discussed the possibility of raising trash fees in anticipation of the 8% increase in Rumpke rates starting 10/1/23. He reported that the City of Germantown had just increased its trash fees by 7.5%. The new rate is \$19.22 per month, or \$57.66 per quarter. He noted that the only trash service difference between the City and the Township is that Germantown residents have recycling collected every week.
 - Mr. Stubbs commented that the Township trash bills sent on 7/1/23 will include a note that trash fees will be increased effective 10/1/23. He introduced **RESOLUTION 2023-25**, seconded by Dr. Cross: **A RESOLUTION INCREASING QUARTERLY GERMAN TOWNSHIP TRASH FEES TO \$65.00 ON 10/1/2023, \$70.00 ON 10/1/2024, AND \$75.00 ON 10/1/2025**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-25 WAS ADOPTED.**
 - Mr. Heistand stated that Germantown prepared a Board Vacancy Notice for openings on the Fire Oversight Committee. After receiving the Notice, he contacted the City and requested that the Notice be modified to add the Township as well as the City. The revised Notice will be published twice in the Germantown Press. He told the City that the Township would pay half the cost.
 - He reported that he and Dr. Cross attended meetings with the City on 5/10/23 and 6/7/23 to discuss the City's Fire and EMS fund balances. The Fire Fund is projected to go negative in 2025; the EMS Fund is projected to go negative in 2026. The current Fire/EMS levies are 2.0 mills each and were passed in 2006 and 2010. Since both levies are continuous, the funds collected have not increased as property values increased over the years. It was noted at the meetings that the Fire/EMS Department was partially manned with volunteer labor when the levies were passed. Since that time, the Department has become fully staffed with paid employees. He noted that after considering several options, those present at the meetings recommended that a levy be placed on the November 2024 ballot. Placing a levy on any ballot prior to November 2024 would use current property values for calculating taxes. Since it is expected that revised Montgomery County real estate tax values beginning in 2024 will be 30% or more higher than current values, those at the City meetings felt that waiting to run the levy in November 2024 would allow the levy millage to be reduced and would improve the chances of passage.
 - Commenting on the City meetings, Dr. Cross noted that a continuous 4.2 mill levy was proposed for the November 2024 ballot. If passed, the additional taxes would only keep the City's Fire and EMS Funds positive until 2030. The funds are being depleted due to personnel costs. He felt that the proposed levy would be a tough sell if it is run as continuous.
 - Mr. Heistand noted that the joint Road Levy with Germantown expires in 2024. It was passed on 11/5/19 as a five-year levy. He stated that at the 6/7/23 City meeting it was suggested that the Trustees run the levy on the March 2024 primary election ballot. He said that to do so, the Trustees would need to begin the process no later than the November 2023 meeting.

- Mr. Holbrook suggested that the Trustees run the Road Levy as a renewal on the November 2023 ballot. He noted that this would allow two more opportunities to run the levy during 2024 if needed. Mr. Potter introduced **RESOLUTION 2023-26**, seconded by Dr. Cross: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR'S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ROAD LEVY, A 1.0 MILL LEVY, FOR A 5 YEAR PERIOD OF TIME OF RENEWAL TAX; BEGINNING TAX YEAR 2024, WITH FIRST HALF COLLECTION IN 2025; TO PROVIDE FUNDING "FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES" AS AUTHORIZED IN THE ORC SECTION 5705.19 (G), TO BE VOTED ON THE NOVEMBER 7, 2023 GENERAL ELECTION BALLOT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-26 WAS ADOPTED.**
- Mr. Heistand noted that, in 1996, Lois Davidson and Virginia Stoltz prepared a booklet listing burials in all the Township cemeteries. The Township received a copy of the booklet. He felt there was a need to digitize this information so that it isn't lost should the booklet be misplaced or destroyed. He noted that local resident Jean Roberts Powell, who is heavily involved in documenting cemetery records through FindAGrave.com, has volunteered to complete this task at no cost to the Township. He asked the Trustees to approve this work.
 - Dr. Cross made a MOTION, seconded by Mr. Potter, to allow Jean Roberts Powell to digitize the Township cemetery records on FindAGrave.com. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand noted that he recently emailed the Trustees, Germantown officials, and The Historical Society of Germantown to suggest that the three entities partner in a joint venture to plan a celebration in the Germantown community for the upcoming United States 250th anniversary in 2026. He stated that he received positive feedback from Mayor Terry Johnson and City Manager Judy Gilleland. Ms. Gilleland suggested that perhaps each jurisdiction as well as the Historical Society could fund the celebration with a small amount to start things out.
 - Mr. Stubbs suggested that Farmersville and Jackson Township be added to the joint venture, so the celebration could be held for the entire Valley View community.
 - The Trustees preliminarily agreed that the Township would contribute \$1,000 once the joint venture is established. Mr. Heistand will reach out to all the parties involved.
- Mr. Heistand announced that the next Montgomery County Township Association meeting was scheduled for 6/22/23. He stated that he planned plan to attend. Mr. Stubbs may also attend.
- 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. Potter: **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 7:30 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.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- At 7:51 pm, Dr. Cross made a MOTION, seconded by Mr. Stubbs, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote.

- Dr. Cross introduced **RESOLUTION 2023-27**, seconded by Mr. Potter: **A RESOLUTION TO REPLACE SECTION 4.5-7 OF THE GERMAN TOWNSHIP PERSONNEL MANUAL WITH THE FOLLOWING: “EMPLOYEES WHO HAVE REACHED 180 HOURS OF COMP. TIME MAY REQUEST A PAYOUT OF UP TO 120 HOURS AS APPROVED BY THE BOARD OF TRUSTEES. EMPLOYEES MUST BE PAID FOR THEIR EXCESS COMP. TIME OVER THE ESTABLISHED LIMITS ON THE FIRST PAYCHECK ISSUED IN JANUARY AFTER THE CALENDAR YEAR WHEN THE LIMITS WERE EXCEEDED.”** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-27 WAS ADOPTED.**

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook requested the Trustees’ permission to enter into an agreement with Earhart Propane to provide propane gas for the 2023-2024 heating season. The price for 2022-2023 was \$1.939 per gallon. The new agreement would have a fixed price of \$1.649. The \$.29 difference could save the Township approximately \$1,500 over the hearing season.
 - Mr. Potter introduced **RESOLUTION 2023-28**, seconded by Dr. Cross: **A RESOLUTION AUTHORIZING ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH EARHART PROPANE TO SUPPLY PROPANE FOR THE TOWNSHIP FOR THE 2023-2024 SEASON AT A RATE OF \$1.649 PER GALLON.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-28 WAS ADOPTED.**
- Mr. Holbrook reported that he contacted the Ohio Township Association to learn more about force accounts and the competitive bid threshold. He learned the following:
 - Force Accounts – Any work done on or to Township roads. HB23 was recently passed and takes effect 7/1/23. The old limits were \$45,000; the new limits are \$105,000.
 - Competitive Bid Threshold - Any work outside of road work (equipment purchases, work to Township owned property or buildings, etc.). Budget bill HB33 must be passed by 7/1/23. The bill will take effect 90 days after signed by the governor. The old limits were \$50,000; the new limits are \$75,000.
- He stated that he will request bids for resurfacing the Township Hall parking lot. The work will be paid using funds from the American Rescue Plan Act. He had delayed obtaining bids for repairs to the Township Hall parking lot until the State finalized changes to the force account limits.
- He reported that Strawser Inc. completed the micro-mix application on Wind Dancer Drive and Starry Night Drive. They will return to complete some repairs and touch up work in a few weeks.
- He noted that his department had started mowing road right of way and had made repairs to the road mower. They had also been working on crack sealing.

POLICE DEPARTMENT REPORT:

- Chief Andzik reported that 5,860 pounds of paper was shredded and 28 pounds of unwanted prescription medications were collected during the 5/6/23 Shred It/Dump It Day.
- He provided the Trustees with copies of his 2022-2023 School Resource Officer (SRO) Review.
 - Dr. Cross noted that while total SRO costs were \$73,000, the school only paid \$33,000. He felt that the Township should have negotiated a better contract, since the Township lost \$40,000 this year. For the 2023-2024 year, he stated that the Township must be reimbursed for all SRO costs; the Township won’t agree to subsidize the schools’ budget.
 - Mr. Potter requested that the school be charged higher mileage rates for the 2023-2024 school year. He asked that a mileage log be maintained by the SRO.

- Mr. Stubbs stated that the school should pay the entire SRO cost in 2023-2024. It was agreed that Chief Andzik and Mr. Stubbs would meet with Valley View Superintendent Joe Scholler to negotiate the 2023-2024 SRO contract.
- Chief Andzik stated that he had 250 hours of accrued comp time. He requested a 120-hour payout.
 - Mr. Stubbs introduced **RESOLUTION 2023-29**, seconded by Mr. Potter: **A RESOLUTION TO APPROVE A PAYOUT OF 120 HOURS OF EARNED COMPENSATORY TIME TO JOSEPH ANDZIK**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-29 WAS ADOPTED.**

ZONING DEPARTMENT REPORT:

- Mrs. Close reported that she wrote permits in May for a pole barn on Germantown-Liberty Road, an agricultural barn on Friend Road, an in-ground pool on Friend, and a pole barn on Moyer Road.
- She noted that two permits are pending: a commercial storage building for Valley View Schools and a pole barn on Oxford Road.
- She reported that the Kramer/Stapleton lot split case will go before the Board of Zoning Appeals on 6/27/23. They are requesting to split a seven-acre parcel at 10181 Carlisle Pike into two parcels.
- She noted that the Zoning Commission (ZC) will hold its quarterly meeting on 7/5/23 at 7:00 pm. The ZC will request approval of changes to Section 2: Definitions of the Zoning Resolution at the 7/10/23 Trustee meeting.

TRUSTEE POTTER'S REPORT:

- Mr. Potter reported that the Parks Board did not meet in May. He noted that the pool is operating well so far this season. He stated that the dumpster pad and fence had been completed at Kercher Park and Valley View students completed the back fill during their recent Service Day. A layout of where the Miami Military Institute buildings were located is being prepared for the MMI Park. The City has agreed to allow parking at the MMI Park during the Pretzel Festival in September.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs thanked Mr. Potter for his work at the MMI Park.
- He stated that Memorial Day went well and the Cemetery looked great. Flags were placed on all veteran graves. There have been 30 burials so far this year. The Cemetery Board has decided to run a replacement levy on the March 2024 primary ballot.
- He noted that Cemetery Sexton Mark Steinecker retired at the end of May. The public is invited to a reception honoring Mr. Steinecker on 6/28/23 at the Farmersville Café.
- He met with the City of Germantown about the Cemetery retaining wall and all agreed that it is a problem. The Cemetery will need to pay to repair the portion of the wall on its property. About 1/3 of the wall is on an adjacent property. He noted that the State of Ohio plans to resurface SR 725 in 2028. The Cemetery Board is trying to decide if repairs should be made now or after the road is resurfaced. The City stated that the sidewalk along the wall can be removed and not replaced. The steps to the rental house are an open issue, as well as an underground gas line.
- He suggested that the Township consider partnering with the City and the Cemetery to hire temporary help in Summer 2024 to mow grass.
- He reported that on behalf of the Township he signed the Western Regional Council of Government's extension agreement with Rumpke of Ohio, Inc.

TRUSTEE CROSS' REPORT:

- Dr. Cross discussed highlights from the 6/5/23 Germantown Council Meeting and Work Session:
 - The 7/3/23 Council meeting has been canceled.
 - A motion was passed to grant a one-time additional holiday for 7/3/23 for eligible employees. No mention was made of the cost to the City.
 - Three businesses are interested in leasing the former Dave's Auto Service garage.
 - Fire/EMS Chief Dan Aldred requested the purchase of twelve new radios (60 will be needed eventually) for use by Police and Fire/EMS at a \$50,000 cost. The City's old radios will no longer work with Ohio's Multi-Agency Radio Communication System (MARCS).
 - During the Work Session, Council discussed potential upgrades to the sewer system, mostly in the east and northeast sections of the City. He noted that Phase 2a, 2b and 3 involve Township property. On 6/7/23 City Manager Judy Gilleland stated that the City has no current plans to annex any of the affected areas.
 - No mention was made at the meetings about the new Designated Outdoor Refreshment Area (DORA) signs or the new solar powered crosswalk signs at the Main-Market and Plum-Warren-Farmersville Pike intersections.
- He reported that he received an email from Public Health-Dayton & Montgomery County stating that Public Health plans "to inventory and assess every septic system in the county by 2030. This will entail searching for systems currently not permitted and communicating with homeowners regarding the process and requirements. Any systems identified as creating a public health nuisance can either be repaired or replaced within 5 years." He suggested that a Public Health representative be invited to attend the 7/10/23 Trustee meeting to answer questions.
- He reported that he planned to meet with Zoning Commission president Kurt Jacoby and member Tricia Taylor on 6/14/23 to discuss possible solar panel zoning updates.
- Mr. Stubbs asked about an email that was sent to Mr. Potter from a Sunbury resident about a neighborhood nuisance property. Dr. Cross stated that the Township will follow up on the issue.

OLD BUSINESS:

- None

NEW BUSINESS:

- Mr. Potter noted that the Independence Day parade will be on 7/4/23 at 10:00 am. Township resident Fred Glander will be the Grand Marshall. Dr. Cross hoped that no outside groups participate in the parade as was done in 2022.

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 8:35 pm.

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

Attest: These minutes were approved by the Board of Trustees at the July 10, 2023 meeting.

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