



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON JULY 11, 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 7:00 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
	WebEx Facilitators Scott Hamilton & Deb Cross	

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Lynn Cleveland	11858 Oxford Road	Mark Keener	7865 Jamaica Road

ONLINE ATTENDEES:

Name	Name	Name	Name
Karen Carmickle	David Gehron		

The Germantown Press was notified of the Regular Meeting on 6/21/22 at 5:06 pm.

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

VISITOR COMMENTS:

- None

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 6/13/22 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 June Financial Reports: (1) 6/30/22 Fund Status; (2) YTD June 2022 Cash Summary by Fund; (3) Month of June 2022 Cash Summary by Fund; (4) June 2022 Receipt Listing; and (5) June 2022 Payment Listing. He noted the following items:
 1. He transferred \$1,000,000 from First National Bank of Germantown to STAR Ohio on 6/1/22. On 6/30/22 the STAR Ohio balance was \$1,417,215 and the FNB Germantown balance was \$272,640.52.

2. Receipt #93-2022 for \$18.14 was the June FNB Germantown interest, paid at .05%.
 3. Receipt #94-2020 for \$1,288.65 was the June STAR Ohio interest, paid at 1.15%. The STAR Ohio daily rate on 7/8/22 was 1.58%.
 4. Warrant #50593 for \$74,273.05 paid to the City of Germantown was the Township's portion of the Butter Street repaving project.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the June financial reports and authorize the payment of June bills (warrants 50589-50594 and vouchers 426-563 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 Auditor of State's office began their on-site audit of the Township's books for 2020 and 2021 on 7/5/22. He noted that this more limited scope audit is known as Agreed Upon Procedures. The cost will be less than a full-scope audit.
 - He noted that the Governor recently signed HB377, which authorized the Ohio Office of Budget and Management to distribute the second and final tranche of American Rescue Plan Act (ARPA) funds. He noted that the Township should receive \$152,180 by 7/15/22.
 - He attended the Board of Zoning Appeals (BZA) hearings on 6/14/22 as an observer. He attended the 7/5/22 Zoning Commission meeting and will prepare the meeting minutes. He attended the Montgomery County Township Association (MCTA) meeting in Dayton on 6/23/22. Speakers at this meeting were Montgomery County Treasurer John McManus and Ohio Township Association (OTA) Executive Director Heidi Fought. The next MCTA meeting will be held on 8/25/22.
 - He noted that the Township received several Public Records Requests this past month, one which was requiring a fair amount of time to gather documents related to the BZA's 3/8/22 hearing.

POLICE DEPARTMENT REPORT:

- Chief Andzik did not have a report.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook asked the Trustees to approve use of ARPA funds to reconstruct and resurface Sigal Road. Mr. Heistand noted that the Prosecutors have determined that use of the State of Ohio's 101g Contract for road construction satisfies the requirements of the Federal Uniform Guidance procurement rules. As such, no additional quotes were needed. Mr. Holbrook noted that the original 101g Contract quote of \$163,437 had been revised by Barrett Paving to \$188,662.50. They will grind Sigal and add two inches of pavement. He noted that the Township applied for a grant to repave Sigal in 2021, but was not awarded grant funds.
- Dr. Cross introduced **RESOLUTION 2022-28**, seconded by Mr. Potter: **A RESOLUTION AUTHORIZING EXPENDITURE FROM AMERICAN RESCUE PLAN ACT FUNDS TO RECONSTRUCT AND RESURFACE SIGAL ROAD AT AN AMOUNT NOT TO EXCEED \$200,000.00**. Dr. Cross read the 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 2022-28 WAS ADOPTED.**
- Mr. Holbrook addressed the bridge being replaced by Montgomery County on Oxford Road. He noted that the County anticipated completion within the next 30 days, so it would not affect the Sigal Road repaving project.
- He noted that he and Scott Hamilton continue to patch potholes and level areas that will receive chip seal this year. So far they had used 80 tons of asphalt, approximately 40% of the budget.

- He discussed the possibility of vacating Old Mill Road, giving ownership to Five Rivers Metro Parks. He noted that Old Mill is a dead-end road that intersects with Conservancy Road. Metro Parks own all the property along the road. He stated that Metro Parks is interested in the vacation, but wanted to know the Trustees' opinion prior to beginning the process.
 - He noted that the road is not in good condition, and he would not suggest that the Trustees ever repave the road even though he gets complaints from residents. He stated that Metro Parks often plows the road in winter before he or Mr. Hamilton get there.
 - He stated that vacating the road will lower the Township mileage inventory, but felt that the resulting reduction in state funding would not be significant.
 - Mr. Stubbs stated that he is in favor of vacating the road. Mr. Potter agreed.
 - **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked if Metro Parks are required to accept the road if the Trustees approve the vacation. Mr. Holbrook didn't have an answer, but said that a lot of steps are required prior to a transfer.
 - **Online Visitor Comment: David Gehron:** Mr. Gehron noted that Old Mill Road is the second half of the spillway for the dam. Dr. Cross then gave condolences to Mr. Gehron on the recent passing of his wife.
- Mr. Holbrook reported that the Road Department has completed a third round of right-of-way mowing.

ZONING DEPARTMENT REPORT:

- Reporting for the Zoning Department, Dr. Cross stated that the BZA met on 6/14/22 to consider three cases. The Board approved all three cases.
- He reported that the Zoning Commission (ZC) met on 7/5/22. The discussion centered around getting the Zoning Resolution text changes that were approved by the Trustees on 7/12/21 incorporated into the actual hard copy and the online copy. The changes also need to be sent to the Montgomery County Recorder's Office. The ZC also discussed the need to update the Zoning Map to include three zoning changes.
- Other ZC discussion included the possibility of adding regulations to the Zoning Resolution concerning solar panels as well as parking of tractor/trailers on non-agricultural exempted property. The ZC will meet in August to continue work on these issues rather than waiting until their next regular meeting in October.
- He stated that he will place an ad in the Germantown Press to fill the BZA Alternate Member position this month.
- He noted that Interim Zoning Inspector Kristen Hamaker continues to do a super job.

TRUSTEE POTTER' REPORT:

- Mr. Potter reported that the July 4 parade went well. He stated that there was a hate group in the parade – the Proud Boys – and noted that there have been lots of emails about the issue.
- He reported that the Miami Military Institute (MMI) Committee has held more meetings. The flagpole needs to be repaired and painted. He noted that the concrete needed for the MMI memorial will be donated. He is working on options to seed the cleared Warren Street hill.

TRUSTEE STUBBS'S REPORT:

- Mr. Stubbs reported that the June Pool Oversight Committee meeting was canceled.
- He noted that the Cemetery continues to look good, even though two part-time Cemetery workers have recently been sick. Sexton Mark Steinecker has worked very hard to compensate.

- He asked Chief Andzik if the Township now has access to all the technology that former Zoning Inspector Halie Sewell handled. The Chief responded that the Township does not yet have access to the GoDaddy.com main account due to the requirement for two-part verification. He stated that Mrs. Sewell was still listed as the Administrator. Mr. Stubbs stated his frustration that one former employee could cause so much havoc for the Township. He asked how many hours the Chief and his staff had spent dealing with the problems that resulted from Mrs. Sewell's resignation. Chief Andzik estimated 15-20 hours. Mr. Stubbs noted that this represented a high cost to the Township. He thanked the Chief and the Township staff for the work they have done to fix problems unfairly caused by Mrs. Sewell's resignation.
 1. **Visitor Comment: Mark Keener:** Mr. Keener noted that GoDaddy will eventually cancel the Township's account if their invoice isn't paid. Chief Andzik noted that since the Township doesn't have access, the GoDaddy automatic payment can't be moved to a different credit card. The next annual payment will be in March 2023. Mr. Stubbs stated that it is ridiculous that the Township doesn't yet have access after several months.
- Mr. Stubbs discussed the \$419.70 purchase of Township clothing by Mrs. Sewell from Logos at Work in September 2021. He stated that the Trustees did not approve this expenditure. Mr. Heistand responded that the Trustees didn't approve the purchase in advance, but subsequently approved the payment after it was made. Mr. Stubbs asked what authority Mrs. Sewell had to spend that amount on clothing. He wondered if the Township should request that the clothing be returned by Mrs. Sewell. Dr. Cross stated that some of the clothing was left in the Zoning Office. Mr. Heistand noted that some of the clothing was purchased for Police Clerk Shauna Close and also for former Trustee Abra Reed. Dr. Cross responded that the purchase should never have happened, but he didn't think the Trustees should try to get the clothing back.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported that the 7/5/22 Fire/EMS Oversight Committee meeting was canceled due to the lack of a quorum. Chief Alldred gave him a copy of his report. There were 577 service calls in the first six months of 2022. This is an 11% increase over 2021. The total includes five structure fires and 35 motor vehicle crashes. The Fire Department received a turnout gear extractor (washer) through a Bureau of Workers' Compensation/Firefighters Exposure to Environmental Elements grant.
- He was unable to attend the 7/5/22 Germantown City Council meeting, but did watch the online recording. He noted the following:
 1. Public Recognition was given to Scott Reeder for donating his time and equipment to clear the hillside at the MMI site.
 2. Council approved a partnership agreement with the Ohio Department of Transportation to resurface a portion of the bike path at Kercher Park in 2024, a \$96,000 project.
 3. Bids were received for the Service Department Building Project. The lowest bid came in at \$1.9 million for a project budgeted at \$1.6 million.
 4. Law Director Tom Schiff initiated a discussion about the hate group that marched in the July 4 parade. Mr. Schiff stated that the City cannot prohibit such groups from attending these types of events. Later in the meeting, in his Council Member report, Brian Wafzig made a motion that stated that these types of groups are not welcome in the Germantown community. Dr. Cross noted that Council passed the motion unanimously, but did not mention the name of the group to deny giving the group any legitimacy.
- Dr. Cross made a MOTION, seconded by Mr. Potter, to adopt the following statement: "The German Township Trustees unequivocally condemn the participation of any and all hate groups in this year's Fourth of July parade. We unequivocally disavow and condemn their message of hate and those that spread hate are not welcome in German Township." The MOTION WAS

APPROVED by a unanimous voice vote. Mr. Potter stated that he didn't realize that anyone could participate in the parade. Dr. Cross responded that participation is a 1st Amendment right.

- Dr. Cross reported that he met with Ohio Representative Tom Young on 7/6/22 along with Mayors, Trustees and Administrators from Germantown, Miamisburg, Miami Township, Centerville and Washington Township. Representative Young stated that he wanted to keep communications open between himself and the entities he represents and planned to continue regular meetings with the group.
 1. Representative Young discussed the potential requirement to mail notification of proposed levies to all registered voters at the expense of the local jurisdiction. Dr. Cross stated that, if passed by the Legislature, this would be an unfunded mandate by the State. Mr. Heistand noted that OTA Executive Director Heidi Fought also discussed the issue at the 6/23/22 MCTA meeting. It is unknown whether this requirement ended up in the final bill passed by the Legislature. The OTA will be providing more information on the issue.
 2. Representative Young discussed the possible need for upgrades to Manning Road and Farmersville-Germantown Pike around the new Valley View school building. Dr. Cross said he informed Representative Young that traffic studies had been performed and traffic concerns seem to have been addressed.
 3. Representative Young's sponsored bill to mandate self-defense classes for Ohio high school students was not discussed.
 4. At the session, Miami Township Assistant Administrator Chris Snyder told Dr. Cross that he is planning a training session for local Zoning Inspectors.
- Dr. Cross attended the 7/7/22 Senior Oversight Committee meeting. Senior Center Director Chenoa Erisman reported that things are going well and that membership, participation and sponsorship has increased. The Center will hopefully hire a part-time bus driver soon and has recently hired Alexandra Heath part-time to work with rental events at the Center. The Center continues to have internet issues with Spectrum and is working to get them resolved. Director Erisman reported that the Center is operating within its budget for this year.

OLD BUSINESS:

- None.

NEW BUSINESS:

- Dr. Cross introduced **RESOLUTION 2022-29**, seconded by Mr. Stubbs: **A RESOLUTION TO DEVIATE FROM SECTION 4.2-1(b) OF THE GERMAN TOWNSHIP PERSONNEL MANUAL DUE TO UNIQUE AND UNUSUAL CIRCUMSTANCES.** Dr. Cross read the Resolution in its entirety. The Resolution noted that Mr. Holbrook's retirement had been extended from 5/31/22 to 7/31/22 due to the Ohio Revised Code requirement that the rehiring of a retired public employee must be advertised at least 60 days prior to the person being rehired. The Resolution noted that Mr. Holbrook would potentially forfeit 25.5 hours of accrued vacation as a result of the retirement date delay. The Resolution thus authorized the payout of these 25.5 hours. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-29 WAS ADOPTED.**
- Dr. Cross introduced **RESOLUTION 2022-30**, seconded by Mr. Stubbs: **A RESOLUTION TO HIRE RETIREE JEREMY HOLBROOK AS ROAD AND SERVICE ADMINISTRATOR ON AUGUST 1, 2022.** Dr. Cross read the 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 2022-30 WAS ADOPTED.**

- Dr. Cross congratulated Mr. Holbrook on his upcoming retirement. He stated that in order to replace Mr. Holbrook the Township would have to hire two employees. Mr. Stubbs noted that the Township was lucky to have him continue in his position as a retiree and that he and Mr. Hamilton do a fantastic job. Mr. Potter said that he agreed 100% with Dr. Cross and Mr. Stubbs.
- **Visitor Comment: Mark Keener:** Mr. Keener, the Township's representative to the Joint Economic Development District (JEDD) Board at the new school property, noted that the Board had not yet met. He understood that the Valley View Board of Education would appoint its representatives (one representing the property owner and one representing employees working in the JEDD district) at its 8/8/22 meeting. Dr. Cross asked Mr. Keener to let him know when the first JEDD Board meeting is scheduled, so he can attend and see how things evolve. Mr. Stubbs thanked Mr. Keener for his willingness to serve on the JEDD Board.

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 8:00 pm.

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

Attest: These minutes were approved by the Board of Trustees at the August 8, 2022 meeting.

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