



## GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON OCTOBER 14, 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:

<b>President Jacob Stubbs</b>	<b>Vice-President Dr. Mark Cross</b>	<b>Trustee Louis Potter</b>
<b>Fiscal Officer Mark Heistand</b>	<b>Police Chief Shane Birch</b>	<b>Road Admin. Jeremy Holbrook</b>
	<b>Zoning Inspector Janet Burton</b>	

### IN-PERSON ATTENDEES:

Name	Address	Name	Address
Earl Burgett	German Township	James Rowland	German Township
Jimmy Rowland	German Township	Michael Osborne	German Township
Jamie Graham-Osborne	German township	John & Kim Naylor	German Township
Israel, Brenda McIntosh	German Township	Jeffrey & Judith Custer	German Township
Tony & Karen Stapleton	German Township	Deb Cross	German Township
Joe & Chris Scholler	German Township	Robin & Joan Cameron	German Township
David Brewer	German Township	James Steinmetz	German Township
Richard, Janelle Oswald	German Township	Charlie Booth	German Township
Serena Schmitz	German Township	Kim & Alex Shartle	German Township
Dani Jacoby	German Township	Don & Lyn Boldt	German Township
Bob & Marie Kramer	German Township	Jody Butcher	German Township
Philip Isaac Morton	German Township	Troy & Kristen Fox	German Township
Greg & Sonya Johnson	German Township	Fred Glander	German Township
Pam Pugh	German Township	Rachel Albert	German Township
Phyllis Poplin	German Township	Steve Zelski	German Township
Sonja Abbey	German Township	Nathan Van Oort	German Township
Scott & Angela Hall	German Township	Gerard Ritze	German Township
Geneva McClellan	German Township	Kaitlyn Walters	German Township
Nick Brandt	German Township	Gary Stemp	German Township
Josh Blessing	Germantown	Derek Snider	German Township
Abbey Hendershott	German Township	Tyler Hendershott	German Township
Greg England	German Township	Perhaps others who didn't sign attendance sheet	

**ONLINE ATTENDEES:**

Name	Name	Name	Name
Kat	Nathan	Kathryn Snider	

The Germantown Press was notified of the Regular Meeting on 10/6/25 at 8:30 pm.

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

**VISITOR COMMENTS:****Eby Road Chip Seal:**

- **Don Boldt:** Mr. Boldt noted that he has lived on Eby Road for 25 years. The road is used by famers, bikers, walkers, and drivers going 40-60 mph. He complained about dust from the chip seal recently applied to the road. He described it as a “limestone fog” which settles on everything outdoors and even invades the inside of his home. He provided several photos of the problem to the Trustees. He described a better application process known as compacting seal which would reduce dust. He stated that fog seal could also be used. He provided copies of a safety data sheet which classified limestone dust as a carcinogen which may cause cancer, lung damage, and/or skin and eye irritation. He asked that Eby Road be sealcoated to eliminate the current situation.
  - Mr. Stubbs stated that the Township has limited funds in the road budget, noting that the voters have rejected road levies in the past. The chip seal process lasts 5-10 years and extends the road life. He stated that it would take 70 years of road budgets to repave the Township roads.
  - Mr. Holbrook reported that Wagner Paving would resweep Eby Road later that week.

**His Hope Recovery & Retreat Farm:**

- **Israel McIntosh:** Mr. McIntosh stated that his family has lived on Anthony Road for decades. Regarding the property at 14481 Anthony Road, he stated that His Hope Recovery and Retreat Farm purchased the parcel in 2023. A sign for the recovery center was erected in 2024. He said that he has talked to other nearby neighbors who don’t want this business on property that is zoned for agricultural use. They are concerned that their property values would be negatively affected. He discussed crime statistics in Germantown and Miamisburg (where His Hope has a facility), noting that the Miamisburg location was in a high crime area (unlike German Township). He stated that the Miamisburg location was granted charity tax exempt zoning.
  - Dr. Cross stated that German Township does not have a tax-exempt zoning category. He said that he did not agree with some of Mr. McIntosh’s assumptions.
  - Mr. Stubbs stated that as the property exists today there is no need for His Hope Recovery and Retreat Farm to come to the Township for any zoning requests. If in the future the charity decides to build cabins or other structures, then it will need zoning approval.
  - Mrs. Burton read the charity’s plans for the Anthony Road property as provided to her by Rusty Toadvine, founder and executive director of His Hope Recovery & Retreat Farm. She also read a letter the charity sent to nearby neighbors signed by Mr. Toadvine.
  - Mr. McIntosh stated that he had contacted Mr. Toadvine but hadn’t received a response.
  - Mr. Stubbs stated that until something changes at the property, there isn’t anything that the Township can or should do since the charity is using the property for agriculture.

**SRM Materials Litigation Appeal:**

- Before accepting visitor comments, Dr. Cross stated that this is a Trustee Meeting, not a Zoning Meeting. Mr. Stubbs stated that no decisions could be made by the Trustees at this meeting.



- **Kim Shartle:** Ms. Shartle asked about the history of the case. Dr. Cross provided the website for the court docket. He then related how the SRM request started with the Township Board of Zoning Appeals (BZA), whose decision was appealed by SRM to the Montgomery County Common Pleas Court. The Common Pleas Court affirmed the BZA's decision. SRM then appealed to the Second District Court of Appeals, which reversed the decision of the trial court and remanded the case back to the BZA for reconsideration.
- **Derek Snider:** Mr. Snider stated his concern that additional aggregate mining by SRM would have a detrimental effect on nearby wells.
- Dr. Cross reported that he talked to the Township's attorney who is handling the appeal case. He was told that the next step, if taken, would be for the Township to appeal to the Ohio Supreme Court. He noted, however, that the Appeals Court cited a prior Supreme Court case in overturning the Common Pleas Court. The BZA can add restrictions when they reconsider the SRM conditional use application.
- **James Rowland:** Mr. Rowland referenced O.R.C. 519.02 and other Ohio Revised Code sections in explaining that the Trustees have the power to regulate zoning over surface mining. He asked the Trustees to commit to imposing a six-month moratorium for new surface mining to allow time to develop appropriate zoning regulations. Mr. Stubbs stated that a moratorium resolution would need to be written by the Prosecutor's office. Dr. Cross reported that the Ohio Township Association stated several years ago that surface mining MUST be a conditional use in zoning districts. Mr. Stubbs stated that he would discuss a potential moratorium with the Prosecutor's office.
- **Sonja Abbey:** Ms. Abbey stated that she wants to find a way to change Ohio law to protect the Township from aggregate mining.
- **Michael Osborne:** Mr. Osborne stated that he owns the farm next to the subject property.
- **Earl Burgett:** Mr. Burgett stated that SRM has already purchased the property.

#### **BREAK:**

- At 7:55 pm Mr. Stubbs called for a five-minute break. The meeting reconvened at 8:00 pm.

#### **FISCAL OFFICER'S REPORT:**

- Mr. Heistand submitted minutes for the 9/8/25 Regular Meeting and the 9/20/25 Special Meeting. Mr. Stubbs made a MOTION, seconded by Dr. Cross, to approve both sets of minutes as presented. The MOTION WAS APPROVED by a unanimous voice vote.
- He presented the September Financial Reports: (1) 9/30/25 Fund Status; (2) YTD 9/30/25 Cash Summary by Fund; (3) Month of September 2025 Cash Summary by Fund; (4) September 2025 Receipt Listing; and (5) September 2025 Payment Listing. He noted the following unusual items:
  - Receipt #277-2025 for \$38,460.23 from Valley View Local School District was the first of two payments for 2025-2026 School Resource Officer services.
  - Receipt #279-2025 for \$535,850.27, less collection and other fees of \$10,485.77, from the Montgomery County Auditor was the final settlement for the 2<sup>nd</sup> half real estate taxes. He stated that once he receives the State's 2<sup>nd</sup> half homestead and rollback tax payment, he will pay the City of Germantown their share of the road levy tax collections and 90% of tax collections of the other five joint levies, less related expenses.
  - Receipt #284-2025 for \$3,098.93 from the German Township Police Association was a 25% grant for the purchase of nine new Safariland bullet resistant vests and carriers.
  - Voucher #756-2025 for \$12,636.08 to Crickmore Collision was for cruiser collision and mechanical repairs.

- Voucher #757-2025 for \$2,500.00 to Peck's Restorations Unlimited was for the Police Department Road Room floor resurfacing.
  - Voucher #758-2025 for \$900.00 to Mike White was for painting the two restrooms.
  - Voucher #796-2025 for \$13,313.30 to Vance Law Enforcement was for the purchase of the nine Safariland bullet resistant vests and carriers.
- Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the September financial reports and authorize the payment of September bills (warrants 50896 through 50900 and vouchers 745 through 826 for payroll direct deposit, tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that Aaron Willis (not the Aaron Willis who lives in the Township), the OTARMA (Ohio Township Association Risk Management Authority) Cyber IT Risk Consultant, will be making a follow-up visit to the Township on 10/24/25. He last visited the Township on 3/25/2021. Following that visit, he presented several recommendations to reduce the Township's internal IT risk and loss exposure. Mr. Heistand responded for the Trustees with the Township's Statement of Action Taken on 4/23/2021. Mr. Willis' 10/24/25 visit will focus on the following:
  - Township demographics and organizational structure
  - IT assets, including hardware and software
  - IT operations and procedures
  - Existing IT policies and risk management practices
  - House Bill 96 and the steps the Township has taken toward compliance with the cybersecurity requirements
- Concerning the HB 96 cybersecurity requirements, he reported that since last month's meeting the Township received further guidance from both the Ohio Auditor of State and the Ohio Township Association (OTA). The OTA provided sample templates for a cybersecurity policy, an executive summary, and a Resolution to approve both documents. He noted that the OTA cautions not to use the templates exactly as they are written, but to modify them to reflect the Township's specific situation. The policy and executive summary templates have been forwarded to the Township's IT consultant Joe Detrick for his thoughts and recommendations. Once that review is completed, Mr. Heistand will ask the Prosecutor's office to review the documents.
  - He reported at the September meeting that Shawn Waldman, CEO of SecureCyber, a Moraine cyber consulting firm, presented a program on HB 96 at the 8/28/25 Montgomery County Township Association meeting. Since that time, the Township has been contacted by Ian Platfott of Donnellon McCarthy Enterprises who would like to make a presentation to the Trustees about how his firm could assist the Township in meeting the HB 96 requirements. He noted that the Trustees asked him in September to request that Mr. Waldman attend the October meeting. However, Mr. Stubbs subsequently asked that presentations by Mr. Waldman or Mr. Platfott be delayed until the October meeting.
  - He stated that he originally understood that townships have until 6/30/26 to put a program in place. He now knows that 6/30/26 is the second of two deadlines. Although the Township has until 6/30/26 to implement technical and training measures, HB 96 requires all townships to adopt a cybersecurity policy by 9/30/25. Subsequent to 9/30/25, Townships are not allowed to pay or comply with any ransom demands unless a resolution is passed by the trustees approving the payment or compliance. Also, as of 9/30/25, Townships are required to report ransomware incidents to the Ohio Department of Public Safety's Division of Homeland Security and also to the Auditor of State.



- He reported that the Township recently received two requests to use the Trustee Meeting Room for a private event. The first request, made by a Township employee, was approved at the time by Mr. Stubbs. The second request was made by what Mr. Heistand assumed was a Township resident. He said he was unaware of a formal policy or price structure for such requests. The Township does, however, have a release form that was used for the employee event. He asked the Trustees how to respond to the outside request. He stated that if the Township rents out the room and something should happen, he thought that insurance would protect the Township. However, he couldn't be certain without contacting the insurance company.
  - Dr. Cross stated he was not in favor of renting the Trustee Meeting Room to outsiders, though he felt allowing employees to use the room was fine. The other Trustees agreed.
- Mr. Heistand reported that after the 9/20/25 Special Meeting, he forwarded the Resolution enacting a 3% video service provider (VSP) fee to Hanson Communications/TSC and altafiber. He had not been able to contact AT&T, but would work to determine the person who should receive the Resolution. Both Hanson/TSC and altafiber indicated they would implement the 3% VSP fee in the near future. A fourth provider, Charter Communications, is already collecting the 3% fee.
- He reminded the Trustees that the Township's web content and mobile applications need to be complaint with new Department of Justice disability accessibility requirements by 4/26/27. He previously provided them with a link to a Fact Sheet concerning the new DOJ rules that is available on the Civil Rights Division website.
- He reminded everyone that there will be two parks' levies on the 11/4/25 ballot. The first levy, Issue #17, is a five-year renewal of the current .5 mill parks operating levy, to begin in 2026. The second levy, Issue #18, is a five-year additional 1.0 mill permanent improvements levy to begin in 2025. Both levies will be considered by residents of the unincorporated portion of German Township as well as residents of the City of Germantown.

#### **POLICE DEPARTMENT REPORT:**

- Chief Birch reviewed his department's September statistics.
- He reported that the Police Department received new state of the art Safariland body armor and external vests at a cost of \$13k, using a 75% state grant and 25% grant from Germantown Eagles. No tax dollars were used to purchase the equipment.
- He noted that the 10/7/25 National Night Out event was unfortunately canceled due to weather.
- He reported that "On 9/27/25, while off duty, Sergeant Jones encountered a serious motor vehicle crash involving an elderly female who was trapped inside her vehicle. Demonstrating courage and selfless dedication, he immediately took action, freeing the victim from entrapment and ensuring her safety until emergency responders arrived. Sergeant Jones's quick thinking and decisive actions undoubtedly prevented further harm and exemplify the highest traditions of law enforcement service. His conduct reflects great credit upon himself and brings honor to the German Township Police Department. It should also be noted that German Township resident and former Road Department employee, Scott Hall, assisted Sergeant Jones in this rescue. Sergeant Jones was awarded with a Commendation Citation which was placed in his file."

#### **ROAD & SERVICE DEPARTMENT REPORT:**

- Mr. Holbrook reported that Wagner Paving Inc. had completed chip sealing several roads: Eby, East Friend, East Keifer, South Puddenbag, Barlow, and East Stiver.

- He announced that the Road Department was awarded a \$27,945.81 grant from the Ohio Department of Transportation for the replacement of all the road signs maintained by the Township. He noted that the new signs have been ordered. Road signs must be replaced every twelve years or whenever reflectivity is reduced.
  - Mr. Potter asked if a flashing stop sign could be installed at the bottom of the Sigel Road hill to reduce the risk of drivers not stopping. Mr. Holbrook suggested adding a second stop sign to see if that helps before purchasing a flashing sign.
- Mr. Holbrook announced that quotes for striping South Puddenbag and Eby Roads had been received. A&A Safety's quote was \$6,116.96. First Star Safety was the lowest price at \$5,390.40. Mr. Stubbs introduced **RESOLUTION 2025-50**, seconded by Mr. Potter: **A RESOLUTION TO APPROVE A \$5,390.40 CONTRACT WITH FIRST STAR SAFETY LLC FOR STRIPING SOUTH PUDDENBAG ROAD AND EBY ROAD.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-50 WAS ADOPTED.**
- Mr. Holbrook reported that he and Scott Hamilton were about 50% done trimming trees on Township rights-of-way. He thanked Madison Township for the use of their boom mower for the tree trimming. He also thanked the City of Germantown for the use of their asphalt hot box. He did not have any update on the upfitting of the new dump truck.
- **Visitor Comment: Dani Jacoby:** Mrs. Jacoby asked about the status of reopening Astoria Road. Mr. Holbrook stated that he had not heard anything from the Montgomery County Engineer. Mr. Potter noted that the County didn't get any emergency funds to repair the erosion since the road itself didn't collapse. As such, repairs will be paid using the County's road budget.

#### **ZONING & TRASH DEPARTMENT REPORT:**

- Mrs. Burton issue three permits during September: a storage barn on Sigel Road; a barn on Boomershire Road; and a barn on Eby Road.

#### **TRUSTEE POTTER'S REPORT:**

- Mr. Potter reported that Christmas in the Park will be on 12/13/25 from 6:00-7:30 pm. The Horse Parade will assemble at the Dupps parking lot on Cherry Street at 5:30 pm.
- The brick wall at the MMI Park which will display memorial plaques is now finished. Eagles have been placed on the wall. The plaques should be installed within a week.
- Approval forms to enter the right of way have been signed by two adjoining property owners for the Little Twin Creek Erosion Project. The contract with Channel Maintenance Systems has been signed and work should begin by the end of the month.
- A contract for the new pool slide has been signed. Work should start before the end of the month.

#### **TRUSTEE CROSS' REPORT:**

- Dr. Cross reported that the 10/6/25 Fire/EMS Oversight Committee meeting was canceled.
- He attended the 10/6/25 Germantown Council Meeting. Highlights included:
  - Grants for the covered bridge project total \$756,000. Requests for bids will be released on 12/2/25. Constructions will start in 2026.
  - The pool had a 12% income increase in 2025.
  - During the work session Council discussed moving forward with a speed limit reduction to 25 mph on the residential portion of Cherry Street.
  - Also during the work session, the possibility of changing property maintenance violations to civil penalties was discussed.
- He attended the 10/9/25 Senior Center Oversight Committee meeting. Highlights included:



- Bus trip outings were going well. They usually involve lunch and shopping.
- There has been a problem with renters of the Senior Center not cleaning up after their event. The Committee will decide at the next meeting whether to increase the deposit to give renters more incentive to clean up thoroughly.
- The refrigerator/freezer is being replaced and a new convection oven is being installed. Both appliances are scheduled to arrive within a week.
- The generator project is moving slowly. The new generator is on back order.
- Donations in memory of Gerald Emrick have totaled \$1,535.
- Concerning the SRM Materials case, he stated that the BZA will hold two special meetings with counsel. The BZA will enter into private deliberations to discuss their options with counsel.
  - Mrs. Burton stated that she is hoping to schedule the BZA hearing for 12/9/25, with a meeting to enter private deliberation a week prior.

#### **TRUSTEE STUBBS' REPORT:**

- Mr. Stubbs made a MOTION, seconded by Dr. Cross, to appoint Jim Martin to the Zoning Commission. It was noted that Mr. Martin is currently a BZA member, which will leave an opening on the BZA. The MOTION WAS APPROVED by a unanimous voice vote.
- He provided updates on Germantown Union Cemetery:
  - The project to replace the damaged flagpole was more involved than expected. The new pole will be installed on 10/15/25. The cost was \$12k, which was paid by the monument company that damaged the old pole. The new pole will be lit at night.
  - The new Cemetery website is now live and data migration has been completed.
  - He noted that Sexton Keith Burnett does a great job. He has implemented changes that enhance service to families and visitors.
  - Revised plans to remove the wall along West Market Street have been given to the City of Germantown for approval. He hoped that the project would be completed this fall.
- He thanked all the visitors that attended tonight's meeting, noting that everyone was cordial.

#### **OTHER BUSINESS:**

- **Mark Keener:** Mr. Keener, treasurer of the Valley View Joint Economic Development District (JEDD) Board of Directors, noted that a preliminary audit report was received on 10/13/25. At the Board's most recent meeting, they awarded \$4,000 for a nine-hole disc golf course at the high school. The Board has \$30-\$40K available for future donations to improve the JEDD site. He expected that numerous requests would be considered at the Board's next meeting on 12/10/25.
  - Mr. Stubbs, who is a school employee, said that he sees positive results at the school from the JEDD Board's previous grants. He highlighted bleed kits, which are in every classroom.

#### **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 8:48 pm.

Signed: \_\_\_\_\_

Jacob Stubbs, President, Board of Trustees

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

Signed: \_\_\_\_\_

Mark A. Heistand, Fiscal Officer