



GERMAN TOWNSHIP BOARD OF TRUSTEES MINUTES OF THE REGULAR MEETING HELD ON AUGUST 14, 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 Louis Potter
Fiscal Officer Mark Heistand	Police Chief Joseph 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
Mark Keener	7865 Jamaica Road	Abigail Hale-Dennis	13091 Oxford Road
Steve Mersch	7347 Weaver Road	Jeff Dondero	6793 S. Diamond Mill

ONLINE ATTENDEES:

Name	Name	Name	Name
Sam	md	Call in User 2	

The Germantown Press was notified of the Regular Meeting on 8/2/23 at 3:45 pm.

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

VISITOR COMMENTS:

- **Steve Mersch, 7347 Weaver Road:** Mr. Mersch discussed the 10th annual Lions Club Twisted Pretzel Bike Tour on 9/23/23. He asked that the Township provide police assistance that day at the Creek Road/SR 725 bridge. Chief Andzik responded that he would have an officer and a CERT (Community Emergency Response Team) volunteer present. Mr. Mersch asked if anything could be done about the potholes on the Creek Road hill. Mr. Holbrook noted that Creek Road is a county road and the Township cannot make repairs. Mr. Heistand reported that the Twisted Pretzel committee sent a letter to the Montgomery County Engineer requesting pothole repairs.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 7/10/23 Regular Meeting. Dr. Cross noted a correction that was needed. Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the minutes as corrected. The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand presented the July Financial Reports: (1) 7/31/23 Fund Status; (2) YTD 7/31/23 Cash Summary by Fund; (3) Month of July Cash Summary by Fund; (4) July 2023 Receipt Listing; and (5) July 2023 Payment Listing. He noted the following items:
 - Receipt #109-2023 for \$10,000.00 from Germantown Union Cemetery was a payment on the Trustees' loan made in 2006 for a land purchase at the Cemetery. The remaining loan balance is \$9,276.23.
 - Receipt #117-2023 for \$8,552.08 from Star Ohio was the July interest payment at 5.31%.
 - Payment #557-2023 for \$59,222.70 to Rumpke Waste, Inc. was the July-September trash invoice. This was the last invoice at the current rates. Rumpke rates are increasing by 8% on 10/1/23.
 - Payment #558-2023 for \$85,975.50 to Strawser Construction Inc. was for cape sealing and micro-surfacing on Wind Dancer and Starry Night Drives.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the July financial reports and authorize the payment of July bills (warrants 50688 through 50693 and vouchers 509 through 633 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reported that he filed the road levy renewal with the Board of Elections on 7/26/23. He stated that he had not yet received the road levy language that will be on November ballot.
- He announced the language for the two aggregation issues on the November ballot. They will read as follows: "Shall German Township have the authority to aggregate the retail (electric) (natural gas) loads located in the unincorporated areas of German Township, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of (electricity) (natural gas), such aggregation to occur automatically except where any person elects to opt out?" Trebel LLC has scheduled a public information meeting about the aggregation ballot issues on 10/18/23 at 6:00 pm in the Township Hall Meeting Room.
 - Dr. Cross asked if the 10/18/23 meeting would be an official Trustee Meeting. Mr. Heistand didn't think that would be required, but agreed to follow up with Trebel.
- Mr. Heistand reported that on 7/11/12 Jean Roberts Powell began digitizing the Township's rural cemetery records on FindAGrave.com. She did not complete her work that day and will return at some point in the future. This is being done at no cost to the Township.
- He announced that at their 8/7/23 Work Session, Germantown City Council pledged \$1,000 to begin planning a community celebration for the United States 250th anniversary in 2026. With the Trustees pledging a similar amount, as well as the Historical Society of Germantown, commitments now total \$3,000. He noted that he had not received a response from the Village of Farmersville, Jackson Township, Valley View Schools, or the Farmersville Historical Society. He suggested that perhaps Germantown's commitment might motivate the entities to commit.
 - Mr. Stubbs stated that he emailed Board of Education President Tim Rudd and also spoke with Jackson Township Trustee Mike Moyer. Both asked for more information about the potential celebration. Mr. Heistand agreed to reach out to both individuals.
- Mr. Heistand attended Montgomery County Auditor Karl Keith's 7/27/23 presentation concerning the 2023 real estate revaluation. He reminded the Trustees that taxable property values are increasing significantly from the 2020 values. German Township's residential increase of 32.7% is the sixth lowest in the county, where the increases range from 16.6% to 48.0%. Germantown's increase is 33.4%. The Auditor's office is sending out letters to property owners during August explaining the increases. It is expected that the valuation increases will result in a 4-6% average increase in property taxes. CAUV valuations will be released later this summer. Auditor Keith indicated that agricultural valuations will increase "substantially."

- He noted that the Trustees passed Resolution 2023-33 at the July meeting to authorize the milling and repaving of the Township Hall parking lot by Houser, Inc. at a cost of \$36,390. Since there was uncertainty at the time as to whether the project could be paid using American Rescue Plan Act (ARPA) funds, the Resolution authorized payment from the General Fund. He subsequently researched the ARPA guidelines and determined that the project can be paid using ARPA funds.
 - He recommended that the Trustees first rescind Resolution 2023-33. Dr. Cross introduced **RESOLUTION 2023-35**, seconded by Mr. Potter: **A RESOLUTION RESCINDING RESOLUTION 2023-33 WHICH PREVIOUSLY AUTHORIZED ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH HOUSER, INC. FOR THE MILLING AND REPAVING OF THE TOWNSHIP HALL PARKING LOT, AT A COST OF \$36,390.00, TO BE PAID BY THE GENERAL FUND.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-35 WAS ADOPTED.**
 - Mr. Heistand suggested that the Trustees approve payment of the Township Hall parking lot repairs from the ARPA Fund using the “small purchase” Federal guidelines. Under the guidelines at least two quotes are required for purchases between \$10,000-\$250,000 and the lowest quote must be accepted. He noted that Mr. Holbrook previously obtained quotes from Houser, Inc. as well as Barrett Paving Materials, Inc. Barrett’s proposal was \$56,435. Since the lowest quote was accepted, payment can be made using ARPA funds.
 - Dr. Cross introduced **RESOLUTION 2023-36**, seconded by Mr. Potter: **A RESOLUTION AUTHORIZING ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH HOUSER, INC. FOR THE MILLING AND REPAVING OF THE TOWNSHIP HALL PARKING LOT, AT A COST NOT TO EXCEED \$40,000, TO BE PAID BY THE AMERICAN RESCUE PLAN ACT FUND.** Mr. Heistand noted that the amount was raised to \$40,000 since the parking lot will not be sealed until Spring 2024, and will need to be re-striped. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-36 WAS ADOPTED.**
 - Mr. Heistand reminded Mr. Holbrook that since the parking lot project is being paid using ARPA funds, Federal guidelines require that Houser include a signed Contract Addendum.
 - He reminded the Trustees that the remaining ARPA funds must be appropriated by 12/31/24 or the unused funds will be subject to claw-back by the Treasury Department.
- **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked if ARPA funds could be used to replace the Township Hall roof. Mr. Heistand responded in the affirmative. Mr. Potter asked when the roof was last replaced. Mr. Holbrook stated that he wasn’t certain. Mr. Keener thought it had been over 20 years, with the Police Department roof probably dating to the mid-1990’s. Mr. Potter agreed is obtain quotes to repair or replace the roofs.

POLICE DEPARTMENT REPORT:

- Chief Andzik reported that Superintendent Joe Scholler was expected to present the Memorandum of Understanding (MOU) for the School Resource Officer at the Valley View Board of Education meeting earlier that evening. Once approved by the Trustees, he planned to sign the MOU later in the week. He stated that an SRO is required to have at least three years of police officer experience. Additional SRO training is not in the MOU. He stated that Valley View would pay an additional amount for training if the schools felt it was needed.
 - Dr. Cross stated that he hadn’t had a chance to review the MOU and as such it couldn’t be approved at this meeting.
 - **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross reported that a Board of Education member asked about ongoing SRO training at their meeting earlier that

evening. She said that Mr. Scholler told the Board member that he would meet with Chief Andzik and initial changes to the MOU. Chief Andzik stated that additional training was not required beyond the 24 hours of training paid by the State of Ohio that all Township officers receive every year.

- **Visitor Comment: Abigail Hale-Dennis, 13091 Oxford Road:** Ms. Hale-Dennis reported that at their meeting earlier that night a Board of Education member asked about having the SRO engage more with the students.
- Dr. Cross asked Chief Andzik to make changes to the MOU to reflect officer training and forward them to the Trustees to be considered at a Special Meeting later in the month.
- Chief Andzik reported that National Night Out will be celebrated in German Township on 10/3/23 from 6-8 pm. Food will be provided and a canine demonstration will be featured.

EXECUTIVE SESSION:

- At Chief Andzik's request, 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 employment of a public employee.**
 - **Visitor Comment: Mark Keener:** Mr. Keener requested that the Executive Session be held at the end of the meeting, so that visitors can leave following the end of regular business.
 - Mr. Stubbs and Dr. Cross agreed to withdraw their motion and second.

ROAD/SERVICE DEPARTMENT REPORT:

- Mr. Holbrook reported that Houser, Inc. had completed repaving the Township Hall parking lot. He reported that Ray Hensley, Inc. had completed the 2023 chip seal contract.
- He presented two proposals to re-stripe the centerline on 10.62 miles of roadway that were recently chip sealed: (1) A&A Safety for \$13,140.87; and (2) The Aero-Mark Company LLC for \$17,788.50. He recommended that the Trustees approve the A&A Safety proposal.
- Mr. Potter introduced **RESOLUTION 2023-37**, seconded by Mr. Stubbs: **A RESOLUTION AUTHORIZING ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH A&A SAFETY TO CENTERLINE RE-STRIPE 10.62 MILES OF ROADS THAT WERE UNDER THE 2023 CHIP SEAL PROGRAM, AT A COST OF \$13,140.87.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-37 WAS ADOPTED.**

ZONING & TRASH DEPARTMENT REPORT:

- Mrs. Close wrote seven permits in July for a livestock barn on Friend Road, new residential construction on SR 725, sheds on Stiver Oxford Roads, a residential addition on Oxford Road, a fence on Manning Road, and a commercial storage building for Valley View Local School District.
- She noted that the Zoning Commission (ZC) will hold a special meeting on 8/15/23 to further discuss regulations on small solar farms as well as residential solar panels.
- She presented information to set up online trash payments for Township residents through the existing iWorQ system. She noted that the processing fee would not be paid by the Township.
 - Dr. Cross stated that he didn't have a problem adding this option for residents.
 - **Visitor Comment: Kurt Jacoby, 12955 Harris Road:** Mr. Jacoby stated the he would like the option of paying his trash bill online.
 - **Visitor Comment: Mark Keener:** Mr. Keener asked if zoning fees could also be paid online, since the Zoning Department uses the same iWorQ system. Mrs. Close thought that might be possible, but will check to be certain.

- Dr. Cross introduced **RESOLUTION 2023-38**, seconded by Mr. Stubbs: **A RESOLUTION APPROVING CHANGES TO THE IWORQ SERVICE AGREEMENT TO ALLOW FOR ONLINE PAYMENT PROCESSING**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2023-38 WAS ADOPTED**.
- Dr. Cross encouraged Township residents to attend the 8/15/23 ZC meeting to provide input on small scale solar facilities as well as residential arrays. He noted that the Township may not place a permanent moratorium on small-scale solar, but may regulate them through the Township Zoning Resolution. A six-month moratorium was enacted by the Trustees at the 6/29/23 meeting.
- He spoke with Stefan Bridenbough on 8/2/23 and Ed Everman on 8/9/23 to discuss whether to approach the Montgomery County Commissioners to consider designating most of German Township a “restricted” area where large-scale solar (over 50MW) and wind facilities cannot be located. Both agreed that it might be a good first step to email one of the Commissioners to get her opinion on the matter. Neither knew of any other townships in the area (Jackson, Jefferson, Perry) that had approached the Commissioners in this regard.

TRUSTEE POTTER’S REPORT:

- Mr. Potter stated that the Kercher Park south parking lot repaving was complete. Some residents attended the recent Parks Board meeting to ask that dedicated pickle ball courts be constructed. He noted that the Kercher Park tennis court nets are in the way when playing pickleball. The Parks Board also discussed the possibility of adding defibrillators and drinking fountains at the parks.
 - **Visitor Comment: Abigail Hale-Dennis:** Ms. Hale-Dennis felt that Germantown has taken all the credit for the parking lot improvements. Mr. Potter noted that the City had advanced funds to the Parks Board to pay for the parking lot paving.
- He attended meetings with Germantown Manager Judy Gilleland and Germantown Community Planner Aaron Sorrell: one to discuss plans for the MMI Park and a second to discuss the farm land within the parks. He noted that the City is considering offering pool pass discounts for City employees. Other cities give municipal staff discounts of 20-50%.
- He spent two days removing the mulch pile and a load of logs at MMI Park. He hung a new flag on the flagpole. He hoped that a layout of the old MMI buildings can be completed soon so that the parking lot can be designed and gravel installed this year. Plaques will be ordered to tell the history of the Miami Military Institute as well as Camp Miami.
- Addressing invasive Johnson grass, he noted that Preble County is spraying their roads. He felt that Montgomery County and Five Rivers Metroparks should spray their roads to eliminate weeds.
- He reported that he had filed his petition to run for re-election in November and will be unopposed. Mr. Heistand commented the he also has no opposition on the ballot.
- **Visitor Comment: Deb Cross:** Mrs. Cross stated her desire that the new MMI Park include a dog park. Mr. Potter responded that this might be possible at some point in the future. Mrs. Cross asked if there was any financial help available for residents who can’t afford pool passes. Mr. Potter stated that he was not aware of any available assistance.

TRUSTEE STUBBS’ REPORT:

- Mr. Stubbs reported that the Cemetery Board is considering running a replacement levy. A decision will be made in September. An excess Farris mower will be sold on GovDeals.com. Mr. Holbrook will assist with the online listing. He asked Mr. Heistand to send a copy of the Township’s vacation, comp and sick leave policies to the Cemetery Fiscal Officer.

TRUSTEE CROSS’ REPORT:

- Dr. Cross reported on the 7/13/23 Senior Oversight Committee that he attended.
 - Membership is up to 282 members, of which 52 are non-residents.
 - The Senior Center had five rentals in May and June. Two rentals are booked for August.
 - The Center's results are below budget for January-June. Revenue is up significantly due to the \$379,313.30 bequest from the late Nelda Judy-Lane.
 - The City is formulating an Emergency Operations Plan. One item under consideration is to have the Center be an emergency gathering place. This would require that the Center purchase a generator. One estimate received was \$182,050. The City is trying to get a grant to cover \$100,000 of the cost. According to Manager Gilleland, the grant, if received, would probably be much less than the request. While waiting for the grant decision, the City will obtain a second estimate. He stated that the generator would be an excellent way to use some of Mrs. Judy-Lane's bequest.
 - Possible replacement of the Center's vinyl flooring was discussed. The kitchen area has some loose tiles, but replacing the rest would be purely for cosmetic reasons. He noted that the Oversight Committee requested that two quotes be obtained: one to replace the entire area and a second to replace only the kitchen area. The Committee advised that they would not approve the expenditure to replace the tile just for cosmetic reasons.
- On 7/24/23 he delivered the revised Article 2-Definitions section of the Zoning Resolution to the Montgomery County Recorder's office.
- He met on 7/24/23 with Montgomery County Mapping Manager Jeremy Popp concerning updating the Township zoning map to include changes made on three parcels since the current map was printed in 2015. On 7/31/23 he picked up 20 small copies of the map as well as two large frameable copies, one large map for use by the ZC and the Board of Zoning Appeals, and two aerial maps to use as necessary for presentations. There was no charge for the maps. He displayed the large and aerial maps for those in attendance.
- He reported on the 8/7/23 Germantown Council Meeting that he attended.
 - Council passed a Resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation to repave SR 4 within the Germantown city limits. Work is planned for next year at a total cost of \$810,000. The City's portion is \$162,000.
 - During Council's Work Session, consultants for the Downtown Redevelopment Project gave a presentation, stating that 90% of the draft had been completed. There was a concern that several downtown owners don't want to help prospective tenants with upgrades that are needed. A possible four-way stop at Main and Market Streets was also discussed. The goal would be to slow traffic and possibly attract visitors to downtown.
 - The rest of the Work Session was a discussion concerning the Covered Bridge. Consultants for the project said the total cost, including design and construction, would be \$946,233. A grant was approved in March 2023 to cover a portion of the cost. Manager Gilleland stated that the City hopes to use ARPA funds to help pay the City's \$539,513 share. Nonetheless, the City may still need to borrow money for the project. Construction is estimated to begin in October 2025 and last until April 2026. He was told that emergency repairs will be made to the bridge until construction begins in 2025.
- He spoke to Lonnie Pederson from TSC-Hanson Communications on 7/31/23 and was told that most of the fiber optic cable was in the ground and residential hookups will begin in August.
 - **Visitor Comment: Abigail Hale-Dennis:** Ms. Dennis noted that she was without internet for a week during the fiber optic installation. She asked if there is a map that shows who is responsible for Township roads. This information is listed list on the Township website.

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 employment 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 8:11 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand; Police Chief Joe Andzik.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- At 8:15 pm Chief Andzik left the Executive Session.
- At 8:44 pm Chief Andzik entered the Executive Session.
- At 8:48 pm, Dr. Cross made a MOTION, seconded by Mr. Stubbs, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote.

OLD BUSINESS:

- None

NEW BUSINESS:

- None

MEETING ADJOURNED:

- With no further business, Dr. Cross made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 8:49 pm.

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

Attest: These minutes were approved by the Board of Trustees at the September 11, 2023 meeting.

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