



**GERMAN TOWNSHIP BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING HELD ON MARCH 10, 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 7:03 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 Shauna Close</b>	

**IN-PERSON ATTENDEES:**

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Abigail Hale-Dennis	German Township	Mike Moore	German Township
David Gehron	German Township	Jeff Dondero	German Township
Belinda Hogan	German Township	John Minear	Mont Cnty Solid Waste
John McManus	Mont County Treasurer	Mark Keener	German Township
Deb Cross	German Township	Ken & Jen Kinch	German Township

**ONLINE ATTENDEES:**

<i>Name</i>	<i>Name</i>	<i>Name</i>	<i>Name</i>
Ben	Sam	KC	

The Germantown Press was notified of the Regular Meeting on 3/2/25 at 6:36pm.

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

**VISITOR COMMENTS:**

- **Montgomery County Treasurer John McManus:** Mr. McManus congratulated Fiscal Officer Heistand on recently receiving the Jesse Haines award from Montgomery County Auditor Karl Keith. He noted that his office serves the county in three main areas: (1) banker; (2) investment officer; and (3) real estate tax collector. He noted that his office does not set real estate tax rates. 2024 collections were in excess of \$1 billion. He discussed several programs his office offers to county residents: (1) tax prepayment program; (2) deed fraud alert notifications; (3) delinquent payment contracts; (4) homestead exemption applications. He stated that appeals to the Board of Revisions can be filed between January and March. So far this year the filings are below historical trends.

- **John Minear, Assistant Director, Solid Waste Management District & Operations, Montgomery County Environmental Services:** Mr. Minear discussed the County's Solid Waste Management Plan's 2024 update. Updates occur every five years. He noted that a public comment period and public hearings were previously held. The update discusses disposal capacity for twenty years, plus sets forth solid waste reductions through recycling. The update increases disposal fees from \$3.00 to \$3.65 per ton in the first year, with 6% increases in subsequent years. If trash hauler contracts allow for fee increases, the update allows haulers to pass on the disposal fee increase and also add a markup. He requested that the Trustees approve the plan update.
  - Mr. Stubbs introduced **RESOLUTION 2025-20**, seconded by Mr. Potter: **A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT DISTRICT.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-20 WAS ADOPTED.**
- **Jeff Dondero and Mike Moore, German Township Residents:** Messrs. Dondero and Moore discussed the fuel oil tankers being stored at a property on Diamond Mill Road. Mr. Dondero reported that Germantown Oil Co. was moving business operations to the property. Dr. Cross stated that he talked to owner John Legate, who denied that the business was moving from its current Route 4 location. Mr. Potter stated that Mr. Legate told him the trucks would move back to the Route 4 facility in a few weeks once winter weather is over. Mr. Dondero stated that the trucks are being refilled at night at the Diamond Mill property. He was concerned about truck traffic on the road as well as potential hazmat issues in the event of a spill or fire. Mr. Moore reported that he took pictures of the trucks filling fuel from tanker to tanker earlier that day at 6:00 am; four trucks arrived at 5:00 am. He stated that if the Trustees didn't resolve the issue, they would pursue other avenues for assistance. Mr. Dondero stated that Mr. Legate constructed the building under false premises since he stated that only farm equipment would be stored inside. He said that Mr. Legate is in violation of his zoning permit. Mr. Moore stated that he would next take the issue to the EPA.
- **Ken and Jennifer Tinch, German Township Residents:** Mr. & Mrs. Tinch discussed a recent accident at the corner of Wetzel and Harris Roads. They felt that a dead-end sign is needed for Wetzel Road at that intersection. Mr. Holbrook stated that he would install a dead-end sign.
- **Mark Keener, German Township Resident:** Mr. Keener discussed several items:
  - He congratulated Mr. Heistand on receiving the County Auditor's Jesse Haines award.
  - He reported that the Valley View Joint Economic Development District (JEDD) Board would meet on 3/12/25. The JEDD income tax rate dropped from 1.5% to 1.25% at the beginning of 2025. Mr. Keener is the Board Treasurer. He stated that the Board needs to set the maintenance holdback rate for 2025. Prior to 2025 the holdback was 21% of collections. Starting in 2025, the holdback must be at least 6%. He requested that a Trustee attend the 3/12/25 meeting to help the Board decide on the 2025 rate. Dr. Cross agreed to attend. A discussion followed as to whether the JEDD could help Valley View pay for School Resource Officer services.
  - He noted that by 2027 the Township's online presence (website, Facebook, etc.) must be searchable in compliance with the American Disabilities Act. He asked that the Trustees suspend requiring attendees and speakers at Township meetings to provide their address. He felt that having an address available and searchable online was a security issue.
    - Mr. Stubbs introduced **RESOLUTION 2025-21**, seconded by Mr. Potter: **A RESOLUTION SUSPENDING ANY REQUIREMENT FOR ATTENDEES AND SPEAKERS AT TOWNSHIP MEETINGS TO PROVIDE THEIR ADDRESS. HENCEFORTH, ONLY THE NAMES OF ATTENDEES AND SPEAKERS WILL BE REQUESTED.** The roll was



taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-21 WAS ADOPTED.**

**FISCAL OFFICER'S REPORT:**

- Mr. Heistand submitted minutes for the 2/10/25 Regular Meeting. Mr. Stubbs requested a minor change on page 4 where he discussed the new Cemetery software system. Dr. Cross made a MOTION, seconded by Mr. Potter, to approve the minutes as corrected. The MOTION WAS APPROVED by a unanimous voice vote.
- He presented the February Financial Reports: (1) 2/28/25 Fund Status; (2) YTD 2/28/25 Cash Summary by Fund; (3) Month of February 2025 Cash Summary by Fund; (4) February 2025 Receipt Listing; and (5) February 2025 Payment Listing. He noted the following item:
  - Warrant #50834 for \$111,822.68 to Rush Truck Center-Dayton was for the new dump truck body. (The truck's upfitting will be invoiced separately by Gledhill Road Machinery.) As the Trustees previously approved, the remaining American Rescue Plan Act funds of \$8,303.51 were used as part of the dump truck payment.
- Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the February financial reports and authorize the payment of February bills (warrants 50829 through 50851 and vouchers 50 through 181 for payroll direct deposit, tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand reminded Township residents that a 4.0 mill, 10-year Fire/EMS levy will be on the May primary ballot. He reported that a Levy Committee had been meeting since mid-February. Former Germantown mayor Steve Boeder is the committee chair, with Township resident Dani Jacoby serving as treasurer.
- He noted that the Township received a request from the Ohio Township Association (OTA) to pass a Resolution supporting State Issue 2, which will be on the May primary ballot. Issue 2 will renew the State Capital Improvement Program for an additional 10 years. Voter approval of Issue 2 will allow issuance of general obligation bonds up to \$250 million per year over 10 years to fund grants and loans for local infrastructure improvements across Ohio and will create an estimated 35,000 construction jobs. Issue 2 relies on existing state revenues and does not raise taxes. In the current 10-year cycle, \$2.3 billion has been awarded to 1,084 local governments for 4,490 projects benefiting Ohio municipalities, counties, townships, and other subdivisions. The last renewal of the program in 2014 received support from 65% of the electorate. He reported that since the inception of SCIP, German Township has received \$2,811,315 in grant funds from SCIP for 15 road infrastructure projects. He provided a list of those awards to the Trustees.
  - Mr. Stubbs introduced **RESOLUTION 2025-22**, seconded by Mr. Potter: **A RESOLUTION TO SUPPORT STATE ISSUE 2, THE RENEWAL OF THE STATE CAPITAL IMPROVEMENT PROGRAM, ON THE MAY 6, 2025 STATEWIDE BALLOT.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-22 WAS ADOPTED.**
- He noted that HB 315 which passed in the last General Assembly is effective on 4/2/25. One of the items included in the bill concerns publishing of Public Notices. Townships will now have three publishing options:
  - Posting on Township websites and all social media accounts (both are required)
  - Posting in print or digital newspapers
  - Posting on Ohio's State Public Notice website.

The OTA has recommended that Townships establish a policy to avoid Notice inconsistencies.

- Mr. Stubbs introduced **RESOLUTION 2025-23**, seconded by Mr. Potter: **A RESOLUTION STATING THAT GERMAN TOWNSHIP, EFFECTIVE APRIL 2, 2025, WILL NO LONGER PUBLISH PUBLIC NOTICES IN LOCAL NEWSPAPERS. THE TRUSTEES DIRECT THAT FUTURE PUBLIC NOTICES BE POSTED TO THE TOWNSHIP'S WEBSITE AND ON ALL OF THE TOWNSHIP'S SOCIAL MEDIA ACCOUNTS.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-23 WAS ADOPTED.**
- Mr. Heistand reported that the Township received notice that a Decision has been rendered by the Montgomery County Common Pleas Court in the Administrative Appeal filed by SRM Materials LLC related to the decision made by the Board of Zoning Appeals (BZA) on 3/12/24 in Case #2024-01CU, a conditional use application by SRM. The Common Pleas Court's Decision affirmed the BZA's decision, finding that the BZA's "denial of the conditional use application was supported by a preponderance of substantial, reliable and probative evidence."
- He reminded the Trustees that all the Township's web content and mobile applications will need to be complaint with new Department of Justice disability accessibility requirements by 4/26/27. He previously provided the Trustees with a link to a Fact Sheet concerning the new DOJ rules that is available on the Civil Rights Division website.
- He noted that the Montgomery County Township Association would next meet on 3/27/24.

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

- Chief Birch reviewed the Department's February statistics.
- He reported that on 3/6/25 an officer was involved in a two-car, no injury, property damage crash. The officer was cited by Ohio State Patrol as the at-fault vehicle. The other party involved was a complainant in a traffic-based harassment issue involving a vehicle that had left the scene. As the officer attempted to pass the complainant to catch up with the subject vehicle, the complainant attempted to turn into a driveway and was struck on the driver side rear by the officer.
- He reported that Officer Stephen Getter recently attended a two-day grant writing course held by the Montgomery County Sheriff's Office.

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

- Mr. Holbrook asked if the Trustees wanted to take action to vacate four Sunbury alleys. He noted that the alleys are not used by the public and adjoining properties are otherwise fully accessible.
  - Mr. Stubbs introduced **RESOLUTION 2025-24**, seconded by Dr. Cross: **A RESOLUTION TO REQUEST THE MONTGOMERY COUNTY BOARD OF COUNTY COMMISSIONERS TO VACATE FOUR PUBLIC ALLEYS LOCATED IN THE SUNBURY SUBDIVISION IN GERMAN TOWNSHIP.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-24 WAS ADOPTED.**
  - Mr. Holbrook noted that the next step would be for the County Commissioners to hold a Public Hearing on the vacation. The Township will notify abutting landowners by regular mail 20 days before the Public Hearing, informing the owners about the request along with the time and place of the Public Hearing. Following the Public Hearing and approval by the Commissioners, the County Auditor, the County Engineer, and the Trustees would be notified. The Trustees would then pass another Resolution deeming the alleys vacated and file the Resolution with the Auditor, Engineer, and Commissioners.
- He reported that his department had started removing the excess berm along Eckhart Road caused by SRM gravel plant traffic. Jackson Township Service Department is providing assistance.



- He reported that, due to the Astoria Road closure, Rumpke did not pick up trash at five homes. The closure signs have been moved to allow access by the trash trucks. He noted that the official detour route had been changed by the County following his contact with the Engineer's office.

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

- Ms. Close issued one permit in February for agricultural exempt pig barns on Beck Road.
- She reported that the next Zoning Commission regular meeting would be held on 4/7/25.
- The Board of Zoning Appeals will hold a hearing on Case #2025-03V on 3/11/25.
- She received one updated proposal for a new digital sign and was waiting on a second quote. Mr. Holbrook reported that lighting for the current sign had been shut off due to electrical issues. Mr. Stubbs stated that the current sign needs to be replaced.

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

- Mr. Potter stated that the Parks Board met on 3/5/25 and purchased an Automated External Defibrillator (AED) for Kercher Park. The box is located at the concession stand. Since the box isn't climate controlled, the AED will only be available in months when water to the concession stand is turned on. The cost was \$1,956. Mr. Heistand noted that HB 315 included changes to the new requirement that AEDs be available in all parks.
- Mr. Potter reported that Germantown City Manager Judy Gilleland obtained two proposals to mow a total of 60 acres at the City's parks. The quotes were \$106,400 and \$144,704. The City has estimated the cost to mow the parks using City employees would be \$62,029, not including the purchase of new equipment or major repairs.
- He noted that the Pool has been hiring workers for the 2025 season. There will be 3% increases in the price of daily admission, passes and pool parties. Proposals are being obtained for a new slide; the expected cost is in excess of \$100,000.
- The MMI Park Committee met in February. The plaques honoring cadets killed in action have been received. Wrong stakes were sent and will be replaced. He attended a recent Lions Club meeting to discuss benches donated by the club and its members and received approval from all involved to use the benches at MMI Park. The entrance sign for the large boulder will be installed shortly. Mr. Stubbs complimented Mr. Potter on his work at the MMI Park, stating that Mr. Potter deserves a lot of credit. Mr. Potter stated that walking trails would be established later this year.
- Mr. Potter stated that Valley View Superintendent Andrea Cook was also present at the same Lions Club meeting and reported that the Comstock Street Primary School building would be demolished during April.

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

- Dr. Cross attended the 3/3/25 Germantown City Council meeting. Highlights included:
  - A \$75,000 grant for a generator at the Senior Center has been approved. This will allow the Senior Center to remain open and act as an emergency center. The City is obtaining updated costs for the generator.
  - 15-minute parking signs have been placed near downtown restaurants for carry-out food.
  - The Planning Commission approved splitting the Comstock Street school property into three parcels.
  - There have been discussions concerning the Comstock Street three-story Intermediate School building, but mostly in Executive Session. Nothing has been released publicly.
- He planned to attend the 2025 Montgomery County District Advisory Council for Public Health meeting on 3/18/25.

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

- Mr. Stubbs reported that the Cemetery had a very busy month with nine burials; the average is one burial per month. To prepare for mowing season, flowers and other items will be removed starting in April. A meeting was held with WebCemeteries to review their system design. Prepping mowers is in process. He noted that new employee Pat Tannreuther is doing a great job.
- He stated that School Resource Officer Josh Nichols received a positive social media post about his student and parent relationships. He noted that Officer Nichols takes his job very seriously.
- He was contacted by Five Rivers Metroparks about possibly transferring responsibility for maintenance of Old Mill Road to the Metroparks. He hopes to finalize the transfer during 2025.
- He received an email from a fireworks storage company. He determined that they were trying to reach German Township in Harrison County instead of our Township.
- He initiated a discussion about the Legate property on Diamond Mill Road. Ms. Close stated that she had not received any zoning complaints about the property. The Trustees discussed what could be done about winter storage of fuel trucks on the property. They provided suggestions to Ms. Close on how she could take the issue forward. Mr. Stubbs stated that Mr. Legate needs to be in compliance with the agricultural exemption zoning permit he received for the site.

### **OTHER BUSINESS:**

- **Visitor Comment: German Township Resident David Gehron:** Mr. Gehron reported on a letter he received from the Miami Conservancy District (MCD) about a recreational vehicle he stores on his property. He noted that a corner of his Kiefer Road property is below 835-foot elevation and is considered part of MCD's flood control storage basin. He stated that his house has an elevation over 900 feet. He was upset that the letter stated he would need a permit to store the vehicle. Ms. Close asked him to share a copy of the letter with her so she could follow-up.
- Mr. Stubbs asked that nominations for the 2025 Township Service Award be submitted to him.

### **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 9:13 pm.

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

Jacob Stubbs, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the April 14, 2025 meeting.

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

Mark A. Heistand, Fiscal Officer