



**GERMAN TOWNSHIP BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING HELD ON AUGUST 12, 2024**

**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 Dr. Mark Cross at 7:00 pm. In attendance were:

<b>President Dr. Mark Cross</b>	<b>Vice-President Jacob Stubbs</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>
Deb Cross	7444 S. Stiver Road	Jeff Dondero	6793 S. Diamond Mill
Chris Peed	86 Willis Way	George McKinney	8439 Bobby Pl, Carlisle
Mark D. Jones	12255 Harris Road	Debi Dalrymple	7530 Martha, Carlisle
Martha Stevens	8439 Bobby Pl, Carlisle	Austin Stevens	12102 St. Rt. 725 W.
Danielle Stevens	253 Mark Court	Abigail Hale Dennis	13091 Oxford Road
Zack Back	759 Hillcrest Av, Carlisle	Mark Keener	7865 Jamaica Road
Miranda Dalrymple	759 Hillcrest Av, Carlisle	Robin Cameron	8187 Starry Night Drive
Joan Cameron	8187 Starry Night Drive	Dan Alldred	75 N. Walnut St.
Josh Forrer	75 N. Walnut St.	Niraj Antani	1 Capitol Sq, Columbus
Dylan Jones	12102 St. Rt. 725 W.		

**ONLINE ATTENDEES:**

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

The Germantown Press was notified of the Regular Meeting on 8/7/24 at 10:19 am.

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

**HIRING OF OFFICER AUSTIN STEVENS:**

- Chief Birch requested that the Trustees approve hiring Austin Stevens as a full-time police officer. He noted that Mr. Stevens passed his state test earlier that day and had previous military experience. He stated that Mr. Stevens will replace Sergeant Dylan Jones who replaced Chief Birch when he was promoted to chief (he replaced former Chief Joe Andzik).

- Mr. Stubbs introduced **RESOLUTION 2024-50**, seconded by Mr. Potter: **A RESOLUTION HIRING AUSTIN STEVENS AS A LEVEL 3 FULL-TIME POLICE OFFICER AT \$46,006.10 PER YEAR (\$22.12 PER HOUR), AS HE HAS SUCCESSFULLY PASSED ALL REQUIRED TESTING.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-50 WAS ADOPTED.**
- Mr. Stubbs administered the swearing-in of Officer Stevens and photos were taken.

**VISITOR COMMENTS:**

- **Jeff Dondero, 6793 S. Diamond Mill Road:** Mr. Dondero discussed the upcoming 11<sup>th</sup> Twisted Pretzel Bike Tour on 9/28/24 and requested assistance from the Police Department directing traffic at the corner of Creek Road and State Route 725. Chief Birch requested that Mr. Dondero email him the routes that the bikers will follow.
- **State Senator Niraj Antani, 1 Capitol Square, Columbus:** Senator Antani noted that Mr. Stubbs asked him to attend the meeting to explain why he didn't submit projects proposed by the Township and other jurisdictions he represents to be included in the State's One Time Strategic Community Investments Grant Program. After explaining the State's traditional process to budget capital projects, he stated that he was opposed to this particular program and voted against the bill that approved the projects funded by the program. He felt that the funds should have been returned to the taxpayers using tax cuts instead of being used for elected official's pet projects.
  - The Senator was asked several questions by the Trustees and the Fiscal Officer, each of whom were not in agreement with the Senator's position on this issue.

**FISCAL OFFICER'S REPORT:**

- Mr. Heistand noted that Germantown Fire/EMS Chief Dan Alldred and Lt. Josh Forrer were present to discuss the need to purchase new self-contained breathing apparatuses (SCBA). They noted that parts are no longer available for the 2002 units currently used. They would like to purchase 20 units, 30 masks, and 20 spare bottles at a cost of \$176,265. Chief Alldred requested that the Trustees approve using hold-back funds in the Fire/EMS funds for this capital purchase.
  - Dr. Cross introduced **RESOLUTION 2024-51**, seconded by Mr. Potter: **A RESOLUTION APPROVING A DISTRIBUTION OF \$88,132.50 FROM THE FIRE LEVY FUND (#2191) AND \$88,132.50 FROM THE EMS/FIRE LEVY 2010 FUND (#2193) TO REPLACE SELF-CONTAINED BREATHING APPARATUSES AND OTHER EQUIPMENT FOR THE FIRE/EMS DEPARTMENT.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-51 WAS ADOPTED.**
- Mr. Heistand submitted minutes for the 7/8/24 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.
- He presented the July Financial Reports: (1) 7/31/24 Fund Status; (2) YTD 7/31/24 Cash Summary by Fund; (3) Month of July 2024 Cash Summary by Fund; (4) July 2024 Receipt Listing; and (5) July 2024 Payment Listing. He noted the following items:
  - Warrant #50789 for \$2,000.00 to First Church of God was the donation approved at the July meeting from the Fouts Trust Fund for the Sonshine in a Bag food ministry. He noted that a thank-you note and an annual report had been received from the ministry.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the July financial reports and authorize the payment of July bills (warrants 50783 through 50789 and vouchers 553 through 643 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.

- Mr. Heistand reported that earlier that day he received the draft report from the Auditor of State's 2022-2023 Agreed Upon Procedures review. He noted that the auditors identified several small fund balance adjustments related to using incorrect funds to record some of the elected official's benefits during the audit period. He posted these adjustments and forwarded the appropriate documents to the auditor. Once the final report is received, it will be made available on the Township website. Following the meeting, he and Dr. Cross signed the audit representation letter.
- He reported that on 8/7/24 he filed a funding application with the Ohio Office of Budget and Management related to the Township's \$60,000 grant for the Twin Creek erosion project that was submitted to State Representative Tom Young and included in the State's One Time Strategic Community Investments Grant Program. In doing so, he noted that the State used 7/1/24 as the project start date. He was hopeful that the fact that the project was completed and paid prior to 7/1/24 would not preclude receipt of the funds. If received, the Township's \$30,000 portion of the grant will be deposited into the American Rescue Plan Act (ARPA) fund and be available to fund other projects. The other \$30,000 will be paid to the City of Germantown.
- Following Trustee approval at the July meeting, he filed the Township's acceptance of the national opioid settlement with Kroger Co. This was the latest of several opioid settlements that the Township has approved since August 2021.
- At the July meeting, the Trustees agreed to accept Randy King's \$5,000 proposal to paint the exterior of the Township Hall. Specifically, his proposal was to grind and tuckpoint 280 linear feet of damaged mortar joints, paint two coats on 2,588 square feet of block walls similar to the existing color, and paint 100 feet of gutter and downspouts. At the time the Trustees indicated a desire to use ARPA funds for this nonbudgeted project.
  - Mr. Heistand noted that a second painting proposal was received from Mike White. Mr. White's \$2,100 proposal did not include tuckpointing, which the Trustees agreed was needed. He felt that although Mr. King's proposal was not the lowest bid, it was the best bid. As such, he felt that Mr. King's proposal qualified for use of ARPA funds.
  - Dr. Cross introduced **RESOLUTION 2024-52**, seconded by Mr. Potter: **A RESOLUTION TO ACCEPT RANDY KING'S \$5,000 PROPOSAL TO PAINT THE EXTERIOR OF THE TOWNSHIP HALL, TO BE PAID BY THE AMERICAN RESCUE PLAN ACT FUND.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-52 WAS ADOPTED.**
  - As with all purchases using ARPA funds, Federal guidelines require the Township to have a signed Contract Addendum on file. Mr. Potter agreed to obtain Mr. King's signature
- Mr. Heistand noted that an email was received from Wright State University Libraries' Special Collections and Archives. They are the custodian of old Township records dating back to the 1800's. He provided a list of the records they hold. They have been holding the records under an agreement with the State Archives of Ohio. Wright State has decided to withdraw from the State agreement and has asked if the Township wants the old records returned or transferred to the custody of the State Archives at the Ohio History Connection in Columbus. He recommended that the Trustees approve transferring the records. Dr. Cross noted that there would not be a cost to the Township to transfer the records to the State Archives.
  - Dr. Cross introduced **RESOLUTION 2024-53**, seconded by Mr. Stubbs: **A RESOLUTION CONCERNING HISTORICAL TOWNSHIP RECORDS HELD BY WRIGHT STATE UNIVERSITY** to transfer the records to the State Archives at the Ohio History Connection. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-53 WAS ADOPTED.**
- Following up on the presentation earlier in the meeting by State Senator Antani, Mr. Heistand noted that Miami Township passed a Resolution on 7/9/24 requesting that the Senator resign his position for failing to submit projects for the State's One Time Strategic Community Investments

Grant Program. He provided a copy of the Miami Township Resolution. Referencing Senator Antani's stated opposition to the \$700 million spending bill, he noted that the Senator was the only senator to vote against the final bill. He felt that the Senator failed his constituents by not submitting projects for the jurisdictions he represents, including German Township. He stated that if the Senator opposed the process and voted against the bill, that's one thing. But by not submitting any projects, he didn't stop the money from being spent. The funds were simply allocated to other projects elsewhere in the State. He presented a proposed RESOLUTION for the Trustees to consider expressing their displeasure with Senator Antani.

- Following discussion, Mr. Stubbs agreed to draft a revised RESOLUTION to be considered at the September meeting.
- Mr. Heistand reminded all Township employees, including the Trustees, that they need to complete State required fraud reporting training before 9/28/24. Completing the training involves watching an 8-minute video, downloading a Certificate and signing an Acknowledgement Form. Going forward, this training is required to be repeated every four years.
- He noted that the next Montgomery County Township Association meeting would be held at the offices of Jefferson Township on 8/22/24.
- He wished Visitor Mark Keener a very happy birthday. Mr. Keener turned 62 that day.

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

- Chief Birch reviewed the Department's July statistics.
- He noted that the Link Layer Authentication software for the Portable Motorola radio updates has been installed. The patches cost \$1,016, plus labor of \$720. The five new Mobile Motorola Radios should be received by December.
- He obtained two quotes for a 2025 Ford Utility (Explorer) Cruiser to replace the K9 cruiser that has over 100,000 miles. He noted that the 2025 State bid made the 3.3L V6 gas flex fuel engine the standard engine; the hybrid engine now costs an additional \$2,100. Calculating the Department's average miles, miles per gallon of fuel, and fuel cost per gallon, it would take three years to make up the \$2,100 additional cost. As such, he recommended that a cruiser with the standard naturally aspirated engine be purchased.
  - He noted that Montrose Ford in Akron bid \$45,034.75 and Lebanon Ford bid \$45,546.00. He recommended that the cruiser be purchased from Montrose Ford, which will deliver. He noted that the price was \$15,000 higher than the last cruiser purchased in 2021. Preliminary quotes to upfit the new cruiser range from \$9,000-\$13,000 and will be considered by the Trustees at a subsequent meeting.
  - Mr. Stubbs introduced **RESOLUTION 2024-54**, seconded by Mr. Potter: **A RESOLUTION TO PURCHASE FOR \$45,034.75 A 2025 FORD UTILITY (EXPLORER) CRUISER FROM MONTROSE FORD IN AKRON.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-54 WAS ADOPTED.**
  - **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener asked about the cost to upfit the cruiser purchased in 2021. Chief Birch stated that the cost was \$9,600.
- Chief Birch announced that the Township's National Night Out event will be held on 10/1/24 from 6-8 pm in front of Valley View High School. The new location will allow room for new events, more vendors, special exhibits, and much more room for guest parking. Participants include Germantown Fire/EMS, MC Swat, Ohio State Highway Patrol, the Township Road Department, Care Flight, a K9 demonstration, the Germantown Senior Center, CERT (Community Emergency Response Team), Adopt-A-Pit, Montgomery County Public Health, Robyn's Nest Animal Rescue, a Dunk Tank for School Resource Officer (SRO) Steve Marsden, Sandy's Towing, and a Hay Ride.

- Dr. Cross asked about the status of the SRO contract with Valley View Schools. Chief Birch noted that approval of the contract was on the School Board's agenda for their meeting earlier that evening. He stated that he signed the contract on behalf of the Township the prior week.

#### **ROAD/SERVICE DEPARTMENT REPORT:**

- Mr. Holbrook reported his Department had completed the 2024 crack seal program, applying 6,750 pounds of sealant to Butter Street and portions of West Friend and Conservancy Roads.
- He stated that Ray Hensley, Inc. had completed the 2024 chip seal program for Butter Street (from the City limits south to SR 123), Friend Road (from Astoria Road west to #13651), and Harris Road (from Astoria west to #12420). Both Butter Street and Friend Road will be center-line striped.
- He asked the Trustees to approve up-fitting the new dump truck currently on order. The work will be performed by Gledhill Road Machinery at a cost of \$71,512.92.
  - Mr. Potter introduced **RESOLUTION 2024-55**, seconded by Dr. Cross: **A RESOLUTION APPROVING THE UP-FITTING OF THE NEW 2025 INTERNATIONAL DUMP TRUCK BY GLEDHILL ROAD MACHINERY AT A COST OF \$71,512.92**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-55 WAS ADOPTED.**
- At Mr. Holbrook's request, Dr. Cross signed the 2024/2025 salt contract with Cargill.
- Mr. Holbrook asked the Trustees to approve changing the Township's phone and internet service provider from Spectrum to TSC. He noted that TSC has quoted \$229 per month for both services, which will be provided through a fiber optic connection rather than a coaxial cable, resulting in a significant increase in internet speed.
  - Mr. Potter introduced **RESOLUTION 2024-56**, seconded by Dr. Cross: **A RESOLUTION AUTHORIZING JEREMY HOLBROOK TO EXECUTE THE NECESSARY DOCUMENTS TO CHANGE THE TOWNSHIP'S PHONE AND INTERNET PROVIDER FROM SPECTRUM TO TSC**. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2024-56 WAS ADOPTED.**
- Mr. Holbrook reported that he and Scott Hamilton continue to mow the rural cemeteries.

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

- Ms. Close reported that she issued two permits in July: (1) an agricultural exempt structure on Germantown-Middletown Pike; and (2) a cold storage building on Sigel Road.
- She announced that next regular Zoning Commission meeting would be on 10/8/24.
- Following up on discussions at prior meetings, she noted that her comparison of Rumpke's billing list with the Township's list resulted in 24 properties that were either vacant or addresses that didn't exist. She also found four properties that were being double-billed. She asked Rumpke for an updated invoice reflecting the removal of these 28 addresses. Then, following the recent mailing of this quarter's trash bills, she asked Rumpke to remove 17 additional addresses for various reasons. She has not yet received an updated invoice.
- She thanked Mr. Holbrook for handling the upcoming phone/internet provider switch.

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

- Mr. Potter reported that the Pool recently closed for a day due to an issue with the new filter system. The City employee who was certified to work on the system was on vacation that day. He has recommended to City Manager Judy Gilleland that a second employee be trained to avoid a similar problem in the future.

- Reporting on the potential Ohio Public Works Commission (OPWC) grant application for erosion problems along Little Twin Creek, he noted that Ron Wine spoke with OPWC and will meet with them in the near future. The draft grant application should be completed by the September Trustee meeting.
- He noted that the Parks Board discussed staging AEDs (automated external defibrillators) in the parks. The State recently mandated that all parks have an available AED on site. There are five parks in the City. He noted that the Kercher and Weber Parks will receive the first two AEDs.
- He attended a recent meeting with the Pretzel Festival committee, the First Baptist Church, and the City concerning parking at MMI Park during the festival. The church will organize parking at both the MMI Park and the church.
- He noted that the plaque for MMI Park has been received and will be placed on a column. Three 6'x6' timber squares are completed. They will be filled with stone and a boulder placed on top. This work will be completed before the Pretzel Festival.
- He reported that the Parks Board will be organizing a committee to plan the USA 250<sup>th</sup> celebration in 2026.

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

- Mr. Stubbs reported that Cemetery Sexton Keith Burnett attended the July Ohio Cemetery Association meeting in Cincinnati. As part of the meeting, he was able to tour the historic Spring Grove Cemetery and Arboretum. Ideas he obtained at the meeting include allowing online purchases of burial lots and the use of QR codes for headstones.
- He noted that on 9/21/24 at 10 am there will be a ceremony at the Cemetery to honor Revolutionary War Patriot Phillip Negley. The public is invited to attend.

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

- Along with Messrs. Holbrook and Hamilton, on 7/17/24 Dr. Cross inspected the progress of the Twin Creek erosion project at Kercher Park and viewed the Little Twin Creek erosion areas along Little Twin Road. He stated that Messrs. Holbrook and Hamilton agreed that the Twin Creek project was achieving its goals. He stated that that availability of grant funds will help the Trustees decide whether to go forward with the Little Twin Creek erosion project.
- He attended the Senior Oversight Committee meeting on 7/11/24. Overall, the Senior Center operations are going well. Current members total 235. Items discussed included the following:
  - On 5/24/24 a Senior Center member ran into the side of the building. The repair cost of \$21,100 is being covered by the member's insurance.
  - Senior Center Director Chenoa Erisman presented a list of repairs that she felt needed immediate attention. It was noted that \$50,000 was budgeted by the City in 2024 for repairs. The most pressing needs involve the rear of the building: replacing the pergola; repairing the concrete walkway; replacing the fence; touching up the landscaping; repairing the doorway; and installing drain lines around the foundation. The Committee agreed to complete as many projects as the budget would allow. Subsequently, he met with Germantown Finance Director Pat Shively to discuss using some of the Nelda Judy Lane bequest to pay for repair costs that exceed the \$60,000 budget. (Mrs. Lane's bequest was for the benefit of the Senior Center.) The bequest has a balance of \$622,584.
- He attended the 8/5/24 Germantown Council Meeting. Highlights included:
  - Scott Davies was introduced as the City's new Law Director.
  - Amy Schmidt from Fishback Engineering gave an update of the upcoming Covered Bridge Project. The estimated cost is now \$960,000, with the City's share being \$278,184.
  - The Fire/EMS Department is replacing its 2009 ambulance. The cost will be \$326,850.

- During Council's Work Session, Police Chief Matt Burns discussed unfunded future projects including (1) a drone with thermal imaging capability, and (2) Flock cameras at State Route 4 and Butter Street that have the capability to read license plates and other images to help with stolen cars, Amber Alerts, etc.

**NEW BUSINESS:**

- **Visitor Comment: Mark Jones, 12255 Harris Road:** Noting that he has a Republic Services dumpster at his home that he uses for his business, Mr. Jones requested to opt-out of residential trash service. Mr. Stubbs stated that trash pickup at all residences is required by Montgomery County. Mr. Jones stated that since he has the dumpster he doesn't need Rumpke trash pickup and will not pay the Township's quarterly trash invoices. Ms. Close stated that the unpaid invoices would be certified to the County to be added to his property taxes. The Trustees suggested that Mr. Jones contract with Rumpke instead of Republic for his dumpster, which would satisfy the trash pickup requirement. Mr. Jones stated that he is under a contract with Republic.

**MEETING ADJOURNED:**

- With no further business, Mr. Potter made a MOTION, seconded by Mr. Stubbs, to adjourn. The MOTION WAS APPROVED by a unanimous voice vote. The Meeting adjourned at 9:00 pm.

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

Attest: These minutes were approved by the Board of Trustees at the September 9, 2024 meeting.

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