

## RECORD OF PROCEEDINGS

Minutes of

Meeting

## THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 08, 20 2013

The regular meeting was called to order at 7:08 P.M., at the Township Hall, 12102 S.R. 725 West, Germantown, Ohio, by Board President Randy Benson with the Pledge of Allegiance. Trustees Randy R. Benson, Benjamin F. DeGroat, and Gregory A. Hanahan were present. Fiscal Officer Robert W. Rohrbach Jr was absent and excused. Zoning Inspector Laurie Rohrbach, Road & Service Department Superintendent Jeremy Holbrook, and Police Chief Joe Andzik were also present.

This meeting was digital tape recorded and the CD is on file. The Germantown Press, Dayton Daily News, and Middletown Journal were notified of the meeting.

**VISITORS** – William & Gwen Wallace of 122 Sperling Ln., Xenia; Nathaniel, Micheal, & Kathleen Welch of 6415 Oregonia Rd., Oregonia; Lori Sears of Kettering; Sonny & Maria Mills of 8322 Upper Msbg. Rd; Richard Garrettson of 8318 Upper Msbg. Rd. and Richard Hummel of Carlisle Pike.

**NUISANCE ABATEMENT – PUBLIC HEARING**

I. Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat, to open a public hearing to hear a Nuisance Abatement request for 8318 Upper Miamisburg Rd.; Parcel ID: D18 00704 0027 owned by Elmer Isaac, being purchased via land contract by Richard Garrison. After discussion, all present voted in favor, **MOTION**, passed

Zoning Inspector, Laurie Rohrbach was sworn in and provided the staff report on the issues. Issues were some tall grass and firewood. The firewood, logs, poles etc. are allowed but must be made orderly. She noted there has been progress and the tall grass has been taken care of.

Mr. Mills was sworn in and stated house is 44 feet from what is being stacked. He doesn't like the looks of wood piles, brush piles, and high grass. Mr. Garrettson is doing it for spite. He requested that a privacy fence be installed or something be done.

Board commented on wood piles and discussed with Mr. Mills. The Board noted that they cannot make Mr. Garrettson put up a privacy fence.

Mr. Garrettson was sworn in and stated he is a tree trimmer and tries to keep it nice, but it is a work in progress. He has done it for years, stacked like it is. He has no issue with his neighbors. His mower broke down for a month, but got it mowed when he received his mower back.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to close the



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public hearing and reconvene the regular Board meeting. After discussion, all present voted in favor, MOTION passed. No Abatement action was taken by the Board due to the lack authority over fire wood. Since the grass and other issues were abated. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to notify the property owner to keep the rails stacked neater, weeds kept down, and grass be kept mowed. After discussion, all present voted in favor, MOTION passed.

- II.** Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to open a public hearing to hear a Nuisance Abatement request for 11952 Friend Rd. Parcel ID: D14 00906 0021 owned by Richard Miller and Scarlet Lewis.

After discussion, all present voted in favor, MOTION, passed

Zoning Inspector, Laurie Rohrbach was sworn in and reported the issue was tall grass in the front, side, and rear yards. She recommended that a nuisance be declared. She also testified that the property owner was notified as outlined in the nuisance abatement resolution.

There was no one present to speak on behalf of the property owner.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to close the public hearing and reconvene the regular Board meeting. After discussion, all present voted in favor, MOTION passed.

Mr. DeGroat introduced **RESOLUITION 2013-24**, seconded by Mr. Hanahan, to declare a nuisance at 11952 Friend Rd. as outlined by the Zoning Inspector and order it abated as outlined in the nuisance abatement resolution. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2013-24** passed. Mrs. Rohrbach was advised to take the appropriate actions.

- III.** Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan, to open a public hearing to hear a Nuisance Abatement request for 11920 State Route 725 owned by Robert Smith. After discussion, all present voted in favor, MOTION, passed

Zoning Inspector, Laurie Rohrbach was sworn in and reported the issue has been abated. She recommended that no action be taken.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to close the public hearing and reconvene the regular Board meeting. After discussion, all present voted in favor, MOTION passed. No action was taken as nuisance

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has been abated.

**VISITOR COMMENTS –**

- I. Mr. Hummel let the Board know of the radio control model plane club using his property for the past ten years and the noise complaints from his neighbors in Carlisle. The model plane club desires to become involved in the community. He also noted some issues with Mr. Johnson charging a fee to allow owners to recover run away planes from his property.

The Board discussed the program and potential issues with Mr. Hummel.

**SWEARING IN CEREMONY –**

- I. Chief Andzik reported that the Police Sergeant selection process has been completed. He reported that Police Officer David W. Wallace, who has been with the department since 2005, successfully completed each phase of the testing process. He further recommended that Officer Wallace be promoted to the rank of Sergeant, that his salary begin at the five year of service level for the Non-Degree Index of Sergeant Level of the German Township Police Dept. Salary Schedule, effective July 9, 2013 with a 9 month probation period.

Mr. Hanahan introduced **RESOLUTION 2013-25**, seconded by Mr. DeGroat, that Officer David W. Wallace be promoted to the rank of Sergeant, that his salary begin at the five year of service level for the Non-Degree Index of Sergeant Level of the German Township Police Dept. Salary Schedule, effective July 9, 2013 with a 9 month probation period. After discussion, the adoption vote was as follows: Mr. Benson - Yes, Mr. DeGroat- Yes, Mr. Hanahan –Yes, **RESOLUTION 2013-25** passed.

The Board congratulated Sergeant Wallace for being the successful candidate in the promotion process. Mr. Benson provided the oath of office to Sergeant Wallace.

**MINUTES –**

- I. The Board reviewed the minutes of the May 13, 2013 Regular meeting. Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan, to approve as corrected (capitalization). After discussion the adoption vote was Mr. Benson and Mr. Hanahan in favor, Mr. DeGroat abstained; **MOTION** passed.

**FISCAL OFFICER REPORT –**



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Held July 08, 2013**I. Correspondence:****IN**

- A. OTA – July Grassroot Clippings
- B. Ruth Huff – OPERS request for eligibility for retirement.
- C. Mont. Co. Commission – Res 13-0788 & 13-789 approving City of Germantown Annexations.
- D. Montgomery Co. Auditor – Budget Commission hearing notice
- E. Frank Gates Service Co. – Invoice for BWC services for 2013.

**OUT**

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 7/8
- B. City of Germantown – 5/13 minutes
- C. Monthly & Qtrly – Unemployment, IRS, State, School, OPERS reports & payments
- D. Montgomery County Board of Elections – Res. 2013-21 for Zoning Referendum for November Ballot.

**II. Distribute Financial Reports: Payment, Cash Summary by Fund; and Fund Status reports.**

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to approve the financial reports and authorize the payment of the bills, checks 45667 thru 45716, including payroll tax EFT's to IRS. After discussion, all present voted in favor. **MOTION** passed.

**II. In his written report, Mr. Rohrbach requested a motion to participate with the Frank Gates Service Co. in 2013 for the Township Bureau Workers Compensation issues.**

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to participate with the Frank Gates Service Co. in 2013 for the Township Bureau Workers Compensation issues. After discussion all present voted in favor, **MOTION** passed.

**III. In his written report, Mr. Rohrbach requested a motion to waive the budget hearing scheduled by the Mont. Co. Budget Commission in August.**

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to waive the budget hearing scheduled by the Mont. Co. Budget Commission in August. After discussion all present voted in favor, **MOTION** passed.

**PRESIDENT REPORT –**

- I. Mr. Benson reported on Pool Oversight. The Pool Levy issue is #1 on the August ballot.

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- II. Mr. Benson reported on Fire Oversight. The Fire Dept. received a new thermal imaging unit.
- III. Mr. Benson reported that he has received a bid from Viking HVAC for \$5140.00 for a replacement unit. Mr. Holbrook reported he has talked with Mark Ketzler about the roof leaking and Mark was willing to come to the installation to fix any roof issues. The Board discussed the efficiency rating. The Board took no action pending more information.
- IV. Mr. Benson reported that Century LP Gas has reduced the price of LP by a nickel.
- V. Mr. Benson reported that he and Germantown Union Cemetery employee Joe Munafo took one of the township trucks out for a drive. Joe did well driving, needs more practice on walk around inspection.
- VI. Mr. Benson provided a letter from a Springfield resident that most roads in the township do not have stop ahead signs. Mr. Benson said he has checked and can find none missing. Mr. Holbrook will check and answer the complaint.

**POLICE REPORT –**

- I. Chief Andzik updated the Board on the Sergeant process and Officer Wallace was sworn in as Sergeant.
- II. Chief Andzik reported on the participation in the City of Germantown July 4<sup>th</sup> parade by providing traffic post to block intersections and diverting traffic. He further noted and thanked Chip & Cara Tobey for volunteering and assisting.
- III. Chief Andzik updated the Board on the telephone system upgrade project. The telephone and computer wiring has been installed and testing will be forth coming.
- IV. Chief Andzik reported on the receipt of a new radar unit for participating in the “Click it or Ticket” Statewide Campaign which ran from May 19 until June 2, 2013. The program was designed to promote seat belt usage.
- V. Mr. Benson requested the status of Accreditation. Chief Andzik reported that the department is currently reviewing policies and will be completed by the end of the August.
- VI. Mr. Benson opened a discussion regarding the dog kennel. Chief Andzik advised the dog kennel will need some repairs and a sign advising



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whatever department or person that brings a dog is responsible for calling the Humane Society.

**ROAD/SERVICE DEPARTMENT REPORT -**

- I. Mr. Holbrook reported on the delivery of the new John Deere 5115M tractor. It is currently being used to mow and trim trees.
- II. Mr. Holbrook reported that two new street signs have been installed on Sigel Road with the correct spelling. He also notified Mr. Hamm.

**ZONING & TRASH COLLECTION REPORT - none****OLD BUSINESS:**

- I. Mr. DeGroat reported on July 4<sup>th</sup> parade. It rained and turnout was light.
- II. Mr. Hanahan reported on the Valley view water and Sewer district activities. The Eby Rd. project is moving forward. It will include Eby Rd. down to the Pizza store, but will not include Sunbury. Frontage will be \$35.45 per frontage foot; \$8000 per EFFU, \$50 per month for water. A grant has been received to help low income folks on the project. Other financing is being pursued.

The Board discussed the project at length.

**NEW BUSINESS: none**

**PURCHASE ORDERS AND BANK RECONCILIATIONS** were signed.

**Meeting Adjourned** at 8:54 P. M.

Signed: Randy R. Benson

Attest: Ben DeGroat