



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 12, 2022**

The meeting was held at the German Township Hall located at 12102 St. Rt. 725 West,
Germantown, OH 45327.

The meeting was scheduled to also be held virtually using WebEx.
However, the Township was unable to access the WebEx website. As a result, the
meeting was not recorded.

The meeting was called to order by Board President Mark Cross at 7:01 pm. In attendance were:

President Mark Cross	Vice-President Jacob Stubbs	Trustee Lou Potter
Fiscal Officer Mark Heistand	Police Chief Joe Andzik	WebEx Facilitators Scott Hamilton

Road Administrator Jeremy Holbrook was absent

IN-PERSON ATTENDEES:

Name	Address	Name	Address
Lynn Cleveland	11858 Oxford Road	Mark Keener	7865 Jamaica Road
Halie Sewell	12102 State Rt. 725	David Gehron	14239 Kiefer Road
Phil Leppla	27 McPherson, Dayton	Agigail Dennis	13091 Oxford Road
Shane Birch	12102 State Rt. 725	Ben Parker	12102 St. Rt. 725
Hannah Haynes	5533 Sharp Rd, Dayton	Deb Cross	7444 S. Stiver Road
Shauna Close	12102 State Rt. 725		

ONLINE ATTENDEES:

Name	Name	Name	Name
None			

The Germantown Press was notified of the Regular Meeting on 9/8/22 at 6:24 pm.

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

POLICE OFFICER SWEARING-IN

- Mr. Stubbs introduced **RESOLUTION 2022-33**, seconded by Mr. Potter: **A RESOLUTION TO HIRE BEN PARKER AS A RESERVE POLICE OFFICER AT \$1.00 PER YEAR.** Chief Andzik noted that Mr. Parker had previously been a Township officer from 2014-2016 and again from 2017-2018. The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-33 WAS ADOPTED.**

- Chief Andzik then swore in Ben Parker as a Reserve Police officer, followed by photos being taken.

VISITOR COMMENTS:

- **Phil Leppla, 27 W. McPherson Street, Dayton, OH 45405:** Mr. Leppla, In-House Counsel and Southwest Director for Sustainable Ohio Public Energy Council (SOPEC), distributed and discussed a packet of information regarding Community Choice Aggregation. He stated that electric aggregation was authorized by the State of Ohio in 1999. SOPEC works with 21 communities, most of which are in Southeast Ohio near Athens. Customers can choose either green or brown energy. To implement electric aggregation, communities normally place the issue on the ballot. If passed, residents are automatically signed up unless they request to opt-out. He noted that Clayton, Englewood, Riverside and Trotwood have aggregation issues on the November ballot.
- **Halie Sewell, 12102 State Route 725 West:**
 - Mr. Heistand questioned Mrs. Sewell about the address she gave to the Trustees. She responded, without providing specifics, that the Trustees previously passed a Resolution allowing former Township employees to use the Township Hall address publicly.
 - Mrs. Sewell questioned Mr. Stubbs on various issues. She stated that Mr. Stubbs publicly spewed false information about her and demanded an apology. She said that before she left as a Township employee she returned the Zoning laptop to its factory settings, which was the condition of the laptop when she received it. She asserted that standard business practice is for employees to return employer assets in the condition they were received.
 - Mr. Stubbs asked Chief Andzik if the Township has access to all the accounts that Mrs. Sewell managed when she was an employee. Chief Andzik responded in the negative. Mr. Stubbs asked if two-part verification was needed to access some accounts. Chief Andzik responded in the affirmative.
 - Chief Andzik provided Mrs. Sewell with the phone number where two-part verification texts were being sent. Mrs. Sewell stated that she didn't have that number any longer since it was a number she used only for Township business.

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 8/8/22 Regular Meeting and the 8/24/22 Special 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.
- Mr. Heistand presented the August Financial Reports: (1) 8/31/22 Fund Status; (2) YTD August 2022 Cash Summary by Fund; (3) Month of August 2022 Cash Summary by Fund; (4) August 2022 Receipt Listing; and (5) August 2022 Payment Listing. He noted the following items:
 - \$500,000 was transferred from First National Bank to Star Ohio on 8/2/22. The 8/31/22 balance at First National Bank was \$155,262; it paid August interest at .05%. The 8/31/22 balance at Star Ohio was \$2,123,419; it paid August interest at 2.28%.
- Mr. Potter discussed the \$79K balance in the Parks Levy Fund. He asked if there was a targeted fund balance that the Township needed to maintain before beginning to give Germantown 100% of tax collections. Mr. Stubbs responded that a fund balance equal to one year's tax receipts would allow spending in the event a tax levy failed. Mr. Potter stated that he would like to see an analysis of tax revenues. Dr. Cross noted that joint levy fund balances retained by the Township are available to the City for special projects such as the new pool liner that was installed a few years ago. Mr. Heistand noted that the estimated Parks Levy tax receipts for 2023 are \$104K.

- **Visitor Comment: Mark Keener, 7865 Jamaica Road:** Mr. Keener stated his opinion that the City feels that joint levy tax collections belong to them once paid by the Township. He said that the City spends the funds without regard for the entire community.
- Dr. Cross made a MOTION, seconded by Mr. Stubbs, to approve the August financial reports and authorize the payment of August bills (warrants 50601 through 50604 and vouchers 651 through 740 for payroll direct deposit, payroll tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand stated that he was informed by the Auditor of State that the 2020-2021 audit report would be issued on 9/13/22. He noted that once the report is released, it will be posted on the Auditor's website and the Township website will have a link to the report.
- He noted that on 9/8/22 the Township received \$353,340 from the Montgomery County Auditor, representing the settlement payment from July tax receipts. He had not yet received the homestead and rollback taxes from the State. Once received, he will remit 90% of the second half joint levy receipts to the City.
- He reviewed estimated 2023 property tax revenues and 2023 estimated Local Government Fund revenues prepared by the County Auditor. He noted that the Pool Levy expires at the end of 2023 and that the Trustees will need to place a renewal or replacement levy on the ballot in 2023. Dr. Cross introduced **RESOLUTION 2022-34**, seconded by Mr. Potter: **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE MONTGOMERY COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-34 WAS ADOPTED.**
- Mr. Heistand reported that Shauna Close requested that the Trustees certify the 2022 Tax Assessment for delinquent trash bills over \$150. The certified list will be sent to the County Auditor to be attached as a tax lien on each property. Dr. Cross introduced **RESOLUTION 2022-35**, seconded by Mr. Stubbs: **A RESOLUTION TO AUTHORIZE THE ASSESSMENT OF PROPERTY OWNERS WHO ARE DELINQUENT AS TO WASTE DISPOSAL SERVICE CHARGES PURSUANT TO OHIO REVISED CODE SECTION 505.33 IN THE AMOUNT OF \$45,500.46.** The roll was taken and the adoption vote was as follows: Dr. Cross-Yes; Mr. Stubbs-Yes; Mr. Potter-Yes. **RESOLUTION 2022-35 WAS ADOPTED.**
- Mr. Heistand reported that he virtually attended the Montgomery County Township Association (MCTA) meeting on 8/25/22. There was little of interest to our Township since the primary topic dealt with large townships. The next MCTA meeting will be the Holiday Gala at the Mandalay Banquet Center on 11/17/22.
- He reported that he and Dr. Cross attended the Western Regional Council of Governments (WRCG) meeting at Jackson Township's offices on 8/31/22. Only German and Jackson Townships were present. Participating members Farmersville and Perry Township did not attend. Non-participating members Clay Township and Phillipsburg were also absent.
- He reminded everyone that the next Regular Meeting would be on Tuesday, 10/11/22, due to the Columbus Day holiday on the regular meeting night.
- He congratulated Shauna Close for being named the Township's new Zoning Inspector at the Trustee's 8/24/22 Special Meeting. He stated that Mrs. Close would be a great Zoning Inspector given the great job she has done the past two years as Police Department Clerk and as Trash Clerk. He said that it has been a joy to work side-by-side with her.

POLICE DEPARTMENT REPORT:

- Chief Andzik reported that the Township's National Night Out will be on 10/4/22 from 6-8pm. The event will include a K-9 demonstration.
- He announced that his department will be partnering with the Valley View School District to provide a Full Time School Resource Officer (SRO) at the High School as well as the Junior High in Farmersville. He noted that the SRO contract was not yet final.
 - Dr. Cross stated the he did not want the SRO contract to create any financial liability for the Township. He stated that, if Valley View was not able to pay enough to cover the Township's SRO salary and benefits, then the Joint Economic Development District (JEDD) should pay the remainder of the cost.
 - Mr. Stubbs suggested that each of the four JEDD jurisdictions and the school should contribute 20% of the SRO cost. He stated that when the JEDD Contract was negotiated, providing an SRO should have been included. However, Germantown and former Valley View Superintendent Ben Richards were not in favor of having an SRO at the school.
 - **Visitor Comment: Mark Keener:** Mr. Keener, a member of the JEDD Board, stated that the JEDD Board cannot approve paying for an SRO. That decision would have to be approved by each of the four jurisdictions.
 - **Visitor Comment: Deb Cross, 7444 S. Stiver Road:** Mrs. Cross asked what would happen if the other jurisdictions don't agree to pay 20% of the SRO cost. Chief Andzik noted that the SRO Contract is for only one year. He stated that he will be able to use part-time Reserve Officers to cover any shortfall in police coverage for this school year.
- Chief Andzik recommended that the Trustees recognize Laurie J. Rohrbach for her 30+ years of service which resulted in the betterment of German Township. Dr. Cross stated that Mrs. Rohrbach deserved a plaque to be hung on the Meeting Room wall. Mr. Stubbs suggested that a reception be held at 6:30pm prior to the October Trustee Meeting. He also suggested that all Township residents be invited to the reception. Mr. Heistand was asked to prepare a Resolution honoring Mrs. Rohrbach for approval at the October meeting.
- Chief Andzik welcomed Ben Parker to the Township. Mr. Parker was sworn in as a Reserve Officer earlier in the meeting.

ROAD/SERVICE DEPARTMENT REPORT:

- As Road and Service Administrator Jeremy Holbrook was absent, there was no report.

ZONING DEPARTMENT REPORT:

- Reporting for the Zoning Department, Dr. Cross noted that Shauna Close started her training as the Township's new Zoning Inspector with Interim Zoning Inspector Kristen Hamaker on 8/31/22. For now, Mrs. Close will be working in the Zoning Department on Wednesdays and Thursdays. He stated that he hopes to use Mrs. Close's training notes to create a Zoning Inspector Training Manual. He noted that Mrs. Close will also be assuming the role of WebEx Facilitator.
- He reported that the Board of Zoning Appeals (BZA) will meet on 9/26/22 at 7:00pm. The Zoning Commission (ZC) will meet on 10/4/22.
- He stated that the Township is getting several inquiries for residential solar systems.
- He noted that, following warnings by the Zoning Inspector, it appeared that two property owners on Moyer Road and Main Street in Sunbury appear to be cleaning up their properties.
- He reported that the text changes to the Zoning Resolution are finally complete. The online Zoning Resolution is being updated as well as the printed copies used by the BZA and ZC. He

stated that he was in contact with the Montgomery County Recorder's Office about finalizing the updates at the County.

- He noted that he had not received any responses from the 8/25/22 Germantown Press ad asking for ZC Alternate applications.
- He stated that at least two zoning changes were not filed by the previous Zoning Inspector.

TRUSTEE POTTER' REPORT:

- Mr. Potter gave an update on progress to develop the park at the former Miami Military Institute property. Piqua Concrete has donated concrete to be used at the flagpole. The flagpole will be straightened and the hillside seeded prior to the 9/24-9/25/22 Pretzel Festival.
- He reported that Christmas in the Park will be held again in December, noting that Halie Sewell was in charge of this year's event.

TRUSTEE STUBBS'S REPORT:

- Mr. Stubbs reported that he was unable to attend the recent Pool Oversight Committee meeting.
 - **Visitor Comment: Halie Sewell:** Mrs. Sewell reported that the Pool Board did not hold the meeting due to lack of a quorum.
- Mr. Stubbs reported that the Cemetery Board is still working on a job description for Sexton Mark Steinecker's replacement.

TRUSTEE CROSS' REPORT:

- Dr. Cross reported on the initial JEDD Board meeting on 8/25/22. City of Germantown Deputy Director of Finance Randy Stiver was appointed as the fifth member and the Chairman of the Board. Valley View Superintendent Joe Scholler, Sr. was elected Vice Chairman, Germantown representative Brian Wafzig was elected Secretary, and the Township's representative Mark Keener was elected Treasurer. He noted that most of the meeting consisted of adopting measures to get the Board up and running. JEDD Board Attorney Brenda Wehmer handled these items. The JEDD must obtain a Federal Identification Number before anything more can occur. He stated that if future JEDD Board meetings are to be held at the Township Hall, Mr. Keener should be given a building key card.
 - **Visitor Comment: Mark Keener:** Mr. Keener reported that the JEDD Board would meet on 9/12/22 at the school construction site. The purpose of the meeting was to discuss with contractor Conger Construction Group how to notify their subcontractors about the need to withhold JEDD income tax. Conger has stated that they haven't yet chosen any subcontractors. All workers on site up to this point have been Conger employees. Mr. Keener noted that income tax can't be legally withheld at this point. He didn't know if the high school employees have been notified about the upcoming tax withholding. He noted that Ms. Wehmer stated that Public Notices of future JEDD Board meetings should be prepared by the JEDD Board Secretary, not the four jurisdictions.
- Dr. Cross asked Chief Andzik about the SRO training invoice that the Township recently paid. Chief Andzik stated that Germantown First Church of God will be paying for the SRO training.
- Dr. Cross reported that next renewal of the Rumpke Waste contract was discussed at the 8/31/22 WRCG meeting. The contract will need to be renewed before July 2023.
- He did not attend the 9/6/22 Germantown Council Meeting as it was canceled.

OLD BUSINESS:

- None.

NEW BUSINESS:

- None.

OTHER BUSINESS:

- None

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 8:32 pm.

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

Attest: These minutes were approved by the Board of Trustees at the October 11, 2022 meeting.

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