



**GERMAN TOWNSHIP BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING HELD ON MAY 12, 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 7:00 pm. In attendance were:

President Jacob Stubbs	Vice-President Dr. Mark Cross	Trustee Louis Potter
Fiscal Officer Mark Heistand	Police Chief Shane Birch	Road Admin. Jeremy Holbrook
	Zoning Inspector Shauna Close	

IN-PERSON ATTENDEES:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Steve Boeder	Germantown	Deb Cross	German Township
Jonathan Wocher	Cincinnati	Kurt Jacoby	German Township
Andy Juengling	Cincinnati	Alissa Eshbaugh	Germantown
Pete Lurker	German Township	Will Parsons	Middletown
Mark Keener	German Township	Joe Scholler, Jr.	German Township

ONLINE ATTENDEES:

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

The Germantown Press was notified of the Regular Meeting on 5/5/25 at 11:08 am.

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

VISITOR COMMENTS:

- **Jonathan Wocher, McBride Dale Clarion, Cincinnati, OH:** Mr. Wocher described how his firm could update our Zoning Resolution. He noted that grant funds appropriated by the Legislature as part of HB 315 have been exhausted, although he expects more grant funds to be approved next year. He stated that HB 315 mandated some zoning changes that need to be incorporated into our Resolution. His firm works with smaller townships with populations under 5,000.
 - Mr. Wocher stated that a land use plan would not be needed unless the Township wanted to take zoning in a completely new direction. Concerning enforcement, he stated that if the codes are modern and up to date, it makes enforcement easier.
 - Mr. Wocher estimated that an initial diagnosis of our Resolution would probably cost \$15-\$20,000 and take three months. Once completed, they could determine the next steps.

- **Alissa Eshbaugh and Will Parsons:** Ms. Eshbaugh, a Germantown resident and chair of the Pool Board, and Mr. Parsons, Aquatics Director with the City of Germantown, discussed the need for a new slide at the pool. The cost will be \$90,000, with \$30,000 coming from City funds. They requested Trustee approval of \$60,000 from the Township's Pool Fund to pay the remainder. Mr. Parsons noted that the current slide is over 20 years old. The new slide should last at least 12-15 years. The slide will not be installed until the pool closes for the 2025 season. Mr. Heistand noted that local pools in Miamisburg, Franklin and Farmersville will not be open in 2025. Mr. Parsons stated that the City will restrict attendance on some days to City & Township residents.
 - Mr. Stubbs introduced **RESOLUTION 2025-29**, seconded by Mr. Potter: **A RESOLUTION APPROVING A DISTRIBUTION OF \$60,000.00 FROM THE POOL FUND (#2172) TO ASSIST IN THE PURCHASE OF A NEW SLIDE AT THE GERMANTOWN AQUATIC CENTER.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-29 WAS ADOPTED.**

FISCAL OFFICER'S REPORT:

- Mr. Heistand submitted minutes for the 4/14/25 Regular Meeting. Mr. Stubbs 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 April Financial Reports: (1) 4/30/25 Fund Status; (2) YTD 4/30/25 Cash Summary by Fund; (3) Month of April 2025 Cash Summary by Fund; (4) April 2025 Receipt Listing; and (5) April 2025 Payment Listing. He noted the following item:
 - Receipt 111-2025 for \$709, 824.10, less collection and other fees of \$22,684.28, from the Montgomery County Auditor was the final settlement for the 1st half real estate taxes. He stated that once he received the State's 1st half homestead and rollback tax payment, he would pay the City of Germantown their share of the road levy tax collections and 90% of tax collections of the other five joint levies, less related expenses.
- Mr. Stubbs made a MOTION, seconded by Mr. Potter, to approve the April financial reports and authorize the payment of April bills (warrants 50859 through 50863 and vouchers 276 through 367 for payroll direct deposit, tax withholdings and other electronic payments). The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Heistand noted that every year at the May meeting the Trustees pass a **RESOLUTION** declaring May 15 as National Peace Officer Memorial Day. The week that includes May 15 is known as Police Week, which honors and celebrates all officers who put others before self.
 - Mr. Stubbs introduced **RESOLUTION 2025-30**, seconded by Dr. Cross: **A RESOLUTION TO RECOGNIZE AND SHOW APPRECIATION TO ALL PRESENT AND FORMER GERMAN TOWNSHIP POLICE OFFICERS AND EMPLOYEES FOR THEIR CONTRIBUTIONS AND DEDICATION TO THE BETTERMENT OF THE GERMAN TOWNSHIP COMMUNITY.** Mr. Stubbs read the RESOLUTION in its entirety. He noted the importance of recognition of our police officers, especially in light of the prior week's murder of a Cincinnati officer. The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-30 WAS ADOPTED.**
- Mr. Heistand noted that Township residents recently received a letter from Archer Energy establishing the new negotiated electricity rate from May 2026 to May 2028. The current rate of \$.06349 per kWh will increase to \$.09199 per kWh. The letter asked residents to notify Archer by 5/7/25 should they not wish to participate in the Township's Aggregation Program. He stated that, in reality, residents can opt-out at any time during the contract period. Dr. Cross noted that AES Ohio will substantially increase their standard electric rates this coming year.

- Mr. Heistand reminded the Trustees that the Township's web content and mobile applications need to be complaint with new Department of Justice disability accessibility requirements by 4/26/27. He previously provided a link to a Fact Sheet concerning the new DOJ rules that is available on the Civil Rights Division website. Mr. Stubbs had no information on the compliant website being developed for Germantown Union Cemetery.
- Mr. Heistand thanked Township and Germantown residents for approving the 4.0 mill, 10-year Fire/EMS levy on the recent primary ballot. He also thanked the Levy Committee, headed by Chair Steve Boeder, Vice-Chair Kurt Jacoby and Treasurer Dani Jacoby, for their hard work in getting the word out about the need for the levy.
- He and Mr. Potter met on 5/1/25 with Germantown Mayor Terry Johnson, City Manager Judy Gilleland, and Deputy Finance Director Randy Stiver to discuss the Parks Levy expiring in in 2026. The Township is allowed to place the levy on the ballot three times: November 2025, May 2026 and November 2026. After discussing several options, the committee recommended that the Trustees place the Parks Levy on the November 2025 ballot as a renewal with a 1.0 mill increase. The purpose of the increase would be to fund numerous projects in the parks. He noted that the Parks Board, working with the City, will develop a priority list of capital projects to be completed using the additional funds. These might include paving the rest of the parking lots at Kercher and Weber Parks, replacing the Kercher Park restrooms and concession stand, further improvements at the MMI Park, additional tennis and pickleball courts, a dog park, etc.
 - At Mr. Potter's request, he explained that the Legislature is considering, and will most likely approve, eliminating replacement levies on future ballots. The Legislature feels that replacement levies are confusing and misleading to voters. This change will most likely be in effect for the November 2025 ballot.
 - **Visitor Comment: Mark Keener, Township Resident:** Mr. Keener asked whether proceeds from the .5 mill portion of the combined levy will be recalculated based on current property values. Mr. Heistand stated that proceeds from the .5 mill portion of the levy would not change, but that the 1.0 mill additional would use current values.
 - **Visitor Comment: Deb Cross, Township Resident:** Mrs. Cross asked if the Parks Board was still reimbursing the City's General Fund for Kercher Park paving done two years earlier. Mr. Potter affirmed that was the current status.
 - Mr. Stubbs and Dr. Cross did not agree with combining the renewal and additional millage together as one ballot issue. They didn't feel that the potential capital projects were needed, nor be supported by the public. They did agree to support placing the renewal and the additional millage on the ballot as two separate issues. Mr. Potter stated that if the community wants nicer parks, they will need to pass an additional levy.
 - Mr. Stubbs introduced **RESOLUTION 2025-31**, seconded by Mr. Potter: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR'S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RECREATIONAL LEVY (PARKS), A 0.5 MILL RENEWAL, FOR A FIVE-YEAR PERIOD OF TIME; BEGINNING TAX YEAR 2026, WITH FIRST HALF COLLECTION IN 2027; TO PROVIDE FUNDING "FOR PARKS AND RECREATIONAL PURPOSES" AS AUTHORIZED IN ORC SECTION 5705.19(H), TO BE VOTED ON THE NOVEMBER 4,2025 GENERAL ELECTION BALLOT.** . The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-31 WAS ADOPTED.**

- Mr. Stubbs introduced **RESOLUTION 2025-32**, seconded by Dr. Cross: **A RESOLUTION REQUESTING THAT THE MONTGOMERY COUNTY AUDITOR'S OFFICE CERTIFY TO GERMAN TOWNSHIP THE TOTAL CURRENT TAX VALUATION OF GERMAN TOWNSHIP, INCORPORATED AND UNINCORPORATED AREAS, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RECREATIONAL LEVY (PARKS), A 1.0 MILL ADDITIONAL, FOR A FIVE-YEAR PERIOD OF TIME; BEGINNING TAX YEAR 2026, WITH FIRST HALF COLLECTION IN 2027; TO PROVIDE FUNDING "FOR PARKS AND RECREATIONAL PURPOSES" AS AUTHORIZED IN ORC SECTION 5705.19(H), TO BE VOTED ON THE NOVEMBER 4, 2025 GENERAL ELECTION BALLOT.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-32 WAS ADOPTED.**
- A member of the Germantown Lions, Mr. Heistand invited everyone to the Lions-sponsored Memorial Day program at Veterans' Park, followed by a walk to Germantown Union Cemetery.

POLICE DEPARTMENT REPORT:

- Chief Birch reviewed his Department's April statistics. He noted that they made one felony arrest.
- He asked the Trustees to declare the 2016 Jeep Renegade as excess so that it can be sold on GovDeals.com. Mr. Stubbs introduced **RESOLUTION 2025-33**, seconded by Mr. Potter: **A RESOLUTION TO DECLARE A 2016 JEEP RENEGADE, VIN #ZACCJBBT9GPD00198 AS EXCESS AND AUTHORIZE ITS SALE ON GOVDEALS.COM.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-33 WAS ADOPTED.**
- Chief Birch reported that the Township's annual Shred Day/Prescription Pill Takeback on 5/3/25 was a success. 6,250 pounds of paper was shredded and a few pounds of drugs were collected.
- He congratulated Officer Bateman on a job well done with the quick apprehension of one suspect and the identification of two other suspects involved in the theft of two trailers and two lawn mowers in late April. Charges are pending. All the stolen items were returned to the rightful owners within a few days of the theft.
- As part of National Police Week, he thanked all current and past Township officers for their service. He noted police officers who have lost their lives while protecting their communities and people they don't even know. He stated that the Township has a great group of officers.
- Mr. Stubbs asked about CALEA (Commission on Accreditation for Law Enforcement Agencies) accreditation. Chief Birch noted his concerns with CALEA's process and stated that his department would no longer pursue CALEA accreditation. In its place, accreditation from the Ohio Collaborative Law Enforcement Accreditation Program (OCLEAP), a free program, will be pursued. They will begin using Lexipol to provide training and policy updates which will assist with the OCLEAP accreditation. Lexipol's cost is about the same as what was paid in the past to CALEA.

ROAD & SERVICE DEPARTMENT REPORT:

- Mr. Holbrook requested that the Trustees approve a contract with Oakley Blacktop for the deep repair of several failed sections of asphalt on Sigal Road and Butter Street. The cost will be \$13 per square foot, not to exceed \$35,000. The Sigal repairs are due to excessive heavy truck traffic.
 - Mr. Stubbs introduced **RESOLUTION 2025-34**, seconded by Mr. Potter: **A RESOLUTION TO AUTHORIZE ROAD SUPERINTENDENT JEREMY HOLBROOK TO EXECUTE A CONTRACT WITH OAKLEY BLACKTOP, INC. IN AN AMOUNT NOT TO EXCEED \$35,000 FOR REPAIRS TO SIGAL ROAD AND BUTTER STREET.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-34 WAS ADOPTED.**

- Mr. Holbrook stated that he planned to meet with new County Engineer Andrew Shahan about truck traffic on Township roads. Since the Township isn't a Home Rule township, our ability to manage heavy trucks on our roads is limited.
- **Visitor Comment: Mark Keener:** Mr. Keener asked about the extra pavement that was used on the Sigal Road hill several years ago when the road was repaved. Mr. Holbrook explained that a different mix was used on the hill, which was twice the cost per ton, to help protect the pavement from "shoving" when traffic brakes going down the hill.
- Mr. Holbrook stated that road right of way mowing will be completed in coming weeks.
- He reported that the old Township yard sign and foundation were removed. A foundation for the new sign will be poured on 5/13/25. Ms. Close stated that the new sign should arrive in 6-8 weeks.
- He, Scott Hamilton and Mr. Potter attended the County Engineer's recent luncheon.
- He and Mr. Hamilton continue to mow the rural cemeteries.
- He applied for an Ohio Department of Transportation grant in the amount of \$31,000. If awarded, the grant would pay to replace road signs in the Township.

ZONING & TRASH DEPARTMENT REPORT:

- Ms. Close issued four permits in April: two fences on Jamaica Road, a pole barn on Mudlick Road, and a garage on Oxford Road.
- The Board of Zoning Appeals will hold a hearing on Case #2025-04CU on 5/13/25 at 7:00 pm. The case involves a requested lot split on State Route 725.
- The Zoning Commission will hold its regular meeting on 6/3/25 at 7:00 pm.

TRUSTEE POTTER'S REPORT:

- Mr. Potter stated that a quorum was not present for the recent Parks Board and Parks Oversight Committee meetings. The AED (Automatic External Defibrillator) box was mounted on the Kercher Park concession stand. The unit will be in place once the concession stand water is turned on. A potential Grand Marshal for the Independence Day parade was discussed.
- He met with a brick mason to obtain a quote for the columns and wall that will be installed at the MMI Park. The Park entrance sign will be mounted on the large boulder within a few weeks.
- He read an email from Ron Wine of Channel Maintenance Systems concerning the grant application for the Little Twin Road stabilization project. The Ohio Public Works Commission (OPWC) determined that the current scope of the project would be outside the OPWC's authority as established in the OPWC enabling legislation. In addition, OPWC stated that there would be no additional money available to the Township above the OPWC District 4 approved amount of \$53,591 for the project. He stated that the project doesn't qualify for emergency funding since the road surface hasn't yet eroded from the creek bank erosion.
 - Stating that there was no way of using OPWC funding that wouldn't increase the Township's cost, he recommended that the Township withdraw its application for OPWC funding. Mr. Stubbs introduced **RESOLUTION 2025-35**, seconded by Mr. Potter: **A RESOLUTION TO RESCIND RESOLUTION 2024-62, ADOPTED ON SEPTEMBER 9, 2004, AND WITHDRAW THE TOWNSHIP'S APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND THE LOCAL TRANSPORTATION IMPROVEMENT PROGRAM.** The roll was taken and the adoption vote was as follows: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. **RESOLUTION 2025-35 WAS ADOPTED.**

- Mr. Potter stated that Mr. Wine believes \$53,500 that the Trustees previously agreed to contribute as a 50% match to the OPWC grant would be sufficient for his company to redirect Little Twin Creek's flow and stop any more bank erosion along Little Twin Road. The Trustees requested that Mr. Wine attend a future meeting to discuss the situation.
- Mr. Potter distributed an Ohio State University Law Bulletin concerning Ohio's Noxious Weed Laws. He discussed the requirements with the County at the County Engineer's recent luncheon. He then made a formal complaint with Five Rivers Metroparks about Johnson grass on their property. Metroparks responded that they will be implementing a mitigation plan for the weeds. He attended the Jackson Township Trustees meeting earlier that evening to discuss the situation and obtain their support. He also planned to meet with Jefferson Township and Perry Township to gain their support for pressuring the county and state to spray their weeds.

TRUSTEE CROSS' REPORT:

- Dr. Cross attended the 5/5/25 Germantown City Council meeting. Highlights included:
 - Montgomery County Commissioner Mary McDonald attended to introduce herself.
 - Council again discussed the Seasonal Alley Closure requested by Scott Weidle to the east of the former Dave's Garage. Council voted to deny the request. It was noted that the food truck decided to move to Franklin.
 - Council approved an additional \$15,500 for the Covered Bridge Project.
 - Council Member Rick Reed stated that the Pool Board would request that the Trustees release some pool hold-back funds to help pay for a new slide.

TRUSTEE STUBBS' REPORT:

- Mr. Stubbs reported on several Cemetery issues:
 - A \$2,500 grant for monument foundation repairs was received. Richards Monument and Eric's Cemetery Services repaired 30 headstones for \$6,000, less than what was budgeted.
 - The Cemetery is preparing for Memorial Day. Year-to-date burials are ahead of 2024.
 - Burkhardt Engineering completed their survey of the wall along SR 725. Removing the wall and sidewalk and then grading the hill will cost less than originally expected. This assumes that the City will not require the sidewalk to be replaced. If the sidewalk must be replaced, a new wall will need to be built. The current wall and sidewalk are safety hazards due to their poor condition.
 - New office employee Pat Tannruther is working out well.
 - The Cemetery Board of Trustees passed a resolution to become an official America OH-250 community. Their non-profit partner will be the Veterans Memorial Museum.
 - Foundations ordered for new monuments have been poured.
- He noted that a recent article in the Germantown Press concerning the Valley View Joint Economic Development District (JEDD) contained numerous inaccuracies. He was very disappointed with it.
 - **Visitor Comment: Mark Keener:** Mr. Keener, treasurer of the JEDD Board of Directors, noted that the next Board meeting would be on 6/11/25. Valley View Band Director Joseph Jacobs will present a funding request to purchase piano keyboards. Valley View Special Education teacher Michelle Hodson will present a funding request for a new greenhouse project. The Board currently holds back 15% of tax collections for special projects and JEDD expenses such as insurance. The hold-back fund has about \$40-50,000.
 - Chief Birch noted that the school's Safety Committee would like to request funds to purchase "Stop the Bleed" kits. Mr. Keener invited them to attend the 6/11/25 meeting.

OTHER BUSINESS:

- Dr. Cross announced that he is considering not running for reelection in November due to health concerns. He indicated that he would make his final decision within a few weeks.
 - Mr. Stubbs stated that Dr. Cross has done an exceptional job as a Township Trustee.
 - **Visitor Comment: Mark Keener:** Mr. Keener listed some of Dr. Cross's accomplishments during his time as a Trustee, including research concerning solar farms, marijuana, and the Fouts Trust Fund. He said that Dr. Cross has set a high bar for future Trustees.

EXECUTIVE SESSION:

- Mr. Stubbs 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: Mr. Stubbs-Yes; Dr. Cross-Yes; Mr. Potter-Yes. The MOTION was approved. The Trustees entered into Executive Session at 8:50 pm.
- Present in the Executive Session were: Trustees Mark Cross, Jacob Stubbs, and Lou Potter; Fiscal Officer Mark Heistand; and Police Chief Shane Birch.
- The Trustees held discussion under the authority of O.R.C. 121.22(G)(1).
- At 9:19 pm Ms. Close joined the Executive Session.
- At 9:27 pm, Mr. Stubbs made a MOTION, seconded by Mr. Potter, to reconvene into Regular Session. The MOTION WAS APPROVED by a unanimous voice vote.

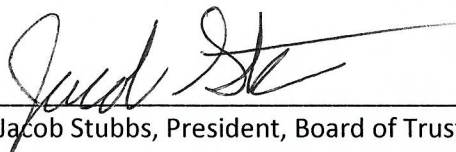
NEW BUSINESS:

- Mr. Stubbs made a MOTION, seconded by Dr. Cross, to post a job opening for a part-time Zoning Inspector and Trash Billing position. The MOTION WAS APPROVED by a unanimous voice vote.
- Mr. Stubbs made a MOTION, seconded by Dr. Cross to change Trustee appointments, effectively immediately, as follows: (1) Mr. Stubbs to serve as Zoning Commissioner; and (2) Dr. Cross to serve as Police Commissioner. The MOTION WAS APPROVED by a unanimous voice vote.

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 9:28 pm.

Signed: _____


Jacob Stubbs, President, Board of Trustees

Attest: These minutes were approved by the Board of Trustees at the June 9, 2025 meeting.

Signed: _____


Mark A. Heistand, Fiscal Officer