

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

June 14, 2010

Held _____ 20____

The regular meeting was called to order at 7:00 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, Gregory A. Hanahan, and Fiscal Officer Robert W. Rohrbach Jr. were present. Zoning Inspector Laurie Rohrbach, and Road & Service Superintendent Jeremy Holbrook were also present.

This meeting was audio tape recorded and the CD is on file.

The Germantown Press, Dayton Daily News, and Middletown Journal were notified of the meeting.

VISITORS – none

VISITOR COMMENTS – none

MINUTES –

The Board reviewed the minutes of the May 10, 2010 Regular meeting. Mr. Hanahan introduced a **MOTION**, seconded by Mr. Benson to approve the minutes of the May 14, 2010 Regular Meeting as submitted, after discussion, all present voted in favor, MOTION passed.

FISCAL OFFICER REPORT –

I. Correspondence:

IN

- A. Mont. Co. Engineer Office – request for Partnership Pool resolution.
- B. Mont. Co. Board of Elections – Legislative changes in filling dates and official Fire/EMS levy results.
- C. Perry Twp. – several updates regarding WRGC trash bidding information
- D. OPERS – 2011 local contribution rates
- E. OTA – June Grassroot Clippings
- F. Mont. Co. Commission – 2010 ED/GE payment
- G. Public Entity Risk Services of Ohio – Closer of Thompson Claim

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders regular meeting 6/14
- B. Village of Germantown – public records request for all information reviewed by the Trustees for future meetings – 5/10

II. Distribute Financial Reports – including YTD and Annual income comparisons for last 4 years; and YTD appropriation status.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to

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authorize the payment of the bills, checks 42515 thru 42606. After discussion, all present voted in favor. MOTION passed.

III. Mr. Rohrbach opened a discussion regarding the comparison reports. No significant drop in income has been detected.

IV. Mr. Rohrbach opened a discussion concerning the upcoming expiration and necessity to renew/replace the Road & Bridge Levy (split with the Village).

After discussion, Mr. DeGroat introduced **RESOLUTION 2010-024**, seconded by Mr. Hanahan, a resolution requesting that the Montgomery County Auditor 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 the Road Levy, a 1 mil levy, for a 5 year period of time, of renewal tax; to provide funding for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in municipal corporations, counties, or townships; as authorized in the ORC Section 5705.19 (G), to be voted on the November 2, 2010 ballot. After discussion the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; RESOLUTION 2010-24 passed.

PRESIDENT REPORT –

I. Mr. Benson reported on the Pool Oversight Committee activities. Capital improvements will be discussed at the next oversight meeting.

POLICE REPORT – none

ROAD/SERVICE DEPARTMENT REPORT –

I. Mr. Holbrook reported on the receipt of a letter from Ms. Kolotkin of Sigel Rd. regarding the removal of the “No Though Truck” signs. Mr. Holbrook responded with a letter citing the Attorney General Opinion.

II. Mr. Holbrook reported that Kramer & Associates will investigate applying for Issue II monies to replace the two deteriorating “jack arch” box culverts on Shimp Rd..

III. Mr. Hanahan reported that he had received a call that the ditch line on Manning Road at Germantown Pike, near the Miller residence, was eroding. Mr. Holbrook will check and follow up.

IV. Mr. Holbrook requested a resolution to participate in the Mont. Co. Engineer Office Partnership Pool Program.

Mr. DeGroat introduced **RESOLUTION 2010-025**, seconded by Mr. Hanahan, authorizing the Montgomery County Engineer Office to render assistance to German Township as outlined on Exhibit “A” attached; was introduced by Benjamin DeGroat, seconded by Gregory Hanahan, during the regular meeting of the German Township Board of Trustees held on June 14, 2010.

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WHEREAS, the Montgomery County Engineer has established a "Partnership Pool Program" to assist Townships within Montgomery County; and

WHEREAS, the Montgomery County Engineer has reviewed the 2010 project application form submitted by German Township, and concurs with the necessity of the listed improvements and is willing to expend funds for this request; and

NOW, THEREFORE, BE IT RESOLVED BY THE GERMAN TOWNSHIP BOARD OF TRUSTEES THAT;

SECTION 1: The German Township Board of Trustees hereby authorize the Montgomery County Engineer to render the assistance as outlined on the "Exhibit A", attached; and

SECTION 2: The German Township Board of Trustees authorize and approve the expenditure of Township Funds to complete the projects outlined in "Exhibit A" attached and directs the Fiscal Officer to prepare the appropriate purchase orders for these expenditures.

After discussion, the adoption vote was as follows: Gregory Hanahan – Yes, Randy Benson – Yes, Benjamin DeGroat – Yes; RESOLUTION 2010-025 passed.

ZONING & TRASH COLLECTION REPORT -

- I. Mrs. Rohrbach provided a written report listing the mitigation progress on zoning complaints.
- II. Mrs. Rohrbach requested a Nuisance Abatement for the Pluckard Property located at 7530 Preble County Line Rd. Parcel ID D15-00711-0042.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to open a nuisance abatement hearing on the Pluckard property located at 7530 Preble County Line Rd., Parcel ID D15-00711-0042. After discussion, all present voted in favor, MOTION passed.

Mr. Benson opened the hearing noting no one present to represent the Pluckard property.

Mrs. Rohrbach was sworn in and presented the basics of the case. She explained that the property appeared to be abandoned with tall grass, junk, odors and overgrown bushes. She present pictures of the property.

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan, to close the nuisance abatement hearing. After discussion, all present voted in favor, MOTION passed.

The Board discussed the information provided during the hearing and Mr. DeGroat introduce **RESOLUTION 2010-26**, seconded by Mr. Hanahan to declare the Pluckard property, located at 7530 Preble County Line Rd., Parcel ID D15-00711-0042; a nuisance and to order abatement by Pluckard within 7 days of receiving this notice; or the Township will hire a contractor to abate the property with the cost to be placed on the tax duplicate of the property. After discussion, the adoption vote was as follows, Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes, RESOLUTION 2010-26, passed.

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OLD BUSINESS:

- I. Mr. Hanahan reported that the Police OVI checkpoint held on Rt. 4 was very successful.
- II. Mr. Hanahan reported that the next Valley View Water & Sewer Dist. Meeting will be held on June 29th at the German Township Hall at 6:00 PM.
- III. Mr. DeGroat reported on Park Oversight activities. One vacancy exists on the Village Park Board. He also reported that he had sprayed the parks for weeds. He reminded all of the July 4th parade to be held on July 3rd with lineup beginning at 10:30 AM at Kercher Park.
- IV. Mr. DeGroat updated the Board on the Western Regional Council of Governments trash bid process. It is moving forward with two bidders Allied Waste and Rumpke.
He also reported that a representative of Allied Waste will follow up on the Boyer complaint.

NEW BUSINESS: none

PURCHASE ORDERS AND WARRANTS were signed.

Meeting Adjourned at 8:45 P. M.

Signed: Randy R. Benson

Attest: [Signature]

June 29, 2010

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Held The special meeting was called to order at 10:00 A.M. by Mr. Benson and was attended by Trustees Randy R. Benson, Benjamin F. DeGroat, Gregory A. Hanahan and Fiscal Officer Robert W. Rohrbach Jr. The meeting was also attended by Police Chief William L. Wilcox and Road & Service Administrator Jeremy Holbrook.

The Germantown Press, Middletown Journal, and the Dayton Daily News were notified of this special meeting.

VISITORS – none

BUSINESS –

- I. Mr. Holbrook opened a discussion and requested a resolution to enter into an agreement with Montgomery County Engineer to select a consulting engineer for German Township for the Issue II, Ekhart Road, Phase 1 project, at a cost not to exceed \$24,469.

Mr. Benson introduced **RESOLUTION 2010-27**, seconded by Mr. DeGroat, to enter into an agreement with Montgomery County, requesting the Montgomery County Engineer to select a consultant for engineering for German Township on the Ekhart Road, Phase I, Issue II project, at a cost not to exceed \$24,469; with German Township reimbursing all engineering fees to the Montgomery County Engineer. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. Hanahan – Yes, Mr. DeGroat – Yes, **RESOLUTION 2010-027** passed.

- II. Chief Wilcox request the Board accept the resignation of Police Officer Rebecca Lehman effective June 22, 2010.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to accept the resignation of Police Officer Rebecca Lehman effective June 22, 2010. After discussion, all present voted in favor, **MOTION** passed.

The meeting was adjourned at 10:15 AM.

Signed: 

Attest: 

0310

RECORD OF PROCEEDINGS

Minutes of

Meeting

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PARTNERSHIP POOL PROGRAM
TOWNSHIP AID BY COUNTY ROAD A&G FUNDS

Board of County Commissioners
Montgomery County Admin. Building
451 West Third Street
Dayton, Ohio 45422

Date: 6-18-2010
German Township
Purpose: Partnership Pool Program

Dear Honorable Board:

We, the undersigned Trustees, request your approval for the County Engineer's assistance in improving and maintaining the township roads in the following respect:

Estimate:

SEE ATTACHED LIST MARKED EXHIBIT A

The County Engineer concurs in the necessity of this improvement and is willing to expend Road A&G Funds for this project.

We, the Trustees hereby authorize the County Engineer and/or his agents to come upon the township roads for the purpose herein stated and upon completion of this purpose to bill us all costs incurred, whereas township funds are available and have been encumbered on our Purchase Order No. 2009-21 RL.

Therefore, please pass a resolution authorizing the County Engineer to render this assistance.

Bryan F. DeWoot Trustee
Randy R. Benson Trustee
[Signature] Trustee
GERMAN Township

Resolution No. 2010-25
Purchase Order No. 2009-21 RL

[Signature]
Clerk of Township

APPROVED:

BOARD OF COUNTY COMMISSIONERS
Resolution No. _____

Joseph Litvin, P.E., P.S.
Montgomery County Engineer

Gayle Ingram,
Clerk of Commissioners

Exhibit 'A'

COUNTY ENGINEER'S PARTNERSHIP POOL PROGRAM For Montgomery County Townships

Project Application Form

Township GERMAN Name of Preparer JEREMY HOLBROOK Date 5-4-10

Transfer our year allocation to an escrow account for future use.

Project Type: (a.) Roadway Improvement/Construction (b.) Paving (c.) Surface Treatment (d.) Striping (e.) Signs & Signals (f.) Culvert (g.) Road Drainage (h.) Other

Project # 1 Project Type (A) Est. Cost \$ 24,985 Est. Start/Completion date 7/1/10/10/1/10 Description/Location ENGINEERING FOR ISSUE II FRIEND ROAD, PHASE I B JOB # 2010-MS-003

Project # 2 Project Type (A) Est. Cost \$ 15,000 Est. Start/Completion date 6/1/10/8/1/10 Description/Location ASPHALT OVERLAY ON TWP ROADS UNDER MONTGOMERY COUNTY CONTRACT.

Project # 3 Project Type () Est. Cost \$ Est. Start/Completion date Description/Location

Project # 4 Project Type () Est. Cost \$ Est. Start/Completion date Description/Location

(County Engineer section)

Table with columns: Total year, PPP Allocation, Approved, Amount, Disapproved, Reason for disapproval. Rows for Project # 1, 2, 3, 4.

Total Approved Amt. \$ 20,285

Request for escrow approved

Montgomery County Engineer Joseph Litvin

Date 6-7-10