

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC. FORM NO. 10148

December 12, 2011

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. Police Chief W. L. Wilcox, Police Admin Asst. Laurie Rohrbach, and Road & Service Department Superintendent Jeremy Holbrook 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 – Doug, Missy, Rachel, and Justin Pyle of 6251 Todhunter Rd., Middletown; Barb Osborne and Mariea Wallace of 407 Third St., Trenton; Becky Leonard of 909 Vancouver St., Middletown; and William T. and Katie Ziegart of 293 B3ellingham Rd., Centerville.

VISITOR COMMENTS – None

SWEARING IN CEREMONY –

I. Chief Wilcox introduced W. Trent Ziegert to the Board of Trustees and recommended he be hired as a Reserve Police Officer, effective January 1, 2012 and subject to a one year probationary period.

Mr. Hanahan introduced **RESOLUTION 2011-61**, seconded by Mr. DeGroat, to hire W. Trent Ziegert as a Reserve Police Officer, effective January 1, 2012 and subject to a one year probationary period. After discussion, the adoption vote was as follows: Mr. Benson - Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-61** passed. Mr. Rohrbach administered the oath of office.

II. Chief Wilcox introduced Justin Douglas Pyle to the Board of Trustees and recommended he be hired as a Reserve Police Officer, effective January 1, 2012 and subject to a one year probationary period.

Mr. Hanahan introduced **RESOLUTION 2011-62**, seconded by Mr. DeGroat, to hire Justin Douglas Pyle as a Reserve Police Officer, effective January 1, 2012 and subject to a one year probationary period. After discussion, the adoption vote was as follows: Mr. Benson - Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-62** passed. Mr. Rohrbach administered the oath of office.

The Board congratulated both new employees for having the character and

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background to successfully complete the police hiring process.

MINUTES –

The Board reviewed the minutes of the November 14, 2011 regular meeting. Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to approve the minutes of the November 14, 2011 regular meeting as corrected. After discussion, all present voted in favor, **MOTION** passed.

FISCAL OFFICER REPORT –**I. Correspondence:****IN**

- A. Mont. Co. Auditor – request for 2012 tax advances.
- B. OTA – December Grassroot Clippings
- C. Sudden Link – rate change updates
- D. Albers & Albers – VVWSD November invoice
- E. OTARMA – Public Officials 2012 bonds for Trustee Benson & Fiscal Officer Rohrbach
- F. Auditor of State – Memorandum of Agreement for audit years 2010 thru 2014, between German Twp. and Charles E. Harris and Associates, Inc. as approved by the AOS.
- G. Ohio Dept. Jobs & Family Services – Un-employment forms to object to appeal filed by Nathan Wiley.
- H. Mont. Co. Solid Waste – request for information on desired grants.

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 12/12
- B. Village of Germantown – 11/14 information
- C. Monthly reports – IRS, State, School, OPERS
- D. Montgomery Co. Board of Elections - Res 2011-54 Recreation (pool) Renewal Levy of March 6th ballot.
- E. Mont. Co. FSA – 2012 Board election ballot.
- F. Ohio Dept. Jobs & Family Services – Unemployment appeal rebuttal forms for Nathan Wiley.

II. Distribute Financial Reports –

Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to approve the financial reports and authorize the payment of the bills, checks 44080 thru 44150. After discussion, all present voted in favor. **MOTION** passed.

III. Mr. Rohrbach requested a resolution to approve the FY 2011 supplemental

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and permanent appropriations as attached:

Mr. Hanahan introduced **RESOLUTION 2011-57**, seconded by Mr. DeGroat, to approve the FY2011 supplemental and permanent appropriations as attached by the Fiscal Officer. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-57** passed.

IV. Mr. Rohrbach reported on his attendance at the Mont. Co. Township Association meeting.

He provided the Board with a copy of a strategic report provided to the MCTA membership by the Mont. Co. Engineer, that was created for the Mont. Co. Mayors & Managers Association titled “Revised Recommendations 11-2-2011” “Study Finds Montgomery County Municipal Taxpayers Providing \$Millions in Subsidies to Township Residents.”

He also noted that he committed German Township to hosting the August 16, 2012 meeting.

V. Mr. Rohrbach requested a resolution for the Mont. Co. Auditor to advance FY 2012 tax monies monthly.

Mr. Hanahan introduced **RESOLUTION 2011-58**, seconded by Mr. DeGroat, to request monthly advances from the Montgomery Co. Auditor of FY 2012 tax monies and fines. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-58** passed.

VI. Mr. Rohrbach requested the Board establish a date and time for their annual re-organizational meeting. Mr. DeGroat introduced a **MOTION**, seconded by Mr. Hanahan to hold the re-organizational meeting on January 9th at 7:00 PM, at the beginning of their regular meeting. After discussion, all present voted in favor, **MOTION** passed.

VII. Mr. Rohrbach opened a discussion regarding 2012 appropriations. He asked for guidance on VVWSD legal fees and noted the General Fund income will be significantly reduced this year. The Board agreed to only continue paying the attorney retainer fees of \$2500.00 per month for the VVWSD. The attorney has agreed to bill the Township for only the retainer.

VIII. Mr. Rohrbach administered the Oath of Office to Trustee Randy Benson for

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his term as Trustee commencing 1/1/2012.

- IX. Mr. Benson administered the Oath of Office to Mr. Robert W. Rohrbach Jr. for his term as Fiscal Officer commencing 4/1/2012.

PRESIDENT REPORT –

- I. Mr. Benson reported on his attendance at fire oversight meetings.

Mr. Benson introduced a **MOTION**, seconded by Mr. DeGroat to appoint Mr. Richard Pettit, Mr. Ronald Comer, and Mr. Glenn Jirka, each to a two year term on the Fire Oversight Committee effective January 1, 2012. After discussion, all present voted in favor, **MOTION** passed.

POLICE REPORT –

- I. Chief Wilcox updated the Board on the police building addition project. He noted that the underground LP tank will need to be installed prior to being able to disconnect and remove the existing LP tanks that services the Police Building and Township Hall.
- II. Chief Wilcox reported on the success of the Santa Comes to the Country program. The program went very well, 208 people attended with 121 gift bags distributed.
- III. Chief Wilcox updated the Board on the energy audit project. DPL, Inc is provided a service contract to reduce the cost of energy for the Township, at an additional cost of \$4.00 per month, per account.

Mr. Hanahan introduced **RESOLUTION 2011-63**, seconded by Mr. DeGroat, to enter into the service contract with DPL, Inc., only for the electric accounts for the Township Hall and Road Garage complex (excluding the two weather siren accounts); and authorizing Chief Wilcox to sign on behalf of the Board of Trustees. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-63** passed.

- IV. Chief Wilcox reported that the Citizens Police Academy will start on January 19, 2012.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook reported that re-setting and repairing of headstones has been completed at all of the Township's cemeteries.
- II. Mr. Holbrook reported that the Road Dept. has begun trimming all

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Township roads using the Ford 7700 Boom Mower.

- III. Mr. Holbrook reported that the Road Dept. has ditched several problem areas along township roads.
- IV. Mr. Holbrook reported that the Road Dept. Christmas Display at Veterans Memorial Park during Christmas at the Park was a huge success and they received many compliments.
- V. Mr. Holbrook reported that the street light at Eby Rd. and Rt. 4, that was knocked down by a auto accident several months ago, has been repaired. He found a way to report outages via a web site that increases the speed of repair.
- VI. Mr. Holbrook requested the following inventory items be declared surplus and authorized to be properly disposed of or sold on Govdeals.com:
 - Generac automatic transfer switch
 - Hein Warner 4 ton floor jack
 - John Deere 2BV leaf blower
 - John Deere 350G String trimmer
 - John Deere 21S string trimmer
 - Stihl FS8AV String trimmer
 - Swintec electric typewriter

Mr. DeGroat introduced **RESOLUTION 2011-59**, seconded by Mr. Hanahan, to declare the above listed inventory items surplus and to authorize Mr. Holbrook to properly dispose of the items. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; **RESOLUTION 2011-59** passed.

ROAD EMPLOYEE DISCIPLINE -

- I. Upon exiting executive session Mr. DeGroat reported that the investigation of Mr. Jeremy Holbrook, regarding his Operating a Motor Vehicle arrest, has been completed and that Mr. Holbrook has waived a disciplinary hearing and would accept whatever punishment the Board felt was appropriate.

Mr. DeGroat introduced **RESOLUTION 2011-064**, seconded by Mr. Hanahan, to suspend Mr. Holbrook for 3 work days without pay and to further waive the serving of the suspension, providing Mr. Holbrook

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completes 12 months of continuous service with no further disciplinary action. Should further disciplinary action become necessary, the 3 day suspension will be served, without pay, in addition to any other disciplinary action. This resolution shall be effective 12/12/2011. After discussion, the adoption vote was as follows: Mr. Hanahan – Yes, Mr. DeGroat – Yes, Mr. Benson – Yes. RESOLUTION 2011-64 passed.

ZONING & TRASH COLLECTION REPORT -

I. Mrs. Rohrbach, in her written report, requested the following re-appointments:

- Richard Shaffer – Rural Zoning Commission for the term of 1/1/2012 to 12/31/2016
- Mark Cross – Board of Zoning Appeals for the term of 1/1/2012 to 12/31/2016.

Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to appoint the above individuals as stated above. After discussion, all present voted in favor, MOTION passed.

OLD BUSINESS:

I. Mr. Hanahan updated the Board on the Valley View Water & Sewer District activities.

The district has hired Mr. Paul Rennick to assist with the financial needs of the district. Funding sources are a high priority in 2012.

Project priorities are still being refined.

Mr. Hanahan requested the Board of Trustees to allow the use of the Township Govdeals.com account to bid on the water tower being sold by Montgomery County (from the old Cranes Run Water Dist). He further asked that if the Township should be the winner of the bidding, that the funding be added to the loan for the District.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat, to approve the use of the Township Govdeals.com account to bid on the water tower, and authorize the funding of said water tower if the township is the successful bidder. After discussion, all present voted in favor, MOION passed.

II. Mr. Hanahan opened a discussion regarding the proposed closure of the US

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Post Office Processing Facility in Dayton.

Mr. Hanahan introduced RESOLUTION 2011-60, seconded by Mr. DeGroat, to oppose the closure of the USPS Mail Processing Facility in Dayton, Ohio. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; RESOLUTION 2011-60 passed.

- III. Mr. DeGroat reported on Park Oversight activities. There will be a balloon lighting in August 2012 and the City will be requesting township police assistance with traffic.

NEW BUSINESS: none

EXECUTIVE SESSION:

- I. At 7:59 PM, Mr. Hanahan introduced a MOTION, seconded by Mr. Benson to adjourn into executive session to discuss personnel issues, involving potential discipline of a road department employee. Mr. Rohrbach was not in attendance.
- II. At 8:06 PM the meeting was reconvened. Note See Road Employee Discipline above.

PURCHASE ORDERS AND BANK RECONCILIATIONS were signed.

Meeting Adjourned at 8:08 P. M.

Signed: Randy R. Benson

Attest: [Signature]