

THE GERMAN TOWNSHIP BOARD OF TRUSTEES

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 12, 2011

Held _____ 20_____

The regular meeting was called to order at 7:03 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. Police Administrative Assistant/Zoning Inspector Laurie Rohrbach sat in for Mr. Rohrbach. Police Chief W. L. Wilcox, 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 – Melissa Lang representing Burnham & Flower Insurance Group; Greg Smith representing Energy Optimizers, USA; Scott Hamilton of the Road Dept.; John & Jacob Stubbs of 8625 Boomershine Rd.; John Holbrook of 12843 SR 725; and Germantown Council Person Terry Johnson.

VISITOR COMMENTS –

I. Laurie Rohrbach explained the renewal cost of the current employee health policy. She introduced Ms. Lang. Ms. Lang presented a proposal to replace the current employee health insurance, with a renewal plan from Anthem (BA D4 RX C). The deductible is higher but the premium is less.

Mrs. Rohrbach explained the current deductible reimbursement process and reported that the deductible reimbursements paid out by the Township were substantially less than the premium savings, resulting in a large savings to the Township.

The Board discussed the issue and Mr. Hanahan introduced **RESOLUTION 2011-45**, seconded by Mr. DeGroat, to renew the Renewal Plan Anthem BA D4 RX C plan for employee health insurance and to continue the deductible reimbursement program as previously established. After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. – Hanahan – Yes; **RESOLUTION 2011-45** passed.

II. Chief Wilcox introduced Mr. Greg Smith from Energy Optimizers, USA to provide a presentation resulting from the energy audit of the Township facilities.

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Mr. Smith overviewed the current energy uses by the Township, recommended changes and upgrades; resulting savings; and potential rebates etc. He provided copies of the presentation to the Board.

- III.** Mr. John Stubbs and Mr. Jacob Stubbs presented a complaint about the Fire Chief behavior that occurred during the investigation of an open burning incident that occurred on September 11, 2011 at 6265 Boomershine Rd. They provided a power point slides and copies of Ohio EPA guidelines.

The Board explained the contracting of fire services with the City of Germantown. Mr. Benson advised he would contact the City Manager to ask that a meeting be scheduled with both Mr. Stubbs, including Mr. Benson, the police officer on the scene, the Fire Chief, and any City representative desired by the Manager.

MINUTES –

The Board reviewed the minutes of the August 8, 2011 regular meeting Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to approve the minutes of the August 8, 2011 meeting as submitted. After discussion, Mr. Benson and Mr. Hanahan voted in favor, Mr. DeGroat abstained. MOTION passed.

The Board reviewed the minutes of the August 15, 2011 special meeting Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to approve the minutes of the August 15, 2011 meeting as submitted. After discussion, all present voted in favor, MOTION passed.

The Board reviewed the minutes of the August 22, 2011 special meeting Mr. DeGroat introduced a **MOTION**, seconded by Mr. Benson to approve the minutes of the August 22, 2011 meeting as submitted. After discussion, Mr. Benson and Mr. DeGroat voted in favor, Mr. Hanahan abstained.

FISCAL OFFICER REPORT – In his Written Report**I. Correspondence:****IN**

- A. Mont. Co. Auditor – 2011 levy fund & local government info – will bring to Oct. meeting
- B. OTA – August & Sept. Grassroot Clippings
- C. Miami Valley Lighting – signed contract

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- D. Albers & Albers – August invoice
- E. Ohio Dept. Taxation – 2010 Tax Certification hotel tax
- F. Albers & Albers – August VVWSD invoice
- G. Mont Co. Engineer – Res. 11-1328 approving the Partnership Pool Program

OUT

- A. Germantown Press & DDN & Midd Journal - Mtg. reminders 8/15, 8/22 & 9/12
- B. Village of Germantown – 8/8, 8/15 & 8/22 information
- C. Monthly reports – IRS, State, School, OPERS
- D. Ohio Dept. Taxation – 2010 Tax Certification hotel tax
- E. Ohio Dept. Commerce, Div. of Unclaimed Funds – Claim application

II. Distribute Financial Reports –

Mr. Hanahan introduced a **MOTION**, seconded by Mr. Benson to approve the financial reports and authorize the payment of the bills, checks 43824 thru 43921. After discussion, all present voted in favor. **MOTION** passed.

III. Mr. Rohrbach requested a Resolution to approve the annual trash assessment on property owners delinquent in the trash payments.

After review of the list of delinquents, Mr. Hanahan introduced **RESOLUTION 2011-44**, seconded by Mr. DeGroat, to authorize the assessment of property owners who are delinquent as to waste disposal service charges pursuant to Ohio Revised Code Section 505.33, was introduced by Mr. Hanahan, seconded by Mr. DeGroat, at the Regular Board of Trustees Meeting on September 12, 2011.

WHEREAS, the German Township Board of Trustees established a solid waste collection and disposal district for the unincorporated area of German Township by Resolution 98-04 on January 12, 1998 pursuant to Ohio Revised Code Sections 505.27 & 505.28, and;

WHEREAS, the German Township Board of Trustees contracted for waste removal pursuant to Ohio Revised Code Section 505.27 and established a fee for waste disposal service to be invoiced to all owners of improved property within the unincorporated areas of German Township, and;

WHEREAS, each owner of improved property was invoiced quarterly for this waste removal, and;

WHEREAS, each owner of improved property is delinquent on their waste disposal service charges in excess of \$100.00, as listed on the attached spreadsheet; and were notified on August 2, 2011, by certified mail, to pay the delinquent amounts or assessment of these delinquent charges for waste disposal service would be placed on their property tax duplicate for collection, pursuant to Ohio Revised Code Section 505.33.

NOW, THEREFORE, THE GERMAN TOWNSHIP BOARD OF TRUSTEES, MONTGOMERY COUNTY, HEREBY RESOLVES:

SECTION 1 : That the Board has reviewed and certifies the attached listing of owners of improved property and descriptions of their lands, as delinquent as to waste disposal service charges by more then twelve months, and;

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SECTION 2 : Request that the Montgomery County Auditor place the charges as listed on the attached owners listing on the tax duplicates for collection.

After discussion, the adoption vote was as follows: Mr. Benson – Yes, Mr. DeGroat – Yes, Mr. Hanahan – Yes; RESOLUTION 2011-44 passed.

IV. Mr. Rohrbach noted that he has applied for \$500 from the Ohio Unclaimed Funds on behalf of the Township, from a unclaimed fund since 1991.

V. Mr. Rohrbach noted that the Pitney Bowles check signing machine had a rubber roller melt. Pitney Bowles was call and a service person responded and advised the machine was obsolete and parts could no longer be obtained. He recommended that we purchase a new \$5000 machine

I went on the internet and purchased the needed part for \$100 including shipping. Installed the part and canceled the service call with Pitney Bowles. I have received a \$400 invoice for service technician time and travel. I will pay the invoice eventually, but will never contact Pitney Bowles again.

PRESIDENT REPORT –

I. Mr. Benson reported that the Fire and Pool Oversight meetings were cancelled.

POLICE REPORT –

I. Chief Wilcox reported that Administrative Assistant Laurie Rohrbach has completed 20 years of service with the Township. The Board thanked and congratulated her for her dedication to the Township.

II. Chief Wilcox reported that an old TV was not sold on GovDeal.com. He will dispose of the TV via the county recycle center.

III. Chief Wilcox opened a discussion regarding the usage of civilian volunteers on projects etc. Programs or projects would be announced and volunteers would be accepted, no scheduling would occur.

Mr. Hanahan introduced a **MOTION**, seconded by Mr. DeGroat to authorize the usage of civilian volunteers for various projects etc. by the Police Dept. After discussion, all present voted in favor, MOTION passed.

III. Chief Wilcox reported that the problem with the weather siren at the Township Hall has still not been repaired. Still working on it.

IV. Chief Wilcox reported that the September 10, 2011 Patriot Chop & Chicken

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Dinner for the community was a success. The Police Association thanked the Board for the use of the facilities and the Road Dept. for their assistance.

- VI. Chief Wilcox reported on a OVI checkpoint done on Rt. 4 prior to the holiday. 1016 cars passed thru, 35 diverted, 4 citations for suspended license, 3 for no operator license, 2 for narcotics violations 2 for OVI, 2 for seat belt violations, 1 for falsification. He noted the assisting agencies and thanked them for their participation.

ROAD/SERVICE DEPARTMENT REPORT –

- I. Mr. Holbrook reported that striping of Mudlick Rd. has been completed.
- II. Mr. Holbrook reported that the replacement of the 24” culvert on Kiefer Rd. has been completed. An excavator was rented from Art’s rental for two days at a cost of \$900.
- III. Mr. Holbrook updated the Board on the Issue II Eckhart Road Phase 1 project. The sub-grade elevation and side embankments are almost complete. Asphalt should be in place by the end of September. Projected completion by mid October.

Mr. Holbrook also reported that the bid from Weidle Corp was \$90,000 lower than anticipated for Phase 1. Krammer & Assoc. is working with the Issue II Integrating Committee on possible using the excess funds for Phase 2. Not probable.

ZONING & TRASH COLLECTION REPORT - none

OLD BUSINESS:

- I. Mr. Hanahan updated the Board on the Valley View Water & Sewer District activities. He requested a resolution to apply to the Valley View Water & Sewer District for Inclusion of Certain Territory Located within German Township into the District.

RESOLUTION NO. 2011- 46

German Township, Montgomery County, Ohio

The Board of Trustees of German Township, Montgomery County, Ohio met in regular session, pursuant to notice, on the 12th day of September, 2011 at 7:00 PM at the German Township Hall at 12102 State Route 725 West, German Township, Ohio 45327 with the following members present:

Mr. Randy R. Benson; Mr. Benjamin F. DeGroat; and Mr. Gregory A. Hanahan

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**Re: Application to the Valley View Water and Sewer District for
Inclusion of Certain Territory Located within German Township into
the District.**

Mr. Hanahan made the following motion, which was seconded by Mr. DeGroat

WHEREAS, the territory of German Township, Montgomery County, Ohio is not wholly included within the Valley View Water and Sewer District (hereinafter, "District"); and

WHEREAS, the Trustees of German Township have found that certain territory in German Township is among the territory not currently within the District; and

WHEREAS, a Feasibility Study was completed by the engineering firm of CESO (the "Feasibility Study") which study was provided to German Township, establishing the feasibility of including within the District all areas in the Township which were previously not included in the District when it was originally established by Court action on April 23, 2009; and

WHEREAS, the Trustees of German Township, pursuant to Ohio Revised Code Section 6119.05, desire to make application to the District for inclusion within the District of all remaining unincorporated Township territory not presently included in the District and as further described in said Feasibility Study; now therefore,

BE IT RESOLVED by the Board of Trustees of German Township, Montgomery County, Ohio:

1. That the Board hereby makes application to the Valley View Water and Sewer District (the "District") to include within the territory of the District all remaining unincorporated Township territory not presently included in the District as originally established, as set forth in the Feasibility Study.
2. That the Board, based upon the conclusions of said Feasibility Study hereby make Application to the Valley View Water and Sewer District to include within the District all territory within the German Township which was not included within the boundaries of the District when originally organized on April 23, 2009, hereby declares that the inclusion of said territory, as described in said Feasibility Study within the District to be necessary and conducive to the public health, safety, convenience, or welfare, and that it is practical and feasible for such territory to be included within the District.
3. That the Board hereby authorizes Greg Hanahan to submit to the District this Resolution, with the Feasibility Study, as a complete application for inclusion of said territory within the District, and to take any additional action or to execute any additional documents subsequently deemed necessary to complete such application to the District for inclusion of said territory within the District and to effectuate the inclusion of said territory in the District.
4. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

As to the above, vote resulting as follows:

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Randy R. Benson - Yes Benjamin F. DeGroat - Yes Gregory A. Hanahan - Yes

Adopted the 12th day of September, 2011. RESOLUTION 2011-46 Passed.

II. Mr. Hanahan reported on the Germantown Union Cemetery meeting. A large maple tree fell during a recent storm and knocked over and damaged the largest headstone in the Cemetery.

III. Mr. Hanahan also reported that the Valley View Water & Sewer District was continuing to work on the Eby Rd. project. Issues being investigated are the way that property owners will be assessed etc. A letter will be sent to the City of Germantown about the Eby Rd. project and asking if they would like to provide water for the project.

EXECUTIVE SESSION:

I. At 8:15 PM, Mr. Benson introduced a **MOTION**, seconded by Mr. Hanahan to adjourn into executive session to discuss personnel issues.

At 8:55 PM the meeting was reconvened.

NEW BUSINESS: none

PURCHASE ORDERS AND BANK RECONCILIATIONS were signed.

Meeting Adjourned at 8:56 P. M.

Signed: Randy R. Benson

Attest: [Signature]