

RECORD OF PROCEEDINGS
German Township Board of Trustees
Regular Session
February 14, 2017

The German Township Trustees met in regular session on Tuesday, January 10, 2017 at 8:00 a.m. at the German Township Office, 3940 Lawrenceville Dr., Springfield, Ohio. Mr. Clark called the meeting to order.

Roll Call: Mr. Clark– present; Mr. Kaffenbarger – present; Mr. Metzger- present

Township Department Supervisors present: Angela Griest, Fiscal Officer; Mike Stitzel, Police Chief; Tim Holman, Fire Chief; George Degenhart, Zoning Inspector; Mark Bevan, Road Supervisor; and Karina Emory, Secretary. Other Township Personnel: Linda Mader

Visitors: Tom Hale, Director, Clark County Community Development; Adam Price – Zoning Case #; Steve Bevan

Pledge of Allegiance

Minutes

- A. Motion to approve the minutes for December 29, 2016 & January 10, 2017:
Motion: Mr. Metzger 2nd: Mr. Kaffenbarger Ayes: All

Hearing of the Public - None

Zoning Department

Mr. Degenhart introduced Mr. Tom Hale, Director of the Clark County Community Development. Mr. Hale spoke concerning the County’s involvement with the project of the Upper Valley Mall:

- Macy’s offered the County to purchase that property
- The County Land bank did buy the 20 acres owned by Macy’s
- Sears is not communicating well with the County
- The individual who owns the remaining 40 acres to the front of the mall is working well with the County
- County is working with a developer. Analyzing what would be a good fit for our community.
- Trying to find the original Federated Agreement document between the City of Springfield and the original owner of the Upper Valley Mall.
- The County will continue to work with everyone involved concerning the Mall business area.

The German Township Zoning Commission has forwarded to the German Township Trustees a recommendation for a zoning change: Case Number G-2016-02 for property located at 3924 Shrine Road, Springfield, Ohio owned by Mr. James Adam Price to rezone 1.82 acres from B3S to B1. The property will be used for a yoga studio, and some storage.

- B. Motion to approve the request to rezone the property (3924 Shrine Road) from a B3S to B1:
Motion: Mr. Metzger 2nd: Mr. Kaffenbarger Ayes: All

- Mr. Degenhart also stated that there will be new stores opening in the area: a furniture store at the old Elder Beerman’s location, a new Salon in the mall, and the Bargain Hunt will open this Wednesday at the old Hobby Lobby location.

Fiscal Officer Report

Mrs. Griest presented the following:

- The year-end Financial Report and Notes have been filed with the State Auditor and all required year-end reports have been filed.
- Completed the 2016 True-up report. We received a refund of overpayment for \$258.00. Also received \$260.00 for the go green discount. There was one other rebate we should have received, Mr. Andy Frank, from CareWorksComp is working on getting that back to us. Due to several older, larger claims falling off, our BWC rates are lower for this year. We will no longer be in the Group Retro Rating (high risk) Program. It is time to renew our 2018 with CareWorksComp for our Workers Compensation Group Rating Program for the year beginning July 1, 2017 through July 2018 – Cost \$1312.00 (application due by May).

Road Maintenance Department

Mr. Bevan reported the following:

- Culvert repairs and replacement will need to be done on any roads we may want to pave this year.
 - Overholser needs a culvert replacement. Getting a recommendation on the size from the county, and would like to have only 1 pipe there instead of 2.
- Trustees need to go around and do inspections on deciding which roads to pave, and look at possible culvert work.
 - Tecumseh Road needs mill work done on it.
- Guard rail at the curve of Dogwood needs to be looked at due to another accident there. Need to see if you can set it differently in order to help protect the home.
- County Engineers Department is to come out and look at roads to see about journalizing them so speed limits can be set by the township on them, especially those in the subdivisions.
- Mr. Holman stated that the Road Department should be getting the More Grant for reimbursements for Road Closed signs. The foldout type of sign is the easiest to put out, will need sand bags to help hold them down.
- Fixed the berm on Fox Hollow.

New Business

Allstate Insurance

- Received a letter from Allstate Insurance concerning property owned by Margaret Rife and a tree that fell and damaged a structure. After reviewing the property in question, the German Township Trustees state it is not German Township property. It is either the Village of Tremont City or private property owner, Matthew Berner.

Medical Marijuana

General discussions:

- Currently the State of Ohio is still in process of setting guidelines for medical marijuana.
- Mr. Degenhart presented the Trustees with a letter he sent to Ohio Senator Bob Hackett concerning proposed fees by Township Zoning for the licensing of facilities dealing with Medical Marijuana.
- There is a large (monetary) requirement that must first be met.
- There are differences in the proposed types of businesses: cultivators, processors, dispensaries, labs.
- Mr. Degenhart feels that the people in the State want medical Marijuana
- Mr. Adam Price responded that he does not believe that the people here want it. Studies show that states that have legalized marijuana have a 13% increase in crime rates.
- Ohio Revised Code (ORC) 3796.29 States that's Townships may prohibit or limit the number of cultivators, processors or retail dispensaries licensed within the unincorporated territory of the township. It does not prohibit or limit research facilities.
- At this time there has been two different people come to the township looking to put marijuana facilities in the township.
- Mr. Metzger stated that he is personally not for it. He believes that it is a gateway drug. He believes that we will not be able to have enough cops to cover a growing operation. Big money will control it. He stated that the State has given us the right to control it, and he would like to present the following Resolution, it is good for only one year, we can change it at any time, and it gives us more control.

J. Mr. Metzger made a motion to adopt the following Resolution (read the resolution aloud):

RESOLUTION

A RESOLUTION PROHIBITING THE LOCATION OF MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND RETAIL DISPENSARIES LICENSED UNDER OHIO REVISED CODE CHAPTER 3796 WITHIN THE UNINCORPORATED TERRITORY OF GERMAN TOWNSHIP, CLARK COUNTY, OHIO FOR A PERIOD OF ONE YEAR

The Board of Township Trustees of German Township, Clark County met in Regular Session on the 14th day of February, 2017 at the offices of the German Township Trustees with the following members present: Robert Clark, Rodney Kaffenbarger, and Charles Metzger.

Trustee Charles Metzger moved the adoption of the following Resolution:

WHEREAS, Ohio Revised Code Chapter 3796, which permits the licensed cultivation, processing, sale and use of medical marijuana within the State of Ohio, became effective on September 8, 2016; and

WHEREAS, Ohio Revised Code section 3796.29 authorizes the Board of Trustees to pass a resolution prohibiting the location of medical marijuana cultivators, processors and retail dispensaries licensed under Ohio Revised Code Chapter 3796 within the unincorporated territory of German Township, Clark County, Ohio; and

WHEREAS, the Board of Trustees desires to prohibit the location of licensed medical marijuana cultivators, processors and retail dispensaries within the unincorporated territory of German Township for a period of one year to give the Board time to determine whether the Board should allow such businesses to be established within the unincorporated territory of German Township, Clark County, Ohio.

NOW, THEREFORE BE IT RESOLVED that effective on the date of the adoption of this Resolution, the Board of Trustees of German Township, Clark County, Ohio, hereby prohibits medical marijuana cultivators, processors, and dispensaries licensed under Ohio Revised Code 3796 from being located within the unincorporated territory of German Township, Clark County, Ohio; and

BE IT FURTHER RESOLVED that this Resolution shall terminate on February 14, 2018, unless it is withdrawn or extended by further action of the Board of Trustees of German Township, Clark County, Ohio.

The motion was seconded by Mr. Kaffenbarger.

Discussion:

- Mr. Degenhart: He feels if the Township accepts this resolution at this time, you will not be in contention for having this type of business, even if you change your mind at a later time.
- Mrs. Emory: Currently there is no positive outcome/benefit for having such a facility.
- Mr. Degenhart responded that was why he sent the letter to lobby for townships to have some way to maybe offset costs for the Township.
- Chief Stitzel: Glad we are doing this.

President Clark closed discussion and called for a Roll Call Vote:

Mr. Metzger – yes Mr. Kaffenbarger – Yes Mr. Clark – yes.

Motion Carried.

Old Business:

Mount Calvary Cemetery

- Have our legal counsel, Andrew Pickering, ask the Tremont City Council to come to a meeting here with their attorneys present to discuss the matter.
- Mr. Kaffenbarger stated he will make the call to Mr. Pickering.

K. Motion to go into executive session at 9:50 a.m. to discuss personnel disciplinary actions:

Motion: Mr. Kaffenbarger 2nd: Mr. Metzger Ayes: All

The meeting is called back into regular session by Mr. Clark at 10:35 a.m.

L. Motion to adjourn: Mr. Metzger 2nd: Mr. Clark Ayes: All

Approved by:

Board of German Township Trustees

Robert Clark, President

Rodney Kaffenbarger, Vice President

Charles Metzger, Member

Recorded in the
Record of Proceedings
February 14, 2017

Angela D. Griest, Fiscal Officer