

RECORD OF PROCEEDINGS
German Township Board of Trustees
Regular Session
December 8, 2016

The German Township Trustees met in regular session on Thursday, December 8, 2016 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. Metzger- present; Mr. Kaffenbarger – present

Other Township Department Supervisors present: Angela Griest, Fiscal Officer; Tim Holman, Fire Chief; Mike Stitzel, Police Chief; Karina Emory, Secretary; George Degenhart, Zoning Inspector; & Mark Bevan, Maintenance Supervisor

Other Employees Present: Dave Brown, Linda Mader

Visitors: Bill Wolfarth, Argari Lagos, Joe Garrett

Pledge of Allegiance

Minutes

A. Motion to approve the Minutes of October 11, 2016:

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

Hearing of the Public

Mr. Argari Lagos, owner of 1238 Upper Valley Pike:

- Medical Marijuana has been approved by the State of Ohio; however the legislature is still working on regulations concerning the cultivation, processing, distribution, and licensing for medical marijuana. Regulations are constantly changing.
- With the State approval of medical marijuana, he has begun to develop a plan under, Buckeye Agricultural LLC, for the cultivation, processing, and pharmaceutical research of marijuana at this location (not retail distribution). And is here today to have an open communications with the Township concerning the matter.
- German Township is very business friendly. It would benefit by having new business in the area. New business means new jobs.
- It should not increase the work of the Police Department due to there will be no retail distribution with foot traffic coming and going. The business will have its own security systems, including security guards. It currently has city water, but would look into having a well for the agricultural purposes. A generator would also be installed for backup power to the facility.
- Mr. Lagos stated he does not want to be annexed in the City of Springfield. The last attempt by the City to annex, he was one of the owners against annexation.
- He is currently operating other businesses out of this same location.

Mr. Joe Garrett has not arrived. We will come back to him.

Fiscal Officer Report

Mrs. Griest presented the following:

B. Motion to receive the November 2016 financial reports:

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

C. Motion to approval payments from November 1 to December 8, 2016:

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

- Presented quotes from two groups that specialize in Human Recourses and Wage & Law. The consultants could answer questions Mr. Griest has on Wage & Labor Laws and the Township's practices. They would also be able to help the Township to make accurate Job descriptions, Policy and Procedures, and an Employee Handbook. All which we definitely need.

QUOTES:

Edward Kim – Fishel Hass Kim Albrecht LLP

- Columbus, Ohio
- Attorney's that handle HR / Wage and Labor Issues
- Consulting / Policy and Procedures/ Job Descriptions/ Employee Handbook

- 98% of the work they do is with Public Sector
- Has worked with entities in Clark County Commission, Clark County Sherriff, City of Springfield. Works with many townships in Delaware County , OTA
- Would look at how we have been doing things in the past (payroll and Human Resources) to see where changes need to be made in order to be compliant with the Federal and State Wage and Labor Laws.
- Already receive their monthly newsletter and special notices.
- They will continue to update the policies with us if there are changes or new labor laws.
- Costs approximately (depends on several factors – a ballpark figure) He could possibly start with 20 Hours at \$150.00 per hour. After that \$180 to \$195 per hour. They do bill out in 15 minute increments.

Brad Bennett – Zashin Rich Law Firm

- Columbus, Ohio
- Attorneys that handle HR/ Wage and Labor Issues
- Consulting/Policy and Procedures/ Job Descriptions/ Employee Handbook
- Do work with Public Sector
- Has worked with the Clark County Engineers Office and DD. Will be at the OTA conference in January.
- Would look at how we have been doing things in the past (payroll and Human Resources) to see where changes need to be made in order to be compliant with the Federal and State Wage and Labor Laws.
- Costs are approximately \$215.00 per hour. They bill out in 6 minute increments. He stated he would work up a ballpark estimate based on the information I provided him. His best estimate of costs would be around 10 – 20 billable hours

Discussion Summary:

- Mike Stitzel
 - Stated it did need to get done otherwise you open yourself up to liabilities. Time is hard to come by for everyone. He doesn't know all the labor and wage laws. He is in favor of having someone who is familiar with wage and labor laws to handle it. It would take any bias out of the development of the policy. And he is willing to have a percentage of the costs come out of his budget.
- Tim Holman
 - Stated he did not want to contribute anything to hire someone to develop the handbook. He has written policies before, and would be willing to write the employee handbook himself. Doesn't understand what bias there could be. It could then been reviewed by our legal department.
 - He had several copies of labor law codes printed out. Stated that every attorney interprets law differently. And that overtime for fire departments on a 28 day payroll is anything after 212 hours.
- Mr. Clark
 - He has been a trustee for 3 years and knows we have brought up the need for a policy and procedure manual, but he doesn't have the time or the knowledge.
- Mr. Garret (Mr. Metzger asked for his input as he is also a trustee)
 - He knows Mr. Edward Kim and stated that he can probably just pull the policy and procedures from work he has already done for other townships. You could go to Ohio Township Association and ask if they know of any townships your size that would already have a policy and procedure manual in place, and could request copies of those as a reference.
- Mr. Kaffenbarger
 - A Policy and Procedure manual does need to be in place and it needs to be enforced.

D. Motion to have Tim Holman make the employee policy manual by the February meeting:

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

Mrs. Griest asked what about the questions she still has concerning the wage and labor law compliance. She would prefer to have the questions answered by someone who is familiar with Wage & Labor law. Mr. Clark stated to look for a different source.

Zoning Report:

There is a new store coming soon at the old Hobby Lobby location. It is called Bargain Hunt.

Fire Department

Chief Holman presented the following:

- Terminix contract: Would like to pay it annually in order to save 3% - trustee agreed
 - Fire Department will be switched to a 28 day payroll for the year 2017
 - Currently applying for two grants – deadline to be is January 17th
 - Christmas Dinners to be distributed again this year. Press releases have went out. Donations and volunteers needed. To date have requests for 125 dinners
 - Recall on the Ford Interceptor was done at White's.
 - The Fire Department Auxiliary Unit will become active again. They are there to support the Fire department, and to provide food and drinks at fires.
- E. Motion to approve the 911 dispatch contract with the Clark County Sheriff department for 2017 at \$27,102.24:

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

Police Department

Chief Stitzel presented the following:

- 2015 Dodge Charger was repair at a cost of \$8486.00. The entire cost was covered by the insurance company. It was not covered under the warranty because the manufacturer does not believe it was damaged due to a poor engineering design.
 - The October Breast Cancer Awareness brought in \$3756.61. A copy of the bank check was given to the Fiscal Officer.
 - Request an executive session at the end of the meeting.
- F. Motion to approve three auxiliary new hires: Matt Randolph, Andrew Atkins, and James Johnson:

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

Officer Finney administered the oath.

- G. Motion to approve the Police Department to have flex time within the pay period, and not to pay overtime until after the employee has accrued 80 hours within the pay period:

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

Road Maintenance Department

Mr. Bevan reported the following:

- Culverts are done.
- Culverts on White Oak and Ash Drive have been done and the residents have been billed.
- Trees are done on Hanson, Delrey, and Deer Run.
- Stumps are out.
- Large Tree on Crescent Hill is a concern about safely getting it down. Possibly could be topped before trying to drop it. Safety needs to be a priority.
- Large dying tree on Ramsey is a concern, could take out the electric lines. Ohio Edison was contacted and they will help with the trees on Ramsey.
- Mowing is almost done.
- Update on the property at Johnson/Ebersole:
 - Trees are in the Township right-of-way.
 - Ohio Edison has topped them.
 - Owner – Snyder – agreed to take trees down on Ebersole, but was advised not to tear up the road.
 - Quotes were received from Denver Thompson for removal of the trees on Johnson Road. \$10,000 if he did all the work. \$8,000 if our road maintenance department helped with moving and burning of the trees.

- H. Motion to approve the costs of Mr. Thompson in cutting down the trees and the Road Department would help with the moving and burning of the trees:

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

New Business

- I. Motion to have the yearend /reorganizational meeting on Thursday, December 29, 2016 at 8:00 a.m.:

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

- Trustees to look at an electric box on Brookston Avenue that sits down in a hole and gets covered up with water. Sits in a swale. Need to be sure that water is flowing properly in the area.
- Daily Work Log going into 2017

Old Business

None

Hearing of the Public (cont)

Mr. Joe Garret – Trebel

- The electric and gas aggregation has done well to date. If you compare it on a monthly basis, sometimes it will appear that the rate from the Ohio Edison/ Columbia Gas is lower. But other months the aggregation pricing is lower. If you look at it long term as a whole year, you will find that you have made a savings by being with the aggregator.
- The Capacity rates will continue to go up, but that is not controlled with the aggregation contract.
- The Public Utilities Commission of Ohio requires the Township to sign an Affidavit Form for the Renewal Certification Application for Ohio Natural Gas Governmental Aggregators and for Electric Government Aggregators every two years. This does not change anything concerning the contract we have with Trebel as our Aggregator/Broker. It is a state requirement. Mr. Metzger will need to sign, and Chief Stitzel will be notary.

J. Motion to go into executive session at 10:06 a.m. for the purposes of an employee disciplinary action:

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

K. Motion to resume the regular session at 10:25 a.m.:

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

L. Motion to adjourn :

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

Approved by: Board of German Township Trustees:

Recorded in the
Record of Proceedings
December 8, 2016

Angela D. Griest, Fiscal Officer

Robert Clark, President

Charles Metzger, Vice President

Rodney Kaffenbarger, Member