

**RECORD OF PROCEEDINGS**  
**German Township Board of Trustees**  
**Regular Session**  
**July 14, 2020**

The German Township Trustees met in regular session on Tuesday, July 14, 2020 at 7:00 p.m. at the German Township Office, 3940 Lawrenceville Dr., Springfield, Ohio. Mr. Metzger called the meeting to order.

Roll Call: Mr. Metzger - present; Mr. Kaffenbarger – present; Mr. Clark- present  
Fiscal Officer: Angela Griest - present

Township Personnel present: Mike Stitzel, Police Chief; Tim Holman, Fire Chief; George Degenhart, Zoning; and Karina Emory, Secretary.

Visitors: Jill Acuff, Kim Northup, Robin Hensley, and Mark Sanders.

**Pledge of Allegiance**

**Minutes**

- A. Motion to approve the minutes for June 09 and June 26, 2020  
Motion: Mr. Kaffenbarger 2nd: Mr. Clark Ayes- All

**Hearing of the Public**

- Jill Acuff: Due to all the negative media coverage concerning police departments across the country, I wanted our German Township Police Department to know how I feel. Every day they are here risking their lives, caring about our families, our neighbors, and even strangers. They do this with little pay and little thanks. We live in an awesome community. The police department is here, keeping peace and order. I wanted to thank them, to let them know they are supported, and that they are very much appreciated.
- Robin Hensley:
  - I am here following up on my past concerns about the speed limits in the area of St. Rt. 41 and Miller Road. I spoke with ODOT in Sidney, and the area does not meet the criteria needed to change the speed limit. However, the area may need additional lane and road markings. They will look into the situation more. May contact the Police Department concerning accidents in that section.
  - Also talked to Kyle Koehler concerning the situation with the sewer line. There is a bill concerning this problem, but it will only apply to the future, going forward. It will not address pricing already in place.
  - Trustees thanked Mr. Hensley for his interest and help in these matters.

**Fiscal Officer**

- The 2018/2019 audit is completed. The report to be submitted to the Auditor of State for approval. Once approved, the report will become public record. Total cost of the audit, to date, \$2714.20. The next audit will be in 2022, and will be substantially higher due to it being a full audit.
- B. Motion to receive the June 2020 management reports.  
Motion: Mr. Clark 2nd: Mr. Kaffenbarger Ayes- All
- C. Motion to approve payments issued June 08 through July 13, 2020 \$114,312.11:  
Motion: Mr. Kaffenbarger 2nd: Mr. Clark Ayes- All
- D. Motion to approve expenses for individual items over \$1000:
  - a. Fire Dept. – RC Enterprises \$2004.95 for Repairs to Medic 1 for power steering pumps & service  
Motion: Mr. Clark 2nd: Mr. Kaffenbarger Ayes- All
- E. Motion to approve the property and Liability Insurance through OTARMA for costs up to \$45,000:  
Motion: Mr. Clark 2nd: Mr. Kaffenbarger Ayes- All
- F. Motion to approve an Alternative method of Apportionment of the Local Government Fund, Public Library Fund of Clark county, Ohio as presented by the Auditor’s Office:  
Motion: Mr. Kaffenbarger 2nd: Mr. Clark Ayes- All

G. Motion to approve the following Resolution:

*Be it resolved by the Board of Trustees of German Township, Clark County, Ohio hereby submits its Annual Tax Budget for the year commencing January 1<sup>st</sup> 2021 to the Clark County Auditor's Office for consideration by the County Budget Commission pursuant of Section 5705.30 of the Ohio Revised Code.*

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

H. Coronavirus Relief Fund (CRF) - Due to the addition of fund 2272 Coronavirus Relief Fund, and the receipt of \$30,568.71 - Motion to approve the request for an Amended Certificate from the County Auditor's Office, and to approve appropriations from Fund 2272 (in the manner allowed by law) up to the total revenue amount received through the CRF funds.

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

I. RESOLUTION TO ACCEPT THE CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE

Move the adoption of the following resolution:

To accept the Certificate of Estimated Property Tax revenue from the Clark County Auditor for the each of the following proposed levies:

- i. 1.5 mills Operating and Maintaining the Fire and EMS Department - Renewal - \$228,343.
- ii. 0.9 mills Providing and Maintaining Roads – Renewal - \$100,852.
- iii. 3.0 mills Providing and Maintaining Fire and Emergency Medical Services –Renewal \$336,172.

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

J. Move the adoption for the following Resolution to Proceed of the Taxing Authority:

*Whereas, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the said German Township (excluding the Village of Tremont City), Clark County; therefore be it*

*Resolved, by the Board of Trustees, Clark County, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the German Township (excluding the Village of Tremont City) for the purpose of Providing and Maintaining Fire and Emergency Medical Services at a rate not exceeding 3.00 mills for each one dollar of valuation, which amounts to \$0.30 for each one hundred dollars of valuation, for 5 Years commencing and appearing on the tax list for the years so specified ,2021,2022,2023,2024, 2025. Said levy is a renewal of an existing levy of 3.00 mills.*

*Resolved, that the question of levying additional taxes be submitted to the electors of said German Township (excluding the Village of Tremont City) at the General Election to be held at the usual voting places within said German Township (excluding the Village of Tremont City) on the 3<sup>rd</sup> day of November, 2020; and be it further*

*Resolved, that said levy be placed upon the tax list of the current year after the February settlement next succeeding the election, if a majority of the electors voting there on vote in favor thereof; and be it further*

*Resolved, that the Clerk or Fiscal Officer of German Township be and is hereby directed to certify a copy of the Resolution to the Board of Elections of Clark County, Ohio and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.*

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

K. Move the adoption for the following Resolution to Proceed of the Taxing Authority : 2<sup>nd</sup>:

*Whereas, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the said German Township (excluding the Village of Tremont City), Clark County; therefore be it*

*Resolved, by the Board of Trustees, Clark County, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the German Township (excluding the Village of Tremont City) for the purpose of Providing and Maintaining Roads at a rate not exceeding 0.9 mills for each one dollar of valuation, which amounts to \$0.09 for each one hundred dollars of valuation, for 5 Years commencing and appearing on the tax list for the years so specified ,2021,2022,2023,2024, 2025. Said levy is a renewal of an existing levy of 0.9 mills.*

*Resolved, that the question of levying additional taxes be submitted to the electors of said German Township (excluding the Village of Tremont City) at the General Election to be held at the usual voting places within said German Township (excluding the Village of Tremont City) on the 3<sup>rd</sup> day of November, 2020; and be it further*

*Resolved, that said levy be placed upon the tax list of the current year after the February settlement next succeeding the election, if a majority of the electors voting there on vote in favor thereof; and be it further*

*Resolved, that the Clerk or Fiscal Officer of German Township be and is hereby directed to certify a copy of the Resolution to the Board of Elections of Clark County, Ohio and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.*

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

L. Move the adoption of the following Resolution to Proceed of the Taxing Authority

*Whereas, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the said German Township (excluding the Village of Tremont City), Clark County; therefore be it*

*Resolved, by the Board of Trustees, Clark County, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of the German Township (excluding the Village of Tremont City) for the purpose of Operating and Maintaining the Fire and EMS Department at a rate not exceeding 1.50 mills for each one dollar of valuation, which amounts to \$0.15 for each one hundred dollars of valuation, for 5 Years commencing and appearing on the tax list for the years so specified ,2021,2022,2023,2024, 2025. Said levy is a renewal of an existing levy of 1.50 mills.*

*Resolved, that the question of levying additional taxes be submitted to the electors of said German Township (excluding the Village of Tremont City) at the General Election to be held at the usual voting places within said German Township (excluding the Village of Tremont City) on the 3<sup>rd</sup> day of November, 2020; and be it further*

*Resolved, that said levy be placed upon the tax list of the current year after the February settlement next succeeding the election, if a majority of the electors voting there on vote in favor thereof; and be it further*

*Resolved, that the Clerk or Fiscal Officer of German Township be and is hereby directed to certify a copy of the Resolution to the Board of Elections of Clark County, Ohio and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.*

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

### **Zoning Department**

- None

### **Fire Department**

M. GovDeals advertised the Sale of 1992 International 4900 Fire Pumper, Engine 2, for 10 days. Did not get any bids. Motion to advertise for sale and accept sealed bids:

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

N. Quantity 2 - Bi-Pap - purchase through CPAP Direct- cost \$3523.00. EMS grant funds to cover most of the costs \$3341.17. Motion to approve the purchase:

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

O. Motion to approve the purchase of Ice Rescue Gear approximately \$2000.00 – checking prices:

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

P. Motion to approve the purchase of Cordless Rescue tools at approximately \$3300.00:

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

Q. Change all lights in Station 78 to LED; Electrician Don Potter quote: \$3260.00

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

R. The Fire Dept. copier is out of lease. Would like to get new copier with a lease. Lease is a couple dollars less than the previous contract - \$72.00 per month; and copy costs are at .01 cent for black and white copy. Motion to approve the new copier lease:

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

- Would like to have Medicount send patient surveys. This is a way to receive feedback from the community concerning the services provided by our employees. Cost is \$1.75 per survey. Trustees agreed.

### **Police Department**

- Officer Reynolds is back to work following time off for a health reasons.

### **Road Maintenance Department**

S. County Engineer – Road repairs for 2020 for a total of \$27,458.33

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

T. Motion to approve quote from County Engineer for guardrails- \$2378.00 as follows;

3664 Miller Road - \$1310.00      3680 Miller Road - \$1068.00

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

U. Motion to approve the purchase of 600 feet of pipe for the Willowdale project cost of about \$3,000. (had verbal approval prior to ordering):

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

V. Trailer tires to be purchased from Grismer - \$97.00 per tire x 4 Total \$388.00

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

W. Motion to approve all costs for the west side of Willowdale drainage project - \$12,000:

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

- Anita driveway culvert completed – owner to reimburse township for pipe.
- Stoney Creek – driveway culvert 60’ pipe, resident to reimburse township for pipe.
- Ash Drive update. The gentleman who put the grass in the drainage way has not corrected the problem. Mrs. Emory to send him a letter.
- Mrs. Blanken had water concerns in Westridge. Her concerns were not in a township maintenance waterway. Township not responsible for the issue. We can only advise her concerning the situation.

- Water issue at Reams/Browns property. Trustees to inspect the situation.
- Pinewood – a vacant lot has an open ditch along the roadway. Other neighbors in the area have had their ditch piped and covered. Owner of the lot would like to have that ditch also done. Need to check records to see what the Township did concerning the other ditches.

**New Business**

- Board of Elections was asking if the Trustees have any issues/concerns with holding the voting at the Township Building. Trustees stated no. The Board of Elections has worked with County Health Department. The BOE is providing workers with PPE, and will follow state guidelines. Trustee verbal approval for Mrs. Emory not to work on that day due to the increase in number of people entering the building. Will need to sanitize the room afterwards.
  - Proposed speed limit changes. Due to any complaints of speeding on roads throughout the Township, the Township has reviewed regulations concerning the procedures to change speed limits. County Roads and Township connector roads need to have a traffic study done and submitted to ODOT for review and journalization before changes can be made. Other Township roads, subdivision roads, do not need an ODOT review & journalization is not required. [ORC 4511.21 (K)(5)(b)]
- X. Motion to have Clark County Engineering Department do a study of the Township roads that are 55 miles per hour, and have those submitted to ODOT for review.

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

- For roads in the Township, mainly those in subdivisions, the Township will be looking at changing them to 35 mph. Trustees asked Chief Stitzel for his thoughts on the matter:
    - Chief Stitzel:
      - New speed limits would need to be posted before they can be enforced.
      - Enforceable speed limit areas would become a priority (over non enforceable)
      - Problem areas include Pinewood and West Ridge- especially Hanson & Delrey
      - The signs will need to be posted on all streets within the subdivision. Going into the subdivision, and coming out of the subdivision from any street. So costs may be a concern. Need to know number of signs, posts, brackets, and labor to install. The next problem is deciding where to place the signs.
  - Trustees would like to get an estimate on the costs to put signs up in each of the subdivisions.
- Y. The Marijuana Resolution the Township had in place has expired. Motion to approve the following resolution for one year:

**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

*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 July 14, 2021, unless it is withdrawn or extended by further action of the Board of Trustees of German Township, Clark County, Ohio.*

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

- Cemetery Fees discussion postponed. Other Cemetery issues.
  - Mr. Clark: He has had complaints concerning the conditions in the Cemeteries: headstones askew and mowing not done properly.
  - Mrs. Emory: She has also had complaints. Some of the small flags put out for veterans, and other personal items from people were mowed over.
  - Mrs. Griest: There are Cemetery Regulations that address the putting of personal items in the Cemetery, and times stated when holiday items must be removed.
  - Mr. Kaffenbarger: The moving of headstones while mowing has always been a problem. He has moved headstones back into place many times.
  - Mr. Metzger stated part of the problem is headstones used to be glued down so they would not move. They no longer glue them down when they install the headstones, so they move easily.
  - Suggestion was to sit down with the mowing company and talk with them concerning the issues.

**Old Business**

- None

Z. Motion to adjourn by Mr. Kaffenbarger, seconded by Mr. Clark. Ayes: All

Approved by:  
Board of German Township Trustees

Recorded in the  
Record of Proceedings  
July 14, 2020

\_\_\_\_\_  
Charles Metzger, President

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Rodney Kaffenbarger, Vice President

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Angela D. Griest, Fiscal Officer

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Robert Clark, Member