

# JACKSON TOWNSHIP

Montgomery County

**Special Meeting  
November 6, 2021**

49 E. Walnut Street, Farmersville, Ohio 45325

Telephone (937) 696-3010



Mr. Michael Moyer, Trustee President, called the Jackson Township Board of Trustees Special Meeting, to order on **Saturday, November 6, 2021** at 1:00 p.m. Attendance was as follows:

<b>ELECTED OFFICIALS:</b>			<b>Present</b>	<b>Absent</b>
Michael Moyer		Trustee President	X	
Ryan Hodson		Trustee Vice President	X	
Randall DeVilbiss		Trustee	X	
Elizabeth Kozarec		Fiscal Officer	X	
<b>TOWNSHIP STAFF:</b>				
Chief Jeff Erisman		Chief of Farmersville Fire Dept.		X
Chief Jon Schade		Chief of Jackson Twp. Police		X
Doug Pohl		Road Superintendent		X

Also, in attendance were elected officials and employees representing the City of Germantown, the Village of Farmersville and Jackson Township.

The announced purpose of the Special Meeting was:

In accordance with the Notice of Public Hearing, to hold a Public Hearing along with Germantown City Council, Farmersville Village Council, and Jackson Township Board of Trustees concerning a proposed Joint Economic Development District (JEDD) at the southwest corner of Manning Road and Farmersville Germantown Pike, currently owned by Valley View Local Schools.

Farmersville Mayor, Nick Lamb, welcomed those present and thanked everyone for attending. Mr. Rehmert then introduced JEDD Attorney Brenda Wehmer of the law firm Dismore & Shohl. He noted that M. Wehmer was in attendance to assist in answering questions from visitors.

Motions to Open their Public Hearings were made and approved by all four entities in attendance: Village of Farmersville, City of Germantown, German Township and Jackson Township.

Mr. Rehmert read and reviewed a packet distributed to all in attendance (attached) concerning the proposed JEDD.

**VISITORS:** Lynn Cleveland, Mark Hemmerich, Mark Keener, Karen Carmickle, Shelby Rehmert, Jacob Sewell, Mark and Deb Cross, William Heistand, Lucy Gilbert and Rehmert children.

## VISITOR COMMENTS:

### Lynn Cleveland:

- He wondered if the JEDD would be “taxation without representation?” He said that the children deserve the new school project and the communities will be improved with the construction of the new buildings.

### Mark Cross:

- Dr. Cross stated there were several changes needed to the JEDD Contract in Section 8. He was concerned about how the initial JEDD Board members will be appointed and the length of each member’s term. He suggested that specific language from the Ohio Revised Code be included in the Contract. Ms. Wehmer responded that the initial JEDD Board will determine who serves for one year, who serves for two years, etc. She noted that after the initial terms are completed, all Board members will serve four- year terms.
- Dr. Cross asked several additional questions concerning the JEDD Board, which were answered by Ms. Wehmer. She noted that the Valley View Board of Education has not objected to any of the language in the JEDD Contract.
- After Dr. Cross pointed out that the ORC Section 715.78(A), as referenced in Section 8, was repealed in 2019, Ms. Wehmer responded that this was an oversight and would be corrected – it does not change anything with the JEDD and is a minor correction which would not require a second Public Hearing.

### Lucy Gilbert:

- She asked about the contribution that will be made to the JEDD by the jurisdictions. Mr. Rehmert responded that:
  1. The initial total contribution by the entities is \$15,000.
  2. Through 12/31/24 – 21% of revenues would be retained by the JEDD Board for operating expenses and long-term maintenance of the JEDD.
  3. Beginning 1/1/25, the retention decreases from 21% to 6%. Ms. Wehmer noted that the jurisdictions were making these contributions in addition to their legal requirements to provide water, sewer, fire, police, road, etc.
- Mrs. Gilbert asked whether JEDD funds would be used to hire a School Resource Officer? Ms. Wehmer replied that the schools weren’t ready to add an SRO, but this could be done at anytime in the future and the contribution percentage could be modified.
- Mrs. Gilbert asked for clarification on Farmersville providing water and sewer, Germantown providing fire and rescue, and German Township providing police? Ms. Wehmer answered that those services are already provided to the school and contributions to the JEDD need to be above and beyond what is already being provided. Ms. Gilbert commented that if all the needed infrastructure and services are already being provided, then she feels it is not necessary to form a JEDD to build a new school. Ms. Gilbert commented that a JEDD is more for a situation where new development is happening for the first time and infrastructure and service are needed.
- Mrs. Gilbert stated that the school doesn’t need a JEDD and that nothing will be added to the school by implementing the JEDD. Ms. Wehmer responded that the school does not pay real estate taxes, as such, German Township will lose the tax revenue on the land the school purchased and won’t have the revenue needed to provide additional services.

- Mrs. Gilbert commented that in this situation the JEDD is just for collecting income tax from the workers and giving some of the money back. She commented that JEDDs can fail when they are formed to just generate income tax revenue. Ms. Gilbert asked what the long-range vision was for the JEDD and if it had been considered with each entity's own development vision within their jurisdictions. Ms. Wehmer answered that business promotion in the JEDD would be compatible with education functions of the school district such as a tutoring service company or a health clinic.
- Mrs. Gilbert stated that the jurisdictions should have done some planning in anticipation of losing the income tax revenues (Germantown and Farmersville) and the real estate taxes (German township).
- Mrs. Gilbert asked about potential new businesses on the JEDD property? Ms. Wehmer responded that any additional businesses would most likely be complimentary to the school's mission, such as sports-related or healthcare. Mr. Rehmert referred Mrs. Gilbert to the JEDD development plan and noted that the jurisdictions will need additional resources to maintain services to the new school facility.
- Mrs. Gilbert asked if German Township would be responsible for maintaining roads, etc. within the JEDD boundary? Ms. Wehmer said the Township would not have this responsibility unless there was a dedicated road built within the JEDD boundary.
- Mrs. Gilbert asked if the residential property located next to the high school is still zoned residential? Mr. Rehmert answered that he believes it still currently was but is being worked on. Halie Sewell added that it is residential/agricultural and they are working with the school on the change.
- Mrs. Gilbert asked what would happen if Germantown would someday annex the property? Ms. Wehmer responded that this would be a discussion for the future.
- Mrs. Gilbert asked about potential uses of the land in the future. Ms. Wehmer responded that as property owner, the school makes decisions about land use, not the JEDD Board.
- Mrs. Gilbert stated her belief is that the residents who approved the new school construction didn't understand that a JEDD would be formed. Mr. Rehmert responded that many people are in favor of the JEDD.

**Mark Keener:**

- Responding to the fact that ORC 715.78(A) as referenced in the JEDD Contract was repealed in 2019, he stated that the JEDD Contract should have corrected this mistake before releasing the document to the public and holding the Public Hearing. Ms. Wehmer responded that this was her mistake and that it would be corrected on the final document. Mr. Keener stated in his opinion that this mistake was a violation of fiduciary duty to the citizens.

Mr. Rehmert thanked everyone for attending the public hearing. He stated he appreciated the community feedback. He stated that he is in favor of the JEDD.

Motion to Adjourn the Jackson Township Special Meeting was made by Ryan Hodson and Randy DeVilbiss seconded the Motion. Motion Passed.

<b>VOTE:</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Mr. DeVilbiss	X			
Mr. Moyer	X			
Mr. Hodson	X			

Signed by:

Attested by:

\_\_\_\_\_  
Michael Moyer, President

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Elizabeth Kozarec, Fiscal Officer