

Held

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The Board of Trustees of Batavia Township met for a regular session at 6:00 p.m. Tuesday, February 2, 2021, at the Batavia Township Community Center.

MOMENT OF SILENCE

In memory of Deputy Bill Brewer, there was a prayer and tribute to Bill and his family.

CALL TO ORDER

Following the Pledge of Allegiance, Jennifer Haley gave the roll call for the Board of Trustees. Present were: Mr. Parsons, Mr. Perry, and Mr. Sauls. Also present were Jennifer Haley, Fiscal Officer; Denise Kelley, Zoning Administrator; Adele Evans, Township Administrator; Steven Tyminski, Assistant Service Director; and Deputy Kidder, Law Enforcement Officer.

APPROVAL OF AGENDA AND MINUTES

Mr. Perry motioned the Batavia Township Board of Trustees approve the February 2, 2021 agenda as presented. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls	yes	
Mr. Parsons	yes	
Mr. Perry	yes	Motion carried

Mr. Sauls motioned the Batavia Township Board of Trustees approve the minutes of the January 12, 2021 regular meeting as presented. Mr. Perry seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	yes	Motion carried

PUBLIC HEARING - 6:05 P.M. Billingsley Senior Living Development Case # B-03-20Z-PD

Mr. Parsons swore in all those who were speaking about this case this evening. It was noted that all correspondence received prior to the hearing had been included in the Trustees' informational packets.

Jonathan Wocher gave the summary report of the 73 acres. Mr. Perry had questions about the size of the lots. Mr. Parsons had questions about the rentals on separate lots and those on one parcel.

Brian Gruber, Ridgestone Homes, spoke on behalf of the development/applicant describing the rental portion as an "age in place" concept, with two car garages, swimming pool, club house, and concierge services.

Laura Lamb, President and CEO of Episcopal Retirement Services, a not-for-profit organization, spoke on behalf of the development, regarding property limits and guidelines. Mr. Perry asked if there would be a traffic impact study with confirmation that traffic controls are in the process of being addressed.

Pat Manger, Brookstone Homes, spoke on behalf of the development. An easement is required for sanitary sewer access. Relating to the FAA and ODOT, there have been adjustments made for the stormwater retention. The single family homes will be built in 2-3 phases, compared to the rental units being built in one phase. Brookstone will be building the homes that are for sale. These homes will all be on slabs. These homes are targeted for, but not limited to, a 55-age+ community. There will be HOAs for this development with all

February 2, 2021 - REGULAR SESSION
RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

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grounds maintenance and landscaping being handled through the HOA. The single-family homes will be the same product that was approved for the Summerwood development at Clough Pike and Amelia Olive Branch Road.

Eric Radtke, Eastern Cincinnati Aviation, spoke against the development due to aircraft traffic and the future of the airport. This property is 800 to 1,000 feet in proximity of the Clermont County Airport. Operations average 100 per day (take-offs and landings).

Dennis Wolter, Founder and CEO of Air Mod spoke against the development. The purpose and value of the airport was to incite industry and commerce. Ninety percent (90%) of customers are from out-of-state. Most employees of the airport are young and are being mentored.

Kyle Lewis, AOPA (Aircraft Owners & Pilots Association), sent the Trustees a letter against the development. Outside of the noise complaint potential, and the heights of the buildings, the development will press up to the runway protection area. Mr. Sauls requested a list of airports that were endangered.

David O'Maley, Warbird Museum, spoke about significant safety concerns and is against the development. As Cincinnati is growing eastward, there is potential for Clermont County Airport to grow.

Tom Rawls, 21-year resident, military pilot, and commercial pilot, shared three slides of information and spoke against the development because of potential future development of the airport.

Chuck Gallagher, Clermont County Airport Manager, spoke against the development noting airport safety concerns and the potential future development of the airport and grant assurances being compromised.

Bill Anderson, Sporty's, spoke against the project for reasons relative to the future of the airport.

Boyd Billingsley spoke in favor of the development and asked about the number of noise complaints received by the airport. Mr. Gallagher answered that there is about one every two weeks. The Trustees and staff answered that they have never received any for piloted airplanes, only for remote controlled ones.

There was discussion among the Trustees related to Mr. Billingsley's property rights and that the best use of this land would be some form of residential. The Trustees also concurred that there is a need in Batavia Township for senior living facilities and that this project appears to be a good transitional use between industrial and other sole single-family subdivisions, given the rental/multi-family component of this project. However, the Trustees would like the applicant to provide further information from the FAA and ODOT's Office of Aviation.

Mr. Sauls motioned the Batavia Township Board of Trustees continue in progress the hearing until March 2, 2021 at 6:00 p.m. (next Trustees regular meeting) to allow more time for the applicant to receive, and provide to the township, additional information from the FAA and ODOT's Office of Aviation, and how their guidelines will affect the development of this property. Mr. Perry seconded the motion. On the roll being called:

Mr. Parsons	yes	
Mr. Sauls	yes	
Mr. Perry	yes	Motion carried

There was a ten-minute break from 8:07 p.m. to 8:16 p.m.

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FINANCIAL REPORTS

Ms. Haley gave the January 2021 financial reports.

Mr. Sauls motioned the Batavia Township Board of Trustees approve the January 2021 financial reports as presented. Mr. Perry seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	yes	Motion carried

SERVICE DIRECTOR REPORT

Steven Tyminski, Assistant Service Director, gave a snow update. The Service Department has been out six times in the last month. Steven will be ordering 200 tons of salt tomorrow. The backhoe is fixed and is being used.

Because of the recent inclement weather and more forecasted for the upcoming weekend, Mrs. Evans requested the Trustees approve the service department personnel having Thursday, February 4 as a paid day off in order to catch up on sleep and rest.

Mrs. Evans also requested consideration from the Trustees that Steven Tyminski be allowed to take a work truck home during inclement weather in order for him to check the roads on his way into the township rather than using his personal vehicle.

LAW ENFORCEMENT MONTHLY REPORT

Deputy Jesse Kidder gave his Township report for January.

Deputy Jesse Kidder gave the Batavia Township crime report for the month of January. There were 164 offense reports, up 23% from December. The highest crime type report was theft offenses with 33. For the Batavia Township Deputy activity: there were 12 adult arrests and 2 juvenile arrests; 82 warrant services; 29 traffic citations and 43 warnings; 129 business checks in the Township; and our deputies assisted other law enforcement agencies 21 times. In December, there was a total of \$2800 recovered in stolen property, no overdoses, and two burglaries were reported in Greenbriar.

There was discussion about speeding on SR 125 in Amelia. Deputy Kidder will follow-up with his fellow deputies and the Ohio State Patrol to increase enforcement. Mrs. Evans also relayed that Pierce Township is also increasing enforcement.

CEMETERY DEED

Two graves purchased by William and Janice Yearwood were presented to the Trustees for signature.

EMPLOYEE RECOGNITION

Mrs. Evans recognized Denise Kelley for her 27 years of employment with the Township, which started on February 7, 1994. Mrs. Kelley is always willing to assist residents while staying within the rules. She is a very valued team member.

ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley, Zoning Administrator, gave the January permit activity report. There were eight new single-family permits and six attached units. The average home value continues to rise.

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The Board of Zoning Appeals met twice in January. There were variance requests which were approved. Also, a conditional use was approved for solar panels.

The Zoning Commission met in January. Below are the upcoming zoning hearings:

-The pre-application for Ketan Patel and Carl Hartman is still in the review process. This will come before the Zoning Commission next month.

-A request from Matt Maines for changing multi-family attached units into single family units, located in the Billingsley Development will come before the Zoning Commission.

-The Estrella development is proposing the Villas of Estrella which would add 88 duplex units on 44 lots. This should be on the April agenda for the Trustees.

-There was a preapplication meeting with the Carbon Core Group for 190 multi-family project on Amelia Olive Branch; this is proposed for the 40 acre Feist property.

-A scheduled preapplication meeting for the Kent Property, which is 57 acres, directly across from Carriage Station Drive will take place next week. No plans have been provided to date.

Mrs. Kelley discussed the requested fee schedule adjustment which had not been changed since 2018.

TOWNSHIP ADMINISTRATOR REPORT

Adele gave the Amelia update including the streetlights and Rural Enterprise Zone redesignation.

Adele gave an update on the CARES fund.

The Records Commission will meet on Wednesday, February 17. Mr. Frey is reviewing the schedule.

The Crossing Church reached out to use the Township park for the Annual Easter Egg Hunt. They must coordinate with the Clermont County Health Dept.

It was determined the mother board has failed in the electronic sign. Adele will get a quote for a new electronic sign, as well as a quote for a completely redesigned community park sign.

The CDBG grant program applications are due March 26. Mrs. Evans recommends continuing with the sidewalk projects. The Board is in agreement.

The electric aggregation rate is locked in at 4.99 cents per kWh. The opt out time period will end March 4. This new rate will start with the April reading.

The Clermont County Park District Grant was submitted last month and we should hear back later this month if our rubber surface project will get funded. This would cover the whole playground area in the back by the large shelter.

COMMITTEE REPORTS

Ms. Haley, Chairman reported on Central Joint Fire & EMS District.

Mr. Parsons reported on the Batavia-Union Cemetery. Wayne Smith will be staying on as Sexton.

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PUBLIC PARTICIPATION

Jeremy Trudelle suggested better advertising of the auctions for the available former Amelia personal property.

NEW BUSINESS

Mr. Perry motioned the Batavia Township Board of Trustees accept the 2020 Ohio Department of Transportation's Township Highway System Mileage Certification Report, effective 12/31/2020, in the amount of 77.330 miles, and furthermore execute said certification and return to ODOT no later than April 1, 2021.

Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls	yes	
Mr. Perry	yes	
Mr. Parsons	yes	Motion carried

Mr. Sauls motioned the Batavia Township Board of Trustees adopt **Resolution No. 02-01-2021** establishing assessment for abatement of nuisance and certifying same to the Clermont County Auditor related to previously adopted Resolution No. 12-03-2020 parcel identification number 012010B1235, located at 2210 Harmony Court. Mr. Perry seconded the motion. On the roll being called:

Mr. Parsons	yes	
Mr. Perry	yes	
Mr. Sauls	yes	Motion carried

Mr. Sauls motioned the Batavia Township Board of Trustees authorize the first half payment of the 2021 contract with the Clermont County Sheriff for law enforcement per our three-year contract in the amount of \$358,027.27. Mr. Perry seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	yes	Motion carried

Mr. Parsons motioned the Batavia Township Board of Trustees approve the request for a new liquor license being requested by H. David & Sons, LLC dba Polked Yolk, located at 2235 Bauer Road, Unit 8, and furthermore not request a hearing with the Ohio Division of Liquor Control. Mr. Sauls seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	yes	Motion carried

Mr. Perry motioned the Batavia Township Board of Trustees adopt the proposed revised zoning permit fee schedule as presented, effective March 1, 2021. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls	yes	
Mr. Perry	yes	
Mr. Parsons	yes	Motion carried

Mr. Perry motioned the Batavia Township Board of Trustees approve the paid day off, February 4, 2021, for the Maintenance Department. Someone will be on call.

Mr. Parsons seconded the motion. On the roll being called:

Mr. Parsons	yes	
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Mr. Sauls yes

Mr. Perry yes Motion carried

Mr. Sauls motioned the Batavia Township Board of Trustees approve Steven Tyminski, Assistant Service Director, taking home a truck for times when snow/ice is forecasted. There was discussion and it was agreed to try this out on a limited basis. Mr. Tyminiski will notify Adele when this occurs. Mr. Parsons seconded the motion. On the roll being called:

Mr. Parsons yes

Mr. Sauls yes

Mr. Perry yes Motion carried

OTHER BUSINESS

There was discussion about the Creative Landscapes proposal.

ADJOURNMENT

With no further business to come before the Board, Mr. Sauls motioned to adjourn the meeting. Mr. Perry seconded the motion. Meeting adjourned at 9:53 p.m.

Rex Parsons
Chairman

Jennifer Haley,
Fiscal Officer