

RECORD OF PROCEEDINGS

Minutes of

May 10, 2023 – REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-5338 FORM NO. 30146

RECORD OF PROCEEDINGS

Held ~~Minutes of BOARD OF TRUSTEES~~ ~~BATAVIA TOWNSHIP~~

The Board of Trustees of Batavia Township met for the May regular meeting at 6:00 p.m. Wednesday, May 10, 2023, at the Batavia Township Community Center.

CALL TO ORDER

Following the Pledge of Allegiance led by Mr. Lytle, Jennifer Haley, Fiscal Officer, gave the roll call for the Board of Trustees. Present were: Mr. Sauls, Mr. Parsons, and Mr. Perry. Also present were Karen Swartz, Township Administrator, Denise Kelley, Zoning Administrator, Cody Smith, Service Director, and Sheriff Deputy Benkelmann.

APPROVAL OF AGENDA AND MINUTES

Mr. Parsons motioned the Batavia Township Board of Trustees approve the May 10, 2023 agenda as presented. Mr. Perry 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 approve the April 4, 2023 Regular Meeting Minutes and the April 11, 2023 Special Meeting Minutes as presented. Mr. Parsons seconded the motion. On the roll being called:

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

APPROVAL OF FINANCIALS

Ms. Haley gave the April report, including information about ARPA Funds.

Mr. Parsons motioned the Batavia Township Board of Trustees approve the April, 2023 Financials as presented. Mr. Perry seconded the motion. On the roll being called:

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

SHERIFF'S DEPARMENT REPORT

Deputy Benkelmann gave the crime stats for April 2023. There was increase of 9.41% in offense reports from last month. The highest crime type was theft. Five or six reports were juveniles. There were 135 offense reports taken by the Deputies and 196 incident reports. There were 34 traffic arrests. The warrants were about the same as last month at 88 and 201 civil services. We had 57 assists to other agencies. There were 20 adult arrests. There were 8 juvenile arrests, and 214 business checks. Deputies took 88% of the Township incident reports and 67% of the offense reports. Property recovered was \$10,000. There were 469 neighborhoods patrolled. There were 2 overdoses in April. There were 3 burglaries. There was 1 report of breaking and entering.

COMMITTEE REPORTS

Mr. Perry gave an update for Central Joint Fire & EMS District. It was suggested to order a new firetruck. They cannot get Explorers at this time. The firetruck that was in an accident is out of service at this time.

Mr. Parsons gave the update for Batavia Union Cemetery. The annual joint meeting with Batavia Village was held last Monday. They will be installing a PolyVault on the hillside this summer.

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PUBLIC HEARING CASE B-02-23Z J. TAGGERT/BRUNK ROAD, OB TO B-2 for PIN 0120120A005.

Jonathon Woche, Zoning Consultant, reviewed the staff report, and gave the introduction to the case of 3.7 acres.

Joyce Taggert, Trustee, 114 Kelly Drive, Williamsburg, spoke on behalf of this property and zoning change.

Michael Maloney, 2277 Old SR 32, Batavia, spoke against the change.

Mark Shawver, 1014 Hospital Dr., Batavia, Ohio, spoke against the change.

Jonathon Leicht, 2235 Old SR32, spoke against the change due to the heavy traffic on this intersection and SR32.

Mr. Perry motioned the Batavia Township Board of Trustees deny Case B-02-23Z. There was discussion. Mr. Parsons seconded the motion. On the roll being called:

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

LARGE SOLAR AND WIND FARMS DISCUSSION

There was discussion on Large Solar Facilities and Large Wind Farms in Batavia Township pursuant to Ohio Revised Code (ORC) Section 303.58.

Karen Swartz gave an overview and started the discussion. There was not a large response to the Survey Monkey that was sent out about the issue.

Jonathon Woche gave additional information about the classifications, policy and planning issues, area identification, growth policy plan, etc. A resolution will set restriction zones over residential properties. A company would typically need 800-1,000 acres to be a 50-megawatt solar farm. Windmill farms can still be farmed except where turbines are located.

Sara Maloney, UC Professor, spoke against solar farms. She is concerned about our agricultural system being displaced with solar.

Resolution 05-01-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 05-01-2023** relative to Large Solar and Large Wind Farms in Batavia Township. Mr. Parsons seconded the motion. On the roll being called:

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

PUBLIC HEARING 7:00 P.M. STREET LIGHTING DISTRICT-TEEGARDEN & HOPKINS SUBDIVISION

Karen Swartz gave an overview of the lighting district, the location of lights, which streets, map of the area, etc. This is covered under Ohio Revised Code 515.08 (D). Reimbursement would be assessed by house number. The Township is responsible for the monthly electric bill up front which will be assessed to the homeowner yearly. The lights will be changed over to LEDs prior to this.

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Paul Dunn, 33 Huntington Ave. questioned if his house will be getting lighting. There is a safety concern.

Kerry Schulze, 25 Letitia Ave. asked if this was the first lighting district and the necessity of lighting.

Resolution 05-02-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 05-02-2023** relative to accepting the petition, the boundaries, and the need for the street lighting district. Mr. Parsons seconded the motion. On the roll being called:

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

Recognition of Denise Kelley and 29 Years of Service

Mr. Sauls and the Batavia Township Trustees recognized and honored the retiring Denise Kelley as Batavia Township Zoning Administrator.

There was a 5 minute-break.

TOWNSHIP ADMINISTRATOR REPORT

Karen Swartz advised the Trustees of a neighboring resident using park property for her personal construction project. This could create a safety issue. The Deputy Sheriff was notified.

The sidewalk project on Amelia-Olive Branch began on May 1st. Pastor Little, at the church around the corner from the Township, is interested in getting grants, funding, etc. to continue sidewalks in the area by the church and middle school, to the sidewalks in this project. He is referring to the Safe Pathways to School Grant.

There is a scheduled group/staff photo on Tuesday at 9:00 a.m.

Karen spoke with Dan Chumley concerning the triangle insert on the front of the building.

The roofing has been completed.

Jenny will be out of the office May 25th to June 2nd.

Karen met with OTARMA Risk Assessment. There were recommendations for driver policies, checklists for roads, playground resurfacing, etc. Karen will follow-up.

The developer is still working on the sidewalk project across the street from the Township property.

The camera enhancements to the back of the property have been authorized.

The cemetery software has been purchased and the implementation will be happening soon.

Duke has installed a compressor station following next to our driveway on a resident's property.

Karen talked about potential properties for a new park.

Karen mentioned keeping the Ford Explorer for Administrators' use.

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The TIF for Redwood will be on next month's agenda. Notices will be sent to the school district first.

Karen will notify the Clermont Sun about our staff changes and Denise's retirement.

ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley gave the April report. We issued 13 permits. There were 3 multi-family units.

Brad Harris issued the Redwood permits. Mr. Harris is monitoring the Heritage Farms siding installations.

The BZA heard 2 cases in April. There will be 3 cases in May.

The Zoning Commission heard 1 case last month and will hear 2 cases in May.

The Board members will be changing. Nancy Cutler resigned creating a need for one more alternate for the BZA. There will be a few appointments and changes. Name suggestions will be given to Taylor Corbett, our new Zoning Administrator.

Taylor reported on the residential growth in the Township.

Taylor reported on the multiple violations issued by Brad Harris.

SERVICE DIRECTOR REPORT

Cody Smith, Service Director gave the April report.

There were ten trees planted around the dog park by Purina volunteers.

The culvert on Laub Road is in bad condition. The Service Department will work on getting the culvert by the church replaced.

We've been working on the Burnham Woods parking lot, it is graded. There is now a catch basin in a wet area. It was paved yesterday.

We've completed some of the paving work on Wulfert Drive, and working on Swan Lane. We have completed some curb work.

Junk Days in the Township was very successful. We filled a total of 18 dumpsters. It was a pleasure meeting so many township residents.

There was a cemetery workday this week.

The roof projects are completed.

Cody had to purchase a new booster pump for the ball field.

We seeded, strawed, and fertilized areas around the property. We worked on some drainage issues around the ballfields.

We had one burial at Olive Branch, one at Lucy Run, and one cremation at Olive Branch this month. New flags were put on the markers.

Mr. Sauls noted we can probably purchase a Kenworth this fall.

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GOVERNMENT FORMS & SUPPLIES 844-224-8338 FORM NO. FD-458 **RECORD OF PROCEEDINGS**

Held ~~Minutes of~~ **BOARD OF TRUSTEES – BATAVIA TOWNSHIP** ~~20~~

NEW BUSINESS

Resolution 05-03-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 05-03-2023**, declaring a motor vehicle(s) located on public or private property in Batavia Township, Clermont County, Ohio, to be junk motor vehicle(s) under r.c. 505.173 and ordering the removal of such vehicle(s) under **Resolution Number 05-03-2022** and r.c. 505.871. The properties and descriptions are as follows:

PROPERTY ADDRESS	PROPERTY OWNER	PARCEL ID	DESCRIPTION OF VEHICLE(S)
4218 Roselawn Ave. Batavia, OH 45103	Kristen Phillips	014406.018	Chrysler Town & Country Ford E 350
17 Cecelia Drive Amelia, OH 45102	Ronald Giwer	050104A010.	Chevrolet Beauville Mercury Grand Marquis Dodge Stratus
2723 Old SR32 Batavia, OH 45103	Jerry & Ester Hulsey	012013C024.	Pontiac Montana Dodge Stratus

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

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

Resolution 05-04-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 05-04-2023** authorizing the abatement, control, or removal of vegetation, garbage, refuse, or debris for the following parcels:

Parcel Identification Number **032018A046.**, located at 3262 Yelton Lane, Amelia, Ohio 45102.
Parcel Identification Number **012011A052.** located at 4235 Brookside Lane, Batavia, Ohio 45103.

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

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

Resolution 05-05-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 05-05-2023** authorizing the purchase agreements for four 4X4 trucks at an amount not to exceed \$225,000.00 which will be taken from ARPA funds. Mr. Perry seconded the motion. On the roll being called:

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

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Memberships

Mr. Perry motioned the Batavia Township Board of Trustees to approve the following memberships for Township Staff:

1. American Planning Association APA – Annual Membership for Taylor Corbett: \$276.00
2. Ohio Farm Bureau Township (5 individuals – 3 Trustees, Fiscal Officer & Administrator) for an annual amount of \$450.00.
3. Ohio Township Association - \$35.00 per person, for a total amount of \$245.00.

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

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

Liquor License

Mr. Parsons motioned the Batavia Township Board of Trustees approve the request for a new liquor license from Dolgen Midwest LLC, dba Dollar General Store, located at 41 W. Main Street, (located on the Batavia Township side of SR125), and to furthermore not request a hearing with the Ohio Division of Liquor Control. Mr. Perry seconded the motion. On the roll being called:

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

Appointment to TIRC (Tax Incentive Review Council) Appointment for 2023, Appointment of Two Trustees for Active EZ/CRA Agreements.

Mr. Perry motioned the Batavia Township Board of Trustees appoint James Sauls, Jr., and Rex Parsons to the TIRC for 2023 for active EZ/CRA agreements. Mr. Parsons seconded the motion. On the roll being called:

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

Letter of Support Lake Harsha Monitoring

A letter of support to Congressman Brad Wenstrup was presented to the Trustees for signature. The letter is for consideration in the Fiscal Year 2024 Energy and Water Appropriations Bill, for mitigation research and monitoring for algae blooms at Harsha Lake.

Personnel Action

Mr. Parsons motioned the Batavia Township Board of Trustees accept the resignation of Denise Kelley, Zoning Administrator effective May 31, 2023, and payout of 25% balance of sick leave and all hours of vacation leave at the current rate. Mr. Perry seconded the motion. On the roll being called:

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

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Payment Approval

Mr. Parsons motioned the Batavia Township Board of Trustees approve the following payments:

1. Republic Services in the amount of \$9,729.84 for dumpster removal services provided for Clean-up Days held April 20 through April 22, 2023.
2. Clermont County Treasurer in the amount of \$7,897.09 for the 2023 Stormwater Permit.

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

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

Service Agreement with East Cincy Yoga

Mr. Perry motioned the Batavia Township Board of Trustees authorize the Township Administrator to execute a service agreement with East Cincy Yoga for Yoga Instruction at the park for a minimum for five sessions but not to exceed a total contract cost of \$1,200.00. Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 05-06-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 05-06-2023** authorizing the transfer of funds from the General Fund 1000 to Debt Service Fund 3101 in the amount of \$78,000.00 and furthermore authorizes the first interest payment due June 1, 2023 payable to Park National Bank. There was discussion. Mr. Parsons seconded the motion. On the roll being called:

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

Street Lighting Agreement with Duke Energy

Mr. Perry motioned the Batavia Township Board of Trustees authorize Karen Swartz, Township Administrator, to execute an agreement with Duke Energy for Teegarden and Hopkins Subdivisions Street Lighting District and to the Township to upgrade the lights to LED before the residents are billed for the lights. Mr. Parsons seconded the motion. On the roll being called:

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

Zoning Commission and Board of Zoning Appeals Appointments and Resignations

Mr. Parsons motioned the Batavia Township Board of Trustees accept the following appointments and resignations:

1. Chris Denney – From a Zoning Commission Alternate to a Board of Zoning Appeals Alternate.

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2. Gary Nichols – From a Board of Zoning Appeals Alternate to Zoning Commission Alternate.
3. Nancy Cutler – Accept her resignation as an Alternate on Board of Zoning Appeals
4. Jim West – Appoint to Service as an Alternate on the Zoning Commission.

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

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

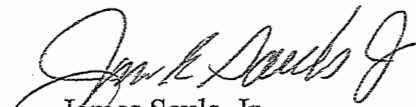
Service Contract Execution

Mr. Perry motioned the Batavia Township Board of Trustees authorize the Township Administrator to execute a service contract for the Burnham Woods Barn Project as part of the CDBG Funding Program, for a perimeter fence and gate, with Couch Fencing, in an amount not to exceed \$40,000. Mr. Parsons seconded the motion. On the roll being called:

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

ADJOURNMENT

With no further business to come before the Board, Mr. Parsons motioned to adjourn the meeting. Mr. Perry seconded the motion. The meeting adjourned at 9:24 p.m.


James Sauls, Jr.,
Chairman


Jennifer Haley,
Fiscal Officer