

RECORD OF PROCEEDINGS
March 1, 2022 – REGULAR MEETING
RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-2698 FORM NO. 10126

Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP

Held _____ 20 _____

The Board of Trustees of Batavia Township met for a special meeting at 6:00 p.m. Tuesday, March 1, 2022, at the Batavia Township Community Center.

CALL TO ORDER

Following the Pledge of Allegiance, Jennifer Haley, Fiscal Officer, gave the roll call for the Board of Trustees. Present were: Mr. Perry, Mr. Sauls, and Mr. Parsons. Also present were Jeff Uckotter, Township Administrator, Steven Tyminski, Service Director, Denise Kelley, Zoning Administrator, and Deputy Benkelmann.

APPROVAL OF AGENDA, RESCHEDULING OF APRIL MEETING, AND MINUTES

Mr. Sauls motioned the Batavia Township Board of Trustees approve the March 1, 2022 agenda as presented, schedule the April, 2022 Regular Meeting for March 29, 2022, and approve the February 1, 2022 Regular Meeting Minutes as presented. Mr. Parsons seconded the motion. On the roll being called:

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

PUBLIC PARTICIPATION

Holly Baker, a Batavia Township Resident, spoke to the Board.

FINANCIAL REPORTS

Ms. Haley gave the February, 2022 financial reports

Mr. Parsons motioned the Batavia Township Board of Trustees approve the February, 2022 financial reports as presented. Mr. Sauls seconded the motion. On the roll being called:

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

RECOGNITION OF DEPUTY SHEPPARD AND DEPUTY SHOUSE AND WELCOMING OF DEPUTY NICKELL AND DEPUTY BLANTON

Mr. Perry recognized Deputies Yvonne Sheppard and Chris Shouse and thanked them for their dedicated service with Batavia Township. They will be missed.

The Trustees welcomed the new deputies coming on board with the Township, Deputies Nickell and Blanton.

LAW ENFORCEMENT MONTHLY REPORT

Deputy Benkelmann gave the Batavia Township crime report for the month of February, 2022. There were 172 offense reports. There were 22 violent crimes, a decrease of 6% from last month. The Deputies took 72% of the incident reports for the Township and 91% of the offense reports. Property recovered was approximately \$25.00. There were 5 overdoses. There were no burglaries for February. There were two breaking and entering.

PUBLIC HEARINGS

Case B-03-19ZPD-22MM – Summerwood PD – Major Modification

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Jonathon Wocher gave a case summary of the property located at 4024 Amelia-Olive Branch Road and north and west sides of Clough Pike.

Larry Mitchell, 2411 Gatetree, spoke about what will happen to his property.

Tammy Bruce, 4247 Glen Stream, wanted to know who is the developer. There is no builder at this time, the neighbors will be notified. This hearing is about the 1.9 acres for Mr. Wilson.

Tim Wilson, 4014 Amelia-Olive Branch Road commented on the plat review.

Mr. Sauls motioned the Batavia Township Board of Trustees approve **Case B-03-19ZPD-22MM** as presented. Mr. Parsons seconded the motion. On the roll being called:

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

Text Amendment Case B-01-22Z

Jonathon Wocher gave a summary of the text amendment changes. This request was initiated by the Board of Trustees.

Mr. Parsons motioned the Batavia Township Board of Trustees approve **Text Amendment Case B-01-22Z** as presented. Mr. Sauls seconded the motion. On the roll being called:

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

SERVICE DIRECTOR REPORT

Steven Tyminski gave his February report.

The barn is full of salt and 600 ton has been used so far this winter. No salt was loaned to any other township.

Steven met someone at the OTA conference who sent us information about a distributor who could give us pricing and ordering of salt/brine.

The old Ford F550 needs new front tires. The cost would be about \$400 per tire.

PUBLIC HEARINGS (continued)

OD/SP 22-01 Big Tex Trailers – Overlay District/Site Plan Review

Denise Kelley gave a summary of the case which includes a 19,000 square foot single story stand-alone trailer manufacturing facility. There may be a future addition to the building which is on the plan. This building would be constructed on vacant property owned by IRG. An informative letter was received from Adrian Gonzalez, of Austin, Texas, V.P. of Real Estate and Development for ATW and Big Tex. Introducing themselves were David Meyers of Thorson Baker Engineers, 3030 West Streetsboro Road, Richfield, Ohio and Adrian Gonzalez, Austin Texas.

Adrian Gonzalez spoke on behalf of the approval of the project.

Mr. Sauls motioned the Batavia Township Board of Trustees approve **OD/SP 22-01 Big Tex Trailers – Overlay District/Site Plan Review** as presented. Mr. Parsons seconded the motion. On the roll being called:

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

ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley gave her report for February, 2022.

There were 38 miscellaneous permits issued, 6 of which were single family homes. The Villas of Estrella had 23 permits, which are attached units.

There should be two cases coming up for the BZA.

The Zoning Commission met on February 17th for a minor modification which was approved.

The Hanger Flats is scheduled to be submitted soon.

If approved and finalized on the 10th by the Zoning Commission, the Claybon Property which is a PD project will be on the Board's agenda on March 29th.

A specific nuisance property located on Union Chapel has had numerous complaints over the years, at least since 2011. We will pursue legal action to address this situation. Tim Fitzpatrick, 2124 Union Chapel, spoke regarding the nuisance property.

PUBLIC COMMENTS

Katie Gessendorf, 4240 Lakewood Ct., had questions about the proposed Forest Grove subdivision.

Lisa Moore, 4249 Glenstream Drive, had questions about the Forest Grove subdivision.

Alan Bruce, 4247 Glenstream Drive, expressed his concern about the Forest Grove subdivision.

Dave Dossman, 4242 Lakewood Ct, commented about the value of their property.

There was a 5-minute break.

TOWNSHIP ADMINISTRATOR REPORT

Jeff Uckotter presented his February report.

Our aggregation agreement is coming this June for natural gas. The market has been volatile. We need to get locked in on a price at a reasonable rate. Energy Alliances quoted us at .57 per cubic foot. They would like a 2-year agreement versus a 3-year.

Batavia Township has a file retention schedule which was approved by the State of Ohio. We are working with Document Destruction, a local company who will provide us with 2 bins for retiring documents under the file retention schedule. Once the file room is relatively cleared out, we will have a lateral file so we can find items easier.

The Community Center and Shelter regulations were reviewed. Mr. Uckotter suggested having clarity on usage and fees. Jeff will write a draft and present at the next meeting.

We will meet with the Navia/Anthem Training tomorrow for the Service Department so they can make claims, and use their benefits.

Jeff Uckotter sought direction from the Board on whether the Township should seek reimbursement for water expenses related to Brian Wilson Field. The Board held that it would be appropriate to see reimbursement for irrigation expenses.

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We are finishing up with onboarding with Intrust. Computers finally came in and will be set up the week of March 1. The multifactor was turned on.

Related to the park bathroom project, Jeff spoke with the contractor concerning the contract. The contractor they will connect the water to the water fountain.

We got a quote for tile on the bathroom floor. Epoxy is something to consider. Jeff will get a price.

Jennifer Haley will meet with Peoples Bank about Credit Card Processing. We need a policy and fee schedule.

COMMITTEE APPOINTMENTS/REPORTS

Jennifer reported gave January's report for Central Joint Fire & EMS. As of February 4th, there were 994 cases of COVID per 100,000, and 26% positive rate in the hospital. The Fire Dept. had 6 staff members off with COVID and they were back to work the beginning of February. The Union Contract expires at the end of March.

At the last meeting Jeff was asked to get the valuation of the Fire Dept. as it relates to Township/Village of Batavia. The value came in roughly 90/10 which was higher for the Township than previously figured.

Mr. Parsons gave the February report for Batavia-Union Cemetery. We still do not have a Chair or Vice Chair. We have been requested to consider using polypropylene for the vaults. They are lighter but thicker. They are easier to transport. They are as strong as concrete on top and do not degrade. The cost is about \$300 less in cost.

NEW BUSINESS

Resolution 3-01-2022

Mr. Sauls motioned the Batavia Township Board of Trustees adopt **Resolution 3-01-2022**, designating June 19 as Juneteenth National Independence Day. The Ohio legislature amended Ohio Revised Code Sections 124.19 and 511.10, effective September 30, 2021, to designate Juneteenth Day as an official holiday in the state of Ohio and to require townships to recognize and pay Juneteenth day as a holiday the same as the other designated holidays. Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 3-02-2022

Mr. Sauls motioned the Batavia Township Board of Trustees adopt **Resolution 3-02-2022**, to convey to Duke Energy the necessary right-of-way for the overhead and underground electric facilities to be installed for the park restroom project. Mr. Parsons seconded the motion. On the roll being called:

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

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Resolution 3-03-2022

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 3-03-2022**, to adopt the 2022 Permanent Appropriations, totaling \$5,933,788.33 as presented. Mr. Sauls seconded the motion. On the roll being called:

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

There was discussion about the splash park bidding process.

Resolution Tabled

The Resolution related to local government fund is tabled for May or June of 2022.

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees approve renewing Batavia Township’s insurance policy with OTARMA for a liability limit of six million – for an insurance premium total of \$23,858.00. Mr. Parsons seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees authorize Township Administrator, Jeff Uckotter, to apply for Ohio Demolition Funds through Clermont County for the properties 3980 Judd Rd., 127 Apple Rd., and 2246 Old SR 32. The authorization allows the administration to initiate property access agreements with the landowners. If the County awards the Township dollars to complete the remediation projects, this authorization allows the Township Administrator to, if approved to form by the Law Director, to enter into separate contracts to remediate the following properties for the following: 127 Apple (\$19,700), 3980 Judd Rd. (\$14,000) and 2246 Old SR 32 (\$46,250). This is retroactive to February 24, 2022. Mr. Parsons seconded the motion. On the roll being called:

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

Of note, Ms. Haley looked up payments, January 2022, she paid 35% of what Pierce Township paid for Amelia property insurance and see if any of the above Amelia properties are covered on that policy.

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees authorize Township Administrator, Jeff Uckotter, to enter into a line extension agreement project with Duke Energy to extend electric service to the back of the park for the bathroom project; retroactive to 2/11/22. The total cost to accomplish the work is \$20,473.95, but the Township requirement is 40% (\$8,189.58). Mr. Parsons seconded the motion. On the roll being called:

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

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Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees authorize Township Administrator, Jeff Uckotter, to authorize payment in an amount not to exceed \$8,189.58 for the equipment necessary to extend electric service to the back of the park for the bathroom project; retroactive to 2/18/22. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees to authorize the Perkins/Carmack change-orders 3 and 4 for the restroom project. Change order 3 relates to the trenching necessary to run the 1,200 feet of electric conduit back to the bathroom (\$24,755). Change order 4 relates to the bathroom tile for the bathroom wall areas, from floor to ceiling (\$19,843). Ultimately the floor to ceiling approach was decided upon for ease of maintenance. Mr. Parsons seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees to accept the appraisal proposal of \$5,000 by Stephen Ewan to conduct appraisals for 19 Oak, 44 Main, and 45 Maple (on the Pierce side). Batavia Township will be required to pay 35% of the \$5,000. Mr. Parsons seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees authorize the Township Administrator, Jeff Uckotter, to enter into the H&M Lease for the office space at the building located on parcel 050102.092. This is a month-to-month lease. There can be small de-minimis changes. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees approve the change order amount of \$44,634 for the CDBG Chapel Rd. Sidewalk Project. Mr. Sauls seconded the motion. On the roll being called:

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

Of note, the Clermont County Engineer required substantial updates to the CDBG Sidewalk Chapel Rd. Project. As a result, a change order in the amount of \$44,634 is required – which

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brings the total contract price of the contract price to \$199,547. The Clermont County Economic Development Department has committed to an additional \$40,000 in funding for the project to offset the change orders costs. To offset expenses, the Clermont Engineer contributed \$10,000 and Choice One Engineering contributed \$10,000.

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees approve the law enforcement contract amendment. The amendment, approved as to form by the Law Director, Dave Frey, removes Deputy Sheppard and Deputy Shouse from the contract and adds Deputy Nickell and Deputy Blanton to the contract. Deputy Blanton has been assigned into the 50% 1st deputy slot by the Sheriff's Department. Mr. Parsons seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees approve the “final payment for the salt truck loan” to Peoples Bank in the total of \$29,710.10; retroactive to 2/24/22. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees authorize the Township Administrator, Jeff Uckotter, to enter into temporary construction easements for 78 Chapel Rd. and 60 Amelia Olive Branch Rd. As part of these easements, the Township will replace landscaping that was removed to make way for the Chapel and AOB CDBG projects. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees approve reasonable expenses so as to sponsor a table at the upcoming 2022 Salute to Leaders event. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees to authorize the Township Administrator, to enter into a natural gas aggregation agreement with a natural gas supplier as recommended by Energy Alliances, for a price not to exceed \$.57 per ccf for a term not to exceed 12 months OR a price not to exceed \$.57 per ccf for a term not to exceed 24 months, commencing in June 2022, if approved to form by the Law Director. Mr. Sauls seconded the motion. On the roll being called:

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

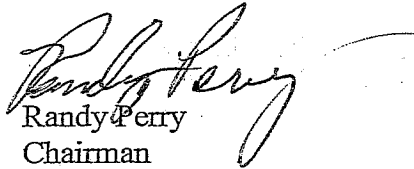
Of note, the expiring aggregation term was three years. The proposed term is two years due to volatility in the market. It was important to act on March 1, 2022, due to existing market volatility and recent market volatility generated by Russia's invasion of Ukraine. The goal is to lock in a reasonable price for residents – as soon as possible.

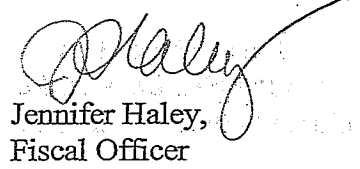
Request for Signatures

Presented to the Trustees for signatures was a cemetery deed for Lot 111, Grave 1 in Lucy Run Cemetery to Barry Parks.

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 9:46 p.m.


Randy Perry
Chairman


Jennifer Haley,
Fiscal Officer