

RECORD OF PROCEEDINGS

Minutes of

June 7, 2022 – REGULAR MEETING

Meeting

RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP 20

The Board of Trustees of Batavia Township met for the June Regular Meeting at 6:00 p.m. Tuesday, June 7, 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, Denise Kelley, Zoning Administrator, and Sheriff Deputy Benkelmann.

APPROVAL OF AGENDA, MINUTES, AND FINANCIALS

Mr. Parsons motioned the Batavia Township Board of Trustees to approve the June 7, 2022 Agenda as presented, May 5, 2022 Regular Meeting Minutes, and the May 2022 Financials as presented. Mr. Sauls seconded the motion. On the roll being called:

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

PUBLIC PARTICIPATION

Tressa Ellis, 1448 Gumbert Drive, spoke about the stormwater easement, which is a 31” pipe that runs through her backyard from Amelia-Olive Branch. She has spoken to Storm Water Management throughout the years without a resolution. The Service Department will evaluate the issue as a courtesy and report back to the Board at the next meeting.

Brad Moore, 1209 Morning Glory Drive, suggested there needs to be a fire station in the area near Clough and Amelia Olive Branch due to the increased population. Mr. Sauls will bring this up at the next meeting with the fire department. He also inquired about the possibility of getting a streetlight at the Twin Gates entrance on Amelia Olive-Branch Road.

SHERIFF’S DEPARTMENT REPORT

Deputy Erik Benkelmann gave the Batavia Township crime report for May 2022. There were 69 offense reports, a 5.3% decrease from last month. About 45% of information reports seen recently are mental health issues and attempted suicides. These are usually a 2-person call and are time-consuming. This is a significant increase and is not just a Township issue; it is happening across the country. The highest crime type this month was theft. We handled 78% of the incident reports and 71 of the offense reports. Deputies recovered \$30 in stolen property. We are keeping track of the transient vendors. The National Night Out will be Wednesday, August 3rd at the Community Center.

Discussion was had on golf cart usage on Township Roads. Deputy Benkelmann explained that licensed drivers could operate these vehicles on roads where the speed limit is 35 mph or less. He advised that drivers can also be cited for traffic violations, such as causing accidents.

PUBLIC HEARING – B-03-22 Z - ZONE CHANGE FROM O-B TO B-2

Denise Kelley, Zoning Administrator, gave the report summary for a zoning map amendment from “O-B” Office District to “B-2” General Business District for the property located at 2281 Bauer Road. The proposed use is for Don Rigo Restaurant and an event center with acreage of 7.64 acres. The applicant is Vincente Melendez and this zone change will allow him flexibility within the Zoning Resolution to develop the property. The Zoning Commission reviewed the application on May 12th and recommended approval of the zone change as presented.

Harry Eberle spoke on behalf of Mr. Melendez about the zone change and what the development proposal will involve.

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Todd Hart spoke in favor of the zone change.

Motion

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

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

ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley updated the Trustees on the Summerwood Project on Clough Pike which has been delayed due to road design and other issues with the County Planning Commission. The project should be on the agenda next month for the Zoning Commission. The BZA had six cases in April, and all were approved.

Ms. Kelley noted that she had completed a staff review for minor modifications for the Billingsley project, in which parking pads were reduced and the walking path was modified. Staff also revised and added trees to the final landscape plan. A staff review is pending for the final development plan for the Heritage Farm Project located at the corner of Mt. Holly Road and Chapel Road. Ms. Kelley noted there will be minor plan changes and the development will have 81 lots.

There is an application for a minor modification for the convenience store project in front of the Lexington Run Subdivision. The applicant would like to have six fueling stations, accommodating 12 vehicles simultaneously. Mr. Wocher is still reviewing the site plan. Discussion was had on the traffic in the area. Mr. Uckotter noted that new traffic lights will be installed at the intersections/off ramps in 2025.

Brad Harris gave the May 2022 activity report and noted that new homes are down. Zoning activity was above average for April. Mr. Harris reviewed the ten properties in violation that need to be mowed or cleaned up. A resolution is on the Agenda for Board consideration later in the meeting. Mr. Sauls inquired about 300 Chapel Road. Mr. Harris provided an update on that property and will send out a letter for that property tomorrow.

SERVICE DIRECTOR REPORT

Steven Tyminski, Service Director, gave the May 2022 report. There have been two burials the last two Fridays and a cremation this Thursday. He has sold nine graves since the previous meeting. The new fee schedule goes into effect on June 11th.

The Township purchases salt through SWAP 4G, and we will be notified of the bid price. Steven advised that they are currently well-stocked and may be able to skip a purchase this year.

A&A Safety restriped Lori Lane and Cecelia. There is already a lot of fading after just a month. Jeff Uckotter has reached out to them with no response. Discussion was had on the quality of paint and the need for A&A Safety to evaluate the work. Mr. Uckotter will follow up with A&A.

Junk Days is Saturday, June 11th, from 8 to 2 or until the dumpsters are full. There will be five dumpsters, with an additional dumpster from Rumpke for overflow. Karen Swartz Administrative Assistant, will be checking IDs for residents using the dumpsters. We have metal signs about what is prohibited, such as tires, hazardous materials, electronics, etc. The Shred-It Event will also be hosted on the same day from 9-12; Brad Harris is going to assist the vendor at the Community Center. Mr. Parson requested that sheets be provided at each event

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for the other event in case residents show up at the wrong address. Mr. Uckotter will create those handouts. Discussion was had on the Junk Days procedures.

Mr. Tyminski provided an update on road projects. Barrett is doing a lot of prep and patchwork. Greenbriar Road should be the last road needing patchwork. Ditch work in the Township is caught up.

Mr. Tyminski brought up an ongoing issue at 3957 Summit Rd, where there is dirt bike riding. The property owner is dumping dirt within the right-of-way. The property owner needs a driveway permit for work already completed and to stop dumping dirt. Water runs off the field and onto the road because of the dirt piles. Discussion was had on the next steps to resolve the issue before next month. Mr. Uckotter will proceed by filing a complaint with the County Building Department for lack of a permit for site work, and review with Dave Frey.

Discussion was had on equipment purchases. More research will need to be completed.

PUBLIC HEARING – 2023 Tax Budget

Mr. Perry opened the public hearing for the 2023 Tax Budget. Fiscal Officer Jennifer Haley stated that it is similar to other years. There were no questions at this time. A resolution is on the agenda for consideration later in the meeting.

No other attendees or comments. Mr. Perry closed the Public Hearing.

TOWNSHIP ADMINISTRATOR REPORT

Jeff Uckotter gave his May report. The Chapel Rd. project came in at \$205,528.00. We have \$195,000 accounted for, so our contribution will be \$10,528 as the Township share. Mr. Uckotter had requested additional funding from the County due to overages, but was denied.

The Bathroom Project needs to have some surveillance cameras installed. Mr. Uckotter looked at upgrading all the other cameras simultaneously. He explained that the lifespan for the average camera is six years, and current cameras are three years old. He is still working on getting pricing while complying with federal regulations, which require the camera not to be purchased in China. Following federal guidelines has increased the estimates to about \$20,000.00. Jeff is working on quotes still.

A&A Safety is working on the corporation signs.

Mr. Uckotter noted exterior repairs needed on the community center for a leak on the southside of the building. If federal funds are available, additional bids will be required. Mr. Uckotter brought up other maintenance issues that need to be addressed that were not included in the quote provided.

The termite treatment was completed. The vendor noted that moist areas at the bottom of some of the gutters create suitable places for these insects. Mr. Uckotter will get quotes for the gutter repairs using ARPA funding.

The HVAC system in the community center needs to be evaluated. Jeff is researching the best direction for this project. He noted that the system is less efficient when there is too much horsepower. Mr. Parsons said the systems are working well and suggested that we need larger filters if we get new furnaces. Mr. Perry and Mr. Sauls indicated that someone, who is not selling us equipment, does a detailed analysis and creates a scope of work for the necessary repairs. Mr. Uckotter will be working with Frost, Brown, and Todd on the bidding documents.

Mr. Parsons and Mr. Uckotter met with Pierce Township officials concerning the Amelia properties and upcoming real estate auctions.

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Mr. Uckotter is meeting with U.C. Clermont concerning the Memorandum of Understanding on the ballfield and water usage for the fields.

Mr. Uckotter is speaking with Frost-Brown-Todd about potential revenue sources, such as Residential TIFF or RID projects. These sources could aggregate tax dollars to benefit the neighborhood for future infrastructure.

COMMITTEE REPORTS

Ms. Haley reported on CJFED. There were 315 EMS runs and 137 fire runs. They discussed upgrading the radio system in the next few years. The cost for Batavia Township would be \$125,000 just for radios in the fire department. They need a full review of the system.

Mr. Parsons reported on the Batavia-Union Cemetery. They are short a member. They are considering raising their fees to match the Township's fees which have always been done in the past. The Township and Village Service Departments have always worked well together. The village is short-handed right now. They've agreed to contract out patching the pavement in the cemetery.

There was a five-minute break.

NEW BUSINESS

Resolution 6-01-2022

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 6-01-2022** authorizing an alternative method of apportionment of the undivided local government funds for calendar years 2023, 2024, 2025, 2026, and 2027. Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 6-02-2022

A short update was given about the most recent Transient Vendor Resolution passed in 2020.

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 6-02-2022**, authorizing the increase of the Transient Vendor Permit fee to \$150 per application. The fee would go into effect on Friday, July 8, 2022. Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 6-03-2022

The Township is still working on the exact contract addendum language with Duke. Mr. Uckotter will ask for approval to enter into easements and contracts with Duke if they are substantial to form and if the Law Director ultimately signs off. The terms would be as follows:

- \$15,000 for the permanent access easement paid upfront.
- \$15,000 for the temporary easement to use the grass area as storage area paid upfront in lumpsum; after 12 months, for up to 6 additional months, Duke would have the option to lease the land for \$2,500 per month.
- The repaving of 675 feet of pavement leading back to the shuttered shelter – to be repaved after the project ends.

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- A provision requiring that Duke vehicles, equipment, or material not impede the ingress and egress of CJFED or Township vehicles.
- Upgraded 9' fencing, which will enclose the Duke infrastructure on the Urban property – the goal here is to do what we can to protect the viewshed of this site from ever becoming a park.
- Twenty-six 6'-7' Green Giant Arborvitae to be planted on the property line of the Urban's and the Duke Infrastructure. The goal here is to do what we can to protect the viewshed if this site were ever to become a park in the future. Duke would provide funds as stipulated in the agreement.
- An assurance from Duke that Duke will repair any potential damage to the permanent easement driveway after paved.

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 6-03-2022** to enter a contract(s) between the Township and Duke Energy for Permanent Access Easements and Temporary Land Use Easements for the use the property at 2401 Old SR 32 for one year, for a staging area for Duke's Bethel to Batavia Township Natural Gas Pipeline Project. Mr. Sauls seconded the motion. On the roll being called:

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

Resolution 6-04-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 6-04-2022**, authorizing the abatement, control, or removal of vegetation, garbage, refuse, or debris for the following properties:

Mary Hobbs, 422 Amelia Olive Branch, Amelia, OH 45102	PIN-032023F102.
Mary Giwer, 23 Hitchcock, Amelia, OH 45102	PIN-032022E004W
Carroll & Janet Ward, 46 Huntington Ave., Amelia, OH 45102	PIN-030105A035.
Brian & Julie Seibert, 1300 Hammann Dr., Amelia, OH 45102	PIN-032023A167.
Caitlynn Noe, 4302 Gary Lane, Batavia, OH 45103	PIN-014506.005.
Paulette Pollard, 1000 Minning Dr., Batavia, OH 45103	PIN-014726.019.
15 Montgomery Holding LLC, 1290 SR 125, Amelia, OH 45102	PIN-032023E145
Keith & Alexandra Lampkin, 2019 Laurel Oak, Amelia, OH 45102	PIN-032023A212
Iris Porter & Timothy Burks, 3463 Virginia Dr., Amelia, OH 45102	PIN-034511.075
Richard Partin, 3462 Virginia Dr., Amelia, OH 45102	PIN-034511.032

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

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

Resolution 6-05-2022

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 6-05-2022** (a joint resolution of Batavia Township and Pierce Township) authorizing the advertisement and potential sale of real estate located at 44 Main Street, 45 Maple Street, and the intersection of Maple Street and Oak Street in the former Village of Amelia – 45102. 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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Resolution 6-06-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 6-06-2022** to enter into the CDBG sub-recipient with Clermont County for the Amelia Olive Branch Phase II project. Mr. Sauls seconded the motion. Discussion was had on the bid being completed in 2019 and that prices for construction have increased. Mr. Uckotter is to discuss this with the County Grant Coordinator about this being an issue. On the roll being called:

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

Request For a Motion - Tabled

A recommendation to the Board of Trustees to authorize the Township Administrator to enter into a contract to overhaul the Township's HVAC System for an amount not to exceed \$49,999 and to seek three separate bids to ensure ARPA dollars can be used. Motion was tabled. Discussion was had that the HVAC needs to be evaluated by outside professional.

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees to pay the invoice to Rodenberg Electric in the amount of \$3,640.47, retroactive to May 19, 2022. This invoice was for repairs to fix the baseball bathroom electric line, due to an outage. 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. Sauls motioned the Batavia Township Board of Trustees to approve Perkins Carmack Pay Application 3 for Park Bathroom Sewer (Project 01-2021) totaling \$35,817.44 retroactive to May 19, 2022. Mr. Parsons 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 to approve the CDBG Chapel Road Project, Fillmore Construction Change Order 2 – which revised quantities from the previously approved Change Order 1 (\$44,634). There is a \$5,981 difference from Change Order 1 – a large proportion of it relates to the unforeseen natural gas pipe adjustments – this led to more asphalt being used. Mr. Perry seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees to approve Pay Application #1 for the Chapel project in the amount of \$197,556.12 and Pay Application #2 in the amount of \$7,971.88. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls	yes	
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CEMETERY DEEDS

Presented to the Trustees for signature were the following deeds:

Jeff Bradburn – Lot 304B in Olive Branch Cemetery – Graves 4

Thomas Simons – Lot 320A in Olive Branch Cemetery – Graves 5 & 6

Richard & Shirley Camden – Lot 304B in Olive Branch Cemetery – Graves 5, 6, 7, & 8

Jeff Alsip & Terrie Koepp – Lot 152 in Olive Branch Cemetery – Graves 3 & 4

EXECUTIVE SESSION

Mr. Sauls motioned the Batavia Township Board of Trustees to move into executive session under ORC Section 121.22(G)(1) to consider the appointment, employment, or compensation of a public employee and 121.22 (G)(2) to consider the purchase of property for public purposes, the sale of the property at the competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code.

Time: 9:07 p.m. Mr. Parsons seconded the motion. On the roll being called:

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

REGULAR SESSION

The Board returned to regular session at 9:50 p.m.

Request For a Motion

Mr. Parsons motioned to give all Township employees a \$2.00 per hour raise effective next paycheck. The trustees appreciate the employees, and wanted to show their appreciation due to rising costs and the economy. Mr. Sauls seconded the motion. On the roll being called:

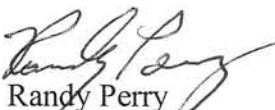
Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	yes	Motion carried

Employment Advertisement

The Batavia Township will submit advertisements for a Maintenance I Director and possibly two Maintenance Workers.

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 9:52 p.m.


Randy Perry
Chairman


Jennifer Haley
Fiscal Officer