

RECORD OF PROCEEDINGS

Minutes of

October 4, 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 May regular meeting at 6:00 p.m. Tuesday, October 4, 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, Brad Harris, Zoning Inspector, Cody Smith, Service Director, and Sheriff Deputy Benkelmann.

APPROVAL OF AGENDA

Mr. Parsons motioned the Batavia Township Board of Trustees to approve the October 4, 2022 agenda as presented. Mr. Sauls seconded the motion. On the roll being called:

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

APPROVAL OF MINUTES FOR SEPTEMBER 6, 2022

Mr. Sauls motioned the Batavia Township Board of Trustees to approve the September 6, 2022, Regular Meeting Minutes as presented. Mr. Parsons seconded the motion. On the roll being called:

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

APPROVAL OF FINANCIALS

Ms. Haley thanked Judge Bechmann and Judge Kramig for reinstating some fines and fees for misdemeanors crimes, etc. This contributes funding for the 2261 Law Enforcement Trust.

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

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

SHERIFF'S DEPARTMENT REPORT

Deputy Erik Benkelmann gave the Batavia Township crime report for the month of September, 2022. They took 172 offense reports, a 4% increase. The highest crime type was tied with theft and domestic violence. There was an increase in adult arrests from 37 to 44. There were 151 business checks. For the Township Deputy activity, they took 97% of the incident reports and 73% of the offense reports. There was no recovered property and 272 neighborhoods were patrolled. There were 3 overdoses, 4 breaking and entering, and 2 burglaries. There were 8 traffic arrests.

COMMUNITY CENTER ROOF PRESENTATION

Mr. Uckotter introduced Mr. Tim Alcorn of Deer Park Roofing. Mr. Uckotter gave an analysis of the need for the roof. Mr. Alcorn gave his proposal presentation for the Community Center new roof. Deer Park follows the Ohio Building Code and Shingle Manufacturer specifications.

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ZONING HEARING – B-05-22ZPD/Afton Park PD

Jonathon Woche, Zoning Consultant gave a summary of the case. This is for the Afton Park PD located at 4118 Curliss Lane, Batavia. It is for 3.62 acres, which has two parcels involved for apartments. The owner is Ketan Patel and SASA Property, LLC. He proposes four 2-story apartment buildings, for a total of 32 dwelling units. Access to the development is proposed by a driveway on Curliss Lane.

Mrs. Kelley spoke about spot zoning and felt this is not considered spot zoning and that this case is less intrusive.

The applicant, Carl Hartman, 3478 Holly Ridge Dr., Cincinnati, spoke on behalf of the development. Mr. Hartman made comments about this development related to generated real estate taxes.

Mr. Parsons commented we do not generally make decisions on land use based on generated real estate taxes.

Diana Franz, 2741 Old SR32 shared her concerns that Curliss Lane is a very narrow road for two lanes of traffic. It will add traffic for the middle school that isn't open yet. This is very close to a railroad. There are sewer issues that she smells constantly. Will this area become lower value for this area like some of the other surrounding developments that are now not "high end".

Susan Sammons Lester, 4111 Curliss Lane spoke about traffic concerns and issues with neighbors and drug activity. It is a concern about this staying "high end". Mrs. Lester presented the petition signed by residents who have concerns about this development.

Ketan Patel, 1029 Asbury Rd., Cincinnati, spoke on behalf of the development.

Mr. Parsons asked about the pond; it will be ten feet deep.

Mr. Woche reviewed the 27 conditions to be considered by the Zoning Commission prior to the preparation of the recommendation of this project.

Motion

Mr. Sauls motioned the Batavia Township Board of Trustees approve B-05-22ZPD/Afton Park PD with conditions per the list added by Jonathon Woche. Mr. Parsons seconded the motion with discussion. The lighting will be directed down, not glaring on adjacent property owners. Mr. Parsons commented this is not his favorite use of this land. However, it is probably better than other potential uses. Mr. Sauls considered the size of the lot is conducive to this use. He feels it is an enhancement to this area versus the heavy manufacturing. Mr. Perry mentioned the sewer smells should be directed to the Clermont County Department of Health or Clermont County Water and Sewer. Mr. Parsons mentioned upgrading the playground area. Mr. Perry commented he hopes this property will be well maintained as Mr. Patel owns the business next to this development. Mr. Woche will make a note about the parking lighting on the final development plan. On the roll being called:

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

BRISTOL LAKES SUBDIVISION NO PARKING PRESENTATION – Karen Swartz

Mr. Uckotter introduced the presentation. He highlighted Brad Harris and Karen Swartz efforts on this issue. Mr. Uckotter noted that while Bristol Lake is a fairly older development, it would have had no parking signs if it were built more recently.

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Karen reviewed the parking restrictions presented to the Trustees last meeting. Bristol Lake has the largest complaints, especially Covedale Lane. Because this was a large request, it effected the entire neighborhood. The only change made from the presentation was on Thistlewood due to a fire hydrant. Other concerns not related to parking, such as safety, are being worked on. The streets are about 25 feet wide, so there is not safe clearance to get through if cars are parked across from each other. There would be issues with curbs in Covedale. Recommendations have been forwarded to the Fire Chief Riley, and Captain Alan at the Sheriff's Office as well as Deputy Beckelmann. The HOA management was supportive of the recommendation as long as the Sheriff Department and Fire Department were in support of it as well.

Frank Worsley, 1328 Covedale Lane, Amelia, spoke regarding the issues. He feels there is no reason for zero parking on one side of the street. He feels there will be conflicts between neighbors. His recommendation is that the fire hydrant distance should be marked so cars do not park there.

Laura Luster, 3672 Bristol Lake Dr., spoke about the speeding traffic on Bristol Lake Dr. Her fear is that if every street in Bristol Lake gets parking only on one side, a child or someone will be hit.

Mark Smith, corner of Bristol Lake and Covedale on the right, has concerns about the speeding traffic. He suggested a three-way stop sign. Mr. Uckotter suggested speaking with the County Engineer about that subject. He suggested 'snow emergency' signage during those times.

Chris Kane, 3656 Bristol Lake spoke about the speed bumps as those were declined.

Deputy Benkelman, Deputy Sheriff, will email the other Deputies to step up speed enforcement.

Chief Riley, 2401 Old SR32, Batavia, shared his concern about the safety of roads and access.

Brad Harris spoke about two house fires in local subdivisions, which brings to attention the importance of having parking on one side.

Mr. Parsons feels strongly there is a need to make these streets one-sided parking.

Mr. Perry spoke about other subdivisions having this issue. Other subdivisions requested one sided street parking.

Resolution 10-01-2022

To bring closure to this issue, Mr. Uckotter suggested that the Board take up Resolution 10-01-2022 at this point in the meeting. The Chair, Mr. Perry agreed.

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 10-01-2022** to prohibit parking on certain streets in the Bristol Lake Subdivision when the official signs prohibiting parking are erected under Ohio revised code sections 505.17 and 4511.07. Mr. Perry seconded the motion. Mr. Parsons verified this would only be on one side of the street. This approval would allow the Township to spend what is necessary. There will be notifications to residents and a date specified for installation. On the roll being called:

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

TOWNSHIP ADMINISTRATOR REPORT

Mr. Uckotter spoke about the Pre-1994 CRA. The County discovered there is one. The County would like to get rid of the CRA. This is an economic tool for the Township. This includes an enterprise zone.

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Dean Miller with Industrial Commercial Products is here tonight to discuss a potential development, a 230,000+ square-foot warehouse on the former Ford complex. He represented the Township when the Ford Plant was built. He noted that there is approximately 130,000 feet left of industrial space in that building. Mr. Miller suggested while this Township has the CRA, they should use this tool. The Trustees agreed to listen to additional information this Thursday.

Mr. Uckotter moved that the Township would cease all issued permits until the developer of Rosewood fixed Clearbrook Lane. The developer sufficiently replaced Clearbrook Lane, and the Township took the hold off of the zoning permits.

Mr. Uckotter gave an update on the Community Center (including Burnham Woods roof). The seamless gutters are recommended. Mr. Uckotter got two bids, Warner Roofing and Deer Park Roofing. He got two quotes for caulking. The Trustees would like the painting and roofing completed this year.

Duke would like to rent the former Homeless Shelter. The shelter is a little over 66,000 sq. feet. This can be decided during the November meeting.

The Corp signs could be a multi-year project. There are possibly 20-25 locations to put them up. Mr. Uckotter suggested putting up the first signs around Clough coming in from Union Township and around old 74. There are three different quotes for the signs. Mr. Uckotter recommended Sign Graphics and Design. Not only was Sign Graphics and Design the most competitive quote, Scot Conover, the principal of Sign Graphics is focused on details and easy to work with.

The Township, ODOT, and the County Engineer met to discuss the Olive Branch-Stonelick and SR32 interchange. The plan is to install stop signs and realign the exit ramp stop bars. This a more feasible option than installing two roundabouts. Lights will not be installed until they meet warrants.

The Cintas installation of all janitorial dispensers are completed.

We posted the new Service Dept. position for Service Worker I. The Service Worker II (Foreman) position has been developed – essentially adding a leadership component as compared to the Service Worker 1 position.

Mr. Uckotter gave an update on the CBDG Amelia-Olive Branch Phase 2 sidewalk project. It is out for advertisement for bid and we will open the bids on October 13th.

In consultation with Mr. Uckotter, the Service Director, Mr. Cody Smith had the detention pipes added to the Amelia barn out of CDBG sub-recipient agreement as it needed to be completed.

At the Burnham Woods site, Mr. Uckotter noted that there are issues with the main roof. The salt barn, built around year 2012, needs a new roof. The Burnham Woods roof was discussed. The Trustees will decide how to use the funds from the CDBG sub-recipient agreement.

Mr. Uckotter spoke with Cody Smith about all the necessary staff phones in his Dept. All necessary devices will be transferred to T-Mobile.

ZONING ADMINISTRATOR/INSPECTOR REPORT

Brad Harris reported on permits and violations. There were 4 house permits in September. We are down over 50% from last year. There were several permits for decks, swimming pools, etc.

Many residents who have received car violation notifications have been responding and removing the cars.

Denise Kelley reviewed meetings of the Zoning Commission and the recommendations. Jeff and Denise continue to work on Text Amendment. They need a resolution to move forward with

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them. Any Hamrick has moved out of the Township. Chris Denny is the first alternate and wants to stay in that position. The second alternate Lasserre Bradley would like to fill the position. This will be a resolution later in the meeting. Zac Ison is retiring from the Board. He will stay until December.

The BZA met in September and denied the one particular request in Meadowgreen subdivision.

Denise has been working with Cherokee to get site plan reviews completed.

Hannah Construction is ready to start their Chapel Road project of large storage units for construction sites, etc.

Mrs. Kelley spoke with M.L. Bernard about the construction of the facility on Armstrong Blvd. It's a five-acre tract. This is supposed to be a 32,000 sq. ft. building.

SERVICE DIRECTOR REPORT

Cody Smith, Service Director, gave the September 2022 report.

The Service Department replaced the culvert on Yelton for the school bus turn-around in Whispering Trees.

Mr. Uckotter contacted the Clermont Water Department and they took a look. The leaking fire suppression valve in the pit near the pond has been repaired.

Chris Smith resigned as of October 14, 2022. Advertising is in progress for a new service worker.

We had one burial and no sales this month.

Cody discussed the salt truck quote. A Kenworth is coming from New Jersey. The truck will not be ready until the second quarter of 2023. The Board provided guidance to proceed.

There is a truck sitting in the Amelia barn. This needs to be declared surplus.

COMMITTEE REPORTS

Mr. Perry gave an update for Central Joint Fire & EMS District. There was no meeting last month. The fire in Vista Meadows is under investigation.

Mr. Parsons gave the update for Batavia Union Cemetery. They meet tomorrow.

NEW BUSINESS

Resolution 10-02-2022

Mr. Sauls motioned the Batavia Township Board of Trustees adopt **Resolution 10-02-2022** 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)
2516 Herold Rd Batavia, OH 45103	Stephen Chilewski	012011E067.	Yellow Subaru Impreza Gray Ford Edge Blue Honda Civic Teal Vehicle

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4039 SR 132	Forest Keel	012009B026.	White Vehicle/Back yard
Batavia, OH 45103			Black Vehicle/Back yard
			Gray Pontiac Sunfire
			Harvest Gold Ford Taurus

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

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

Resolution 10-03-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 10-03-2022** authorizing the transfer of funds to Fund #1000-110-141 for Legal Counsel, increased to \$20,000.00 pursuant to Ohio Revised Code Section 5705.14(E). This is retroactive to September 18th. Mr. Sauls seconded the motion. On the roll being called:

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

Resolution 10-04-2022

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 10-04-2022** authorizing the transfer of \$10,000.00 from the General Fund 1000-610-910, Park Salaries to 1000-110-111, Payment to Trustees Salaries to cover costs through year-end pursuant to Ohio Revised Code Section 5705.14(E). Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 10-05-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 10-05-2022** authorizing the abatement, control, or removal of vegetation, garbage, refuse, or debris for the property of 1391 Whitaker Lane, Amelia, Ohio 45102 – 035513A017. Mr. Sauls seconded the motion. On the roll being called:

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

Resolution 10-06-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 10-06-2022** authorizing the Township Administrator to execute a sub-recipient agreement with Clermont County Commissioners to fund the project in the amount of \$76,679.00 known as the Batavia Township-Amelia Village Maintenance Facility Project Number 2020-06. Mr. Sauls seconded the motion. On the roll being called:

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

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Resolution 10-07-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 10-07-2022** declaring surplus equipment in the form of a 2000 International Truck. The surplus truck will be listed on Gov deals for the highest and best sale value. Mr. Perry seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract with Deer Park Roofing to install a new roof on the Community Center for an amount not to exceed \$44,945.00; this approval also grants the repair of any damaged wood for the cost specified in the Deer Park Roofing estimate, (plus the cost of necessary materials). The contract shall be approved to form by the Law Director. 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. Parsons motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract with Albert Miller of Gutt-R-Done Seamless Gutters to install new gutters at the Community Center for an amount not to exceed the amount of \$4,950.00; this approval also grants the repair of any damaged fascia material soffit material or framing wood for the cost specified in the Gutt-R-Done estimate, (plus the cost of necessary materials). The contract shall be approved to form by the Law Director. Mr. Sauls 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 authorize the Township Administrator to enter into a contract with Terry Justice Roofing at 3607 Burnham Woods Drive, for a new roof on the salt building and to make repairs on the main building's roof for an amount not to exceed the amount of \$6,180.00; this approval also grants the restoration of any damaged wood for the cost specified in the Justice estimate (plus the cost of necessary materials). The contract shall be approved to form by the Law Director. Mr. Parsons 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 to authorize the Township Administrator to enter into a contract with Fry's Precision Caulking to replace the window and masonry caulking at the Community Center and the baseball bathroom for an amount not to exceed the amount of \$3,800.00; this approval also grants the limited repair of additional caulking related to any façade repair for the cost specified in the Fry's estimate, (plus the cost of

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necessary materials). The contract shall be approved to form by the Law Director. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion

Mr. Sauls motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract with, a plumbing professional (such as Plumb Tech) to replace the interior plumbing lines of the new park bathroom for an amount not to exceed \$7,000.00. The contract shall be approved to form by the Law Director. 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. Parsons motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract, not to exceed \$7,213.13.00, to replace the damaged Corp Sign (For the destroyed Batavia Township Corp Sign at SR 32. The Township recovered \$7,213.13 in insurance compensation from Farmers Insurance – the insurer of the motorist who destroyed the last sign). The contract shall be approved to form by the Law Director. 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 to accept the resignation of Mr. Andy Hamrick from the Zoning Commission and to elevate the current Batavia Township Zoning Alternate Lasserre Bradley to become a regular member of the Batavia Township Zoning Commission. 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 approve the job description of Service Department Worker 2 (the Foreman) and to designate this job title to current Service Department member Steven Tymenski. (This position was created after the hiring of the current Service Director, and it has gone through the necessary approval process prior to its inclusion.) 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 designate trick or treating on October 31st from 6 pm to 8 pm. Mr. Sauls seconded the motion. On the roll being called:

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

Request For a Motion – added on at meeting

Mr. Sauls motioned the Batavia Township Board of Trustees to approve the payment to Perkins Carmack #8 request in the amount of \$9,598.16. 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 – added on at meeting

Mr. Sauls motioned the Batavia Township Board of Trustees to authorize the Township Administrator to order three separate Corp signs for 2023, not to exceed \$2,500.00 each. 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 – added on at meeting

Mr. Sauls motioned the Batavia Township Board of Trustees authorize the Township Administrator to enter into a contract for a new Kenworth not to exceed \$250,000.00. The contract shall be approved to form by the Law Director. Mr. Parsons seconded the motion. On the roll being called:

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

EXECUTIVE SESSION

Mr. Sauls motioned the Batavia Township Board of Trustees move into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion and/or compensation of a public employee of the Township and to consider confidential information related to the marketing plans, specific business strategy, trade secrets, or personal financial statements of an applicant for economic development assistance. Mr. Parsons seconded the motion. Time: 10:23 pm. On the roll being called:

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

Return to regular session at 10:50 p.m.

Comments/Discussion

Clarification was made that there is no cap on Comp Time. It can be moved into the next year.

The December meetings will be on November 30, 2022 at 6:00 pm and December 20, 2022 at 1:30 pm.

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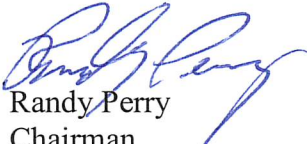
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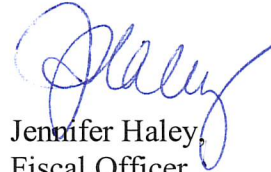
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ADJOURNMENT

With no further business to come before the Board, Mr. Parsons motioned to adjourn the meeting. Mr. Sauls seconded the motion. Meeting adjourned at 10:53 p.m.


Randy Perry
Chairman


Jennifer Haley,
Fiscal Officer