

**RECORD OF PROCEEDINGS**

Minutes of

February 7, 2023 – REGULAR MEETING

Meeting

**RECORD OF PROCEEDINGS**

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

Held Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP

The Board of Trustees of Batavia Township met for the February regular meeting at 4:00 p.m. Tuesday, February 7, 2023, 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. Sauls, Mr. Parsons, and Mr. Perry.

**EXECUTIVE SESSION**

Mr. Parsons motioned the Batavia Township Board of Trustees move into Executive Session pursuant to ORC Section 121.22 (G) (1) to consider a matter related to the personnel of the Township. Time: 4:00 pm. Mr. Perry seconded the motion. On the roll being called:

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

The Board returned to regular session at 5:55 p.m.

**CALL TO ORDER**

Following the Pledge of Allegiance, 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, Brad Harris, Zoning Inspector, Cody Smith, Service Director, and Sheriff Deputy Benkelmann.

**APPROVAL OF AGENDA AND MINUTES**

Mr. Perry motioned the Batavia Township Board of Trustees approve the February 7, 2023 agenda as presented. Mr. Parsons seconded the motion. On the roll being called:

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

Mr. Perry motioned the Batavia Township Board of Trustees approve the January 3, 2023 Regular 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**

The year-end reports are completed and sent to the Auditor of State for 2022. The ad is in the paper for their examination.

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

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

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### SHERIFF'S DEPARTMENT REPORT

Deputy Benkelmann gave the stats for January 2023. There were 159 total offense reports, the same as in December. The highest crime type was theft with domestic crimes being second. There were 106 offense reports and 165 incident reports. There were 22 traffic arrests and 54 warnings. There were 150 warrants and 165 civils. We had 30 assists with other agencies. There were 33 adult arrests, 8 juveniles, and 174 business checks. Deputies took 75% of the Township incident reports and 67% of the offense reports. There was \$8,186 in property recovered which was for a vehicle and a cell phone. There were 264 neighborhoods patrolled. There were 2 overdoses. There was 1 burglary.

Deputy Benkelmann gave a presentation about body cams in action.

### SHAKER MEADOWS SUBDIVISION - NO PARKING – PRESENTATION

Brad Harris, Zoning Inspector, met with the HOA who requested parking on only one side of the street. One resident spoke about placing the No Parking signs and installing signs in specific areas.

### TOWNSHIP ADMINISTRATOR REPORT

Karen Swartz gave the Township Administrator report for January. The insurance quotes she is gathering are due next month. OTARMA has not reached out to Karen yet concerning the renewal. She will send them an email next week.

The OTA Conference held two weeks ago was informative and Karen encouraged more planning for projects, especially for grant funding as they have deadlines.

At conference there was discussion about cemetery software. Karen suggested using ARPA funding for the software. Implementation would be under \$10,000, depending on the level chosen. There are different levels and prices for services. The annual rate is between \$400-\$1200. They provide services such as mapping out cemeteries, provide a citizen searchable feature, and provide ground penetrating radar as an additional service. The link for information can be on our website.

The Salute to Leaders nomination recommendations is due to the Chamber by Friday. A nominee was recommended.

The August meeting will be scheduled for August 2nd instead of August 1st due to National Night Out. Karen will send the Outlook Calendar to the phones of the Trustees.

Karen spoke to the County Grant Coordinator about the CDBG funding program for 2023 and the request for the change order for the Olive-Branch sidewalk Phase 2 to complete that project. We do not have to provide a local match that at 50%. She requested Choice I to change one of the projects which is Phase 4. Karen recommended the resubmission of the Greenbriar Road guardrail project.

Karen sent a letter to a homeowner about a dead tree on Roudebush Rd. It is extremely large and there are power lines that could be affected. Mr. Frey, legal counsel said it is in the right-of-way. Karen and Cody will reach out to Duke Energy and the property owner.

The staff for the Township are due for CPR training. All of our AED machines are working properly.

### SERVICE DIRECTOR REPORT

Cody Smith, Service Director gave the January report.

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All the No Parking work orders have been completed: Bristol Lake, Crosspointe, Woodbridge Drive, Charmalee, Laurel Oak, and Twin Gate.

The Service Dept. cleaned up a culvert pipe and ditch work on Hartman Drive. The jet truck saves residents money as it really cleans out pipes, preventing further damage and keeps water off the roads as well. On Gate Tree our Service Department cleaned out 355 feet of ditch and used the jet truck on 7 culverts on that street. A culvert needs to be replaced on Old 222. The end piece is broken off.

The 2002 truck was sold for \$19,400.00. Cody is waiting on several bids for purchasing other trucks.

Cody met with Paul Sackett with W.A. Jones about new trucks. There are long wait times (up to 2 years) on everything, so we need to decide soon.

### ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley, Zoning Administrator, gave her January report. There were only 5 single family permits issued. There were 6 attached units in Billingsley.

The BZA held its first meeting January 23<sup>rd</sup> and appointed their Chair and Vice-Chair. They heard 3 cases. They will hear 2 cases on February 27<sup>th</sup>.

The Zoning Commission did not meet in January and have not had their elections for Chair or Vice-Chair. They may hear a zone change in March. Staff has completed their review process on Rosewood. Construction may not begin for at least another year, even two years.

Denise is currently working on a site plan review process for Byrd Brothers.

Denise presented to the Trustees information on a product by MI Homes. The product would replace Hardie board and vinyl.

The Amelia overlay district was reviewed.

Brad Harris, Zoning Inspector gave updates on zoning activities in Batavia Township.

### COMMITTEE REPORTS

Mr. Sauls gave an update for Central Joint Fire & EMS District. They have been averaging about 330 runs monthly. Ambulances have been ordered 1-2 years out and haven't been received yet.

Mr. Parsons gave the update for Batavia Union Cemetery. Last year we spent about \$120,000, of which \$48,000 was for the mowing service. We are locked in 2023 for the same price. Last year there were 57 interments and 25 were cremations. We sold 43 grave plots last year. Work dates have been set. Small trucks will be used in the cemeteries versus large trucks that do damage to the cemetery roads. Road repairs will be completed hopefully in the spring.

### OLD BUSINESS

#### ARPA Funding

There was discussion on spending of the ARPA funds and possible uses. Karen Swartz gave an update. These projects have to be completely finished by 2026. Mr. Perry commented we need to use this funding to benefit the Batavia Township Residents to the best of our ability.

### NEW BUSINESS

#### Resolution 02-01-2023

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Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 2-01-2023** to prohibit parking on certain streets in the Shaker Meadows Subdivision when official signs prohibiting parking are erected under Ohio Revised Code sections 505.17 and 4511.07. Mr. Parsons seconded the motion. On the roll being called:

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

**Resolution 02-02-2023**

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 2-02-2023** declaring motor vehicle(s) located at public or private property in Batavia Township, Clermont County Ohio, to be junk motor vehicle(s) under ORC. 505.173 and ordering the removal of such vehicle(s) under Batavia Township Resolution Number 05-03-2022 and ORC. 505.871. The properties and descriptions are as follows:

PROPERTY ADDRESS	PROPERTY OWNER	PARCEL ID	DESCRIPTION OF VEHICLE(S)
2250 SR 125 Amelia, OH 45102	Gilbert Jester	032018A034. 032018A025.	Black Isuzu Axiom Gray Nissan Altima Red Honda Pilot Gray Honda Pilot Black Saturn White Trail Blazer Black Saturn Black Dodge Truck Silver Chevrolet Aveo White Chev 3500 Panel Truck Yellow Suzuki White GMC Truck Gray Saturn Black VW Cabrio Red Chevrolet
1300 Hammann Dr. Amelia, OH 45102	Julie & Brian Seibert	032023A167.	Blue Ford Truck

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

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

**Resolution 02-03-2023**

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 2-03-2023** authorizing abatement, control, or removal of vegetation, garbage, refuse, or debris for Parcel Identification Number 032023A167., located at 1300 Hammann Drive. Mr. Perry seconded the motion. On the roll being called:

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

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### Resolution 02-04-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 2-04-2023** to declare the following property as surplus and order the equipment disposed of in the best way possible: Swenson Spreader/Spinner, Rexroth Controller CS440. Mr. Parsons seconded the motion. On the roll being called:

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

### Resolution 02-05-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 2-05-2023** to execute Change #1 in the amount of \$5,000 for the necessary legal descriptions for easements for the Amelia Olive Branch Sidewalk Project Phase II. Mr. Parsons seconded the motion. On the roll being called:

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

### Resolution 02-06-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 2-06-2023** to modify Chapters 4, Section 4.02 Compensatory Time and Chapter 5, Section 5.02 Vacation Leave. There was discussion. Mr. Perry seconded the motion as presented and explained. On the roll being called:

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

### Resolution 02-07-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 2-07-2023** authorizing Karen Swartz, Township Administrator, to enter into an agreement with Energy Alliance for electric energy supply services for Batavia Township, at a rate not to exceed 7.5¢/kWh for a term not to exceed 24 months and commencing in July 2023. There was discussion. Mr. Parsons seconded the motion. On the roll being called:

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

### Resolution 02-08-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 2-08-2023** to approve the submittal of Amelia Olive Branch Sidewalk Project, Phase 3 and re-submit the Greenbriar Guardrail Project for submission and consideration as CDBG Projects. Mr. Parsons seconded the motion. On the roll being called:

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

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### Request for a Motion

Mr. Perry motioned the Batavia Township Board of Trustees allow for a clothing allowance for employees of the Service Department in the amount of \$150.00 annually for jeans or outerwear. There was discussion. 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. Perry motioned the Batavia Township Board of Trustees accept the 2022 Ohio Department of Transportation's Township Highway System Mileage Certification Report, effective 12/31/2022, in the amount of 778,557 miles, and furthermore execute said certification and return to ODOT no later than March 1, 2023. 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. Perry motioned the Batavia Township Board of Trustees approve reasonable expenses to sponsor a table at the upcoming 2023 Salute to Leaders Event on March 29, 2023. 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 approve setting the mileage reimbursement rate at 65.5 cents per mile in 2023 per the IRS and effective January 1, 2023. Mr. Perry seconded the motion. On the roll being called:

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

### EXECUTIVE SESSION

Mr. Parsons motioned the Batavia Township Board of Trustees move into Executive Session pursuant to ORC Section 121.22 (G) (1) and 121.22 (G) (8) to consider a matter related to the personnel of the Township, and confidential information related to economic development assistance. Time: 8:40 pm. Mr. Perry seconded the motion. On the roll being called:

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

The Board returned to regular session at 9:24 p.m.

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Request for a Motion


Mr. Sauls motioned the Batavia Township Board of Trustees offer Jenny Stewart the position of Administrative Assistant and offer \$23.00 per hour, 2 weeks vacation after January 1, 2024, pending a drug test, background check, and a 6-month probationary period. The start date will be in 2 weeks. Mr. Parsons seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Sauls	yes	
Mr. Parsons	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. Meeting adjourned at 9:27 p.m.

  
 Jim Sauls,  
 Chairman

  
 Jennifer Haley,  
 Fiscal Officer