

RECORD OF PROCEEDINGS

Minutes of

March 7, 2023 – REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10745

RECORD OF PROCEEDINGS

Held Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP

The Board of Trustees of Batavia Township met for the March regular meeting at 6:00 p.m. Tuesday, March 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. Also present were Karen Swartz, Interim 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 March 7, 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 February 6, 2023 Work Session Minutes, February 7, 2023 Regular Meeting Minutes, and the February 6, 2023 Special Meeting as presented. Mr. Parsons seconded the motion. On the roll being called:

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

APPROVAL OF FINANCIALS

Ms. Haley gave an update on the account.

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

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

SHERIFF'S DEPARTMENT REPORT

Deputy Benkelmann gave the stats for February 2023. There were 146 total offense reports, a decrease of 8% from last month. The highest crime type was theft at 16 with domestic crimes being second. There were 111 offense reports taken by the Deputies and 193 incident reports. There were 33 traffic arrests and 42 warnings. There was a decrease in warrants and civils from last month. We had 57 assists to other agencies. There were 30 adult arrests. There was a decrease in juvenile arrests, and about the same amount of business checks. Deputies took 94% of the Township incident reports and 76% of the offense reports. There were 4 overdoses in February. There were 2 burglaries. There were 2 reports of breaking and entering.

Deputy Benkelmann introduced Deputy Ethan Eyre who will be replacing Deputy Tudor.

SOIL AND WATER CONSERVATION DISTRICT – John McManus, Director

John McManus, Director, gave his presentation on the County's Soil and Water Conservation District. For residents who experience drainage, erosion issues, outside of the road right-of-way, we try to point them in the right direction for assistance. We have a strong education program for the community. He offered the Board guidance on erosion, storm water retention, services, etc. There are maintenance manuals for HOA's, commercial owners, hard copies and on-line copies on our website.

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Joe Speeg was present to talk about the Solar Farm Projects in Clermont County and his role as the Ad Hoc member for the Clear Mountain Project. PUCO controls the overhead transmission line. Some projects are moved out 7-8 years. There is a Board with 7-voting members, plus the County Commissioner and the Ad Hoc member. There are also non-voting members including 2 Senators and 2 representatives. The actual vote will not be until the end or middle of 2024. There is a 15-page document from the Ohio Department of Health with valuable information.

Resolution 03-01-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 03-01-2023** to appoint Joe Speeg as the Ad Hoc Member of the Ohio Power Siting Board representing Batavia Township for cases and hearing for the Clear Mountain Energy Center located in Batavia, Williamsburg, and Jackson Townships. Mr. Perry seconded the motion. On the roll being called:

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

TOWNSHIP ADMINISTRATOR REPORT

Karen Swartz introduced Jenny Stewart, the new Administrative Assistant. Jenny will attend the Zoning Meeting this week as well.

Karen spoke about formulating a street lighting district. There needs to be a legal description of the particular area. The residents will pay bi-annually on their real estate taxes for the lighting. The Township will pay the invoice monthly. The current lights will not be removed until this is developed. Karen will send out an unofficial petition to get resident feedback.

Request for a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees hire a surveyor to formulate a lighting district for Letitia, Hopkins, and N. Kline Avenue. Mr. Perry seconded the motion. On the roll being called:

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

Concerning the cemetery software, we received a proposal from a vendor, CIMS Cemetery Management Software. Karen and Cody will review and make a determination about the needs, wants, and what would be helpful. The meeting will be set up for next week for two active cemeteries.

Half of the staff completed the first-aid training, including CPR, choking, how to use a tourniquet, etc., and AED training. The other half will complete it Thursday.

Denise and Karen discussed how to address the solar farms and the Township's position. There is a property on SR132, approximately 35 acres, that has an interest of solar farming. This property has water and sewer availability.

A rate has been secured for electric energy at 6.86¢ per kw with Energy Harbor. Our current rate is 4.99¢ per kw. The summer rate predicted is approximately .10¢. The rate is locked for 24 months. Karen will put out a notification in May to residents.

Batavia Township Junk Days is scheduled for a 3-day event, Thursday, April 20th thru April 22nd. Karen will post this on social media, send out fliers for the village residents, as well as contact the HOA's. We will not do the shred event due to lack of participation and cost.

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There has been some vandalism in the bathrooms as well as a break-in at the park. We need to enhance our security cameras in the back lot. Karen will seek out quotes to complete.

Karen contacted Zac from Perkins Carmack about warranty issues on the new restroom. We will have the inspector recheck it again. Karen will call and get the inspection. The walkways, floors/porch are slick/slippery when wet. They will need some sort of sealer eventually.

Karen is recommending we renew with OTARMA as we have had many claims due to wind storms causing damage to our buildings. All roofs need replacing except Shelter 1.

The salt barn damage is pending due to the availability of the adjuster. The Victorian also has damage. Pierce Township was notified since they carry the coverage. Cody will move the fence out of the neighbor's yard and take care of the fallen tree on the property.

Karen has a zoom call meeting this Tuesday to talk about the Herold Road and SR32 interchange project. This will be a \$4 to \$5 million project. This will affect the Township and the Village. ODOT spoke with the Village and the Township.

SERVICE DIRECTOR REPORT

Cody Smith, Service Director gave the February report and reviewed his recent projects. The new salt truck was delivered. There were a few minor issues addressed. A culvert was replaced at Neal's Circle and SR222 and also on Old SR222. The Service Dept is working on a ditching project on Woodview Lane. We are working on making a berm box.

We had quite a bit of damage to the cemeteries and to a number of roads on March 3rd due to the storms. Some beautiful large pines were uprooted on Lucy Run.

There is a culvert issue at 3278 Lunsford. It constantly clogs, causing draining issues. We continue to attempt notification of the homeowner but there has been no response. Karen explained the process to handle this issue and a motion is on the agenda for action.

We received a bid for the camera for the pipes.

Cody is struggling to get bids on pick-up trucks as there is an inventory shortage. He has a quote for one pickup and one for a utility bed pickup.

Insurance Renewal

Mr. Perry motioned the Batavia Township Board of Trustees approve renewing Batavia Township's insurance policy with OTARMA at a premium for 2023 in the amount of \$24,629.00, which represents an increase of 3.2% from the 2022 premium. Mr. Parsons seconded the motion. There was discussion. On the roll being called:

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

There was a 5-minute break.

ZONING ADMINISTRATOR/INSPECTOR REPORT

Denise Kelley, Zoning Administrator gave an update on the Jake Taylor property and nuisance issues. Brad Harris, Zoning Inspector, would like to move forward with having these vehicles removed.

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The February Zoning Permits totaled 12 single family and two 2-family homes. Year to date there are 19 single family permits. Denise presented the Zoning Inspector reports for Brad Harris.

The BZA heard two cases in February. One was for a variance in Pleasant Acres, and one was for a variance extension for Black Rhino. There are two cases scheduled for March.

The Zoning Commission will hear a case for Storage Plus and will be on the Trustees agenda April 4th. Byrd Brothers Site Plan Review is finished. Jonathon Woche and Denise met with Robert Gerwin concerning Choice One and a potential project on the Winding Creek property.

Rob Smith from D.R. Horton contacted Mrs. Kelley.

COMMITTEE REPORTS

Mr. Sauls gave an update for Central Joint Fire & EMS District. They received a \$1.6 million grant to hire six firemen for three years. There are no applications on file. The total runs for the year totaled 5,000 EMS runs, 656 were in the Village. We are still waiting for two life squads.

Mr. Parsons mentioned an email to the Fire Chief. There was a village resident who is concerned about tanker rail cars stored in the Batavia Village. The Chief spoke with the Eastern Rail Company who stores the rail cars there. The cars are empty.

Mr. Parsons gave the update for Batavia Union Cemetery. There was some storm damage. A tree that fell was cleaned up. A workday is scheduled for March 15th.

OLD BUSINESS

ARPA Funding

Karen sent a letter to the Urbans about purchasing the property. They are not interested in selling the property.

There is a Resolution on the agenda for the approval of spent funds.

Karen looked at aerial views of properties for land purchase possibilities for a park. There was discussion on the feasibility of surrounding properties.

NEW BUSINESS

Lawn Service Proposal

Mr. Perry motioned the Batavia Township Board of Trustees approve Sullivan Services proposal for grass mowing for Batavia Township cemeteries in the following amounts per cut: Odd Fellows \$204.00; Greenbriar \$75.00; Lucy Run \$217.00; Olive Branch \$215.00; Church Street Cemetery \$87.50; contingent on receiving updated Bureau of Workers' Compensation and liability insurance certificates, and furthermore authorizing Karen Swartz to execute the contract for subject services. Mr. Parsons seconded the motion. On the roll being called:

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

Serving Notice to Property Owner

Mr. Parsons motioned the Batavia Township Board of Trustees authorize Karen Swartz, Interim Administrator, to serve notice to the property owner Elva Foster, 3278 Lunsford, Amelia, Ohio, 45102, Parcel #034509.003. of the obstruction of the ditch along a public roadway as required in ORC 5589.06 and to further authorize the Service Director to remove the obstruction and

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repair the drainage tile as outlined, and invoice the property owner for the cost of repairs in excess of our normal drainage tile policy. Mr. Perry seconded the motion. On the roll being called:

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

Contract Payment

Mr. Perry motioned the Batavia Township Board of Trustees authorize the first half payment of the 2023 contract with the Clermont County Sheriff for law enforcement per our three-year contract in the amount of \$504,178.07. Mr. Parsons seconded the motion. On the roll being called:

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

Membership Authorization

Mr. Parsons motioned the Batavia Township Board of Trustees authorize the membership of the Southwest Ohio Purchasers for Government (SWOP4G) Annual Invoice in the amount of \$35.00. Mr. Perry seconded the motion. On the roll being called:

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

Resolution 03-02-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 03-02-23** which declares 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)
4771 Olive Branch Stonelick, Batavia, OH 45102	Jake Taylor	012005E011.	Black Chevrolet Van Red Chevrolet Truck Red Chevrolet Truck Red Chevrolet Truck

Mr. Parsons seconded the motion. There was discussion. On the roll being called:

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

Payment Approval – ARPA Funds

Mr. Perry motioned the Batavia Township Board of Trustees authorize payment with ARPA funds and approve the payment of Invoice #373098 for Henderson Products, Inc., in the amount of \$235,087.00 for the purchase of the 2022 Kenworth T480 Series Dump Truck outfitted with Henderson snow and ice control truck equipment package, as previously authorized on 10/04/2022 and secured through Sourcewell. Mr. Sauls seconded the motion. On the roll being called:

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

Payment Approval – ARPA Funds

Mr. Parsons motioned the Batavia Township Board of Trustees accept a proposal and authorize payment with ARPA funds to the Best Equipment Co., in the amount of \$11,770.00 for the EnviroSight Verisight Pro 200” Push Camera System, secured through Sourcewell. Mr. Perry seconded the motion. On the roll being called:

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

Resolution 03-03-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 03-03-2023** to authorize the use of ARPA funds for the expenditure from the American Rescue Plan Act of 2021 Funds under the Township’s Standard Allowance, for various vendors in the amount of \$287,889.20. Mr. Parsons seconded the motion. On the roll being called:

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

Cemetery Deed

Presented to the Trustees for signatures was a Cemetery Deed for John and Patricia Carlson for Lucy Run Cemetery, Lot 37, Graves 1 & 2.

Resolution 03-04-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 03-04-2023** to approve the Permanent Appropriations for Fiscal Year 2023, totaling \$6,909,871.00 as presented. Mr. Parsons seconded the motion. There was discussion. On the roll being called:

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

Invoice Approval – Lawn Services

Mr. Parsons motioned the Batavia Township Board of Trustees approve an invoice for additional services with Legendary Lawn and Landscape in the amount of \$5,798.00 for spring cleanup, pre-emergent weed control, pruning and weekly weed control (30X) for the year. Mr. Perry seconded the motion. On the roll being called:

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

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Contract Execution for Repairs

Mr. Perry motioned the Batavia Township Board of Trustees authorize Karen Swartz to execute the following contracts for repairs to roofs on township properties at a net cost of \$30,803.95:

Property	Contract Amount	Insurance Claim	Net Cost
Baseball Bathrooms/ Concession Stand	Deer Park Roofing \$21,340.00	\$19,570.30	\$1,769.70
Shelter 2	Deer Park Roofing \$11,740.00	\$4,960.56	\$6,779.44
Shelter 1	Deer Park Roofing \$7,500.00	No Damage	\$7,500.00
Duke Lease Building	Kanga Roof \$32,966.10	\$18,211.29	\$14,754.81

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

Mr. Parsons	yes	
Mr. Perry	yes	
Mr. Sauls	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: 9:05 pm. Mr. Perry seconded the motion. On the roll being called:

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

The Board returned to regular session at 10:12 p.m.

Contract Negotiation Authorization

Mr. Parsons motioned the Batavia Township Board of Trustees authorize Karen Swartz, Interim Township Administrator, to negotiate a contract with Redwood using the TIF funding for a 10-year term using the attorney, Pat Woodside as counsel. Mr. Perry seconded the motion. On the roll being called:

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

Job Description/Personnel Actions

The Board directs Karen Swartz and Denise Kelley to edit the job description for the Planning and Zoning Director position and post it on the sites where Karen decides. This will be presented to the Board before it is posted.

Mr. Perry motioned the Batavia Township Board of Trustees remove the title for the Interim Township Administrator and give Karen Swartz the title of the new Township Administrator which is a salaried position. This will be effective March 13, 2023. Mr. Parsons seconded the motion. On the roll being called:

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Mr. Perry	yes	
Mr. Parsons	yes	
Mr. Sauls	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 10:18 p.m.



Jim Sauls,
Chairman



Jennifer Haley,
Fiscal Officer