

# RECORD OF PROCEEDINGS

Minutes of

July 12, 2022 – 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 May regular meeting at 6:00 p.m. Tuesday, July 12, 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, Dave Frey, Legal Counsel, and Sheriff Deputy Benkelmann.

Everyone wished Mr. Perry Happy Birthday.

### APPROVAL OF AGENDA

Mr. Parsons motioned the Batavia Township Board of Trustees to approve the presented July 12, 2022 agenda. Mr. Sauls seconded the motion. On the roll being called:

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

### APPROVAL OF MINUTES

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

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

### APPROVAL OF FINANCIALS

Mr. Parsons motioned the Batavia Township Board of Trustees to approve the June, 2022 Financials as presented and approve the 2<sup>nd</sup> half payment for 2022 for contracted services provided by the Clermont County Sheriff Deputies, for \$392,062.67 retroactive to June 8, 2022. Mr. Sauls seconded the motion. On the roll being called:

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

### FROST BROWN TODD'S SCOTT PHILLIPS and PATRICK WOODSIDE

Scott Phillips and Patrick Woodside gave an overview of development finances that are available to the Township, such as Tax Increment Financing (TIF), Joint Economic Development District (JEDD), and Residential Improvement Districts (RIDs). They will also assist with creating bid documents and bidding processes to ensure compliance with state and federal guidelines.

### SHERIFF'S DEPARTMENT REPORT

Deputy Erik Benkelmann gave the Batavia Township crime report for June 2022. There was about a 16% decrease in reports from last month. Criminal damage was the highest crime type. There were a total of 144 incident reports in June. We took 79% of the total incident reports within the Township Deputies and 73% of the offense reports. There was \$3,000 in stolen property recovered, including a stolen vehicle. There was a total of 4 overdoses for June and only one burglary in the Township.

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### ZONING ADMINISTRATOR/INSPECTOR REPORT

Ms. Kelley gave the June 2022 activity report, including Brad Harris, Zoning Inspector's report. Nine attached units and three single families were issued in the month, and the values remain high. Ms. Kelley advised that development has begun on Heritage Farms for utility work and that the Final Development plans were reviewed and approved by staff. Ms. Kelley and staff will ensure conditions are met while issuing zoning permits. Total permit activity is consistent with 2021, but single-family homes are not as high. Ms. Kelley reviewed a new violation issue on 3470 Virginia Drive, providing pictures of the site. There is a resolution on the agenda for the Board to take action. The Summerwood project be reviewed by the Zoning Commission on July 21<sup>st</sup> and will most likely be on the Agenda for review by the Trustees in August. Texts amendments and by-law revisions are being prepared by Mr. Wocher and should be presented to the Trustees for consideration by September. She reviewed the active case with the Board of Zoning Appeals on Roses Run in Derby Place.

Ms. Kelley and staff reviewed the Lexington Run Food Mart minor modification and the final development plans. A pre-application meeting was held with Drees relative to Wilson property (124 acres) on SR 132. The plan at this time is for all single-family homes and patio homes. Staff cited the 52-foot wide lots as an issue in the pre-application plan. Mr. Uckotter noted that utilities for water and sewer would be complex since the access would be coming thru the adjacent Clermont County Park. Discussion was had on the Judd Road and State Route 132 intersection and safety concerns. Mr. Uckotter advised that the Ohio Department of Transportation (ODOT) is reviewing information on the intersection and considering changes, including a stop sign and reduced speed.

Mr. Uckotter noted that the Zoning Commission and the Board of Zoning Appeals meetings are held at 5:00 and 5:30 and requested that they be moved to 6:00 to align with the Trustees' meeting time. Ms. Kelley noted that the County Planning Commission meets at 5:00 p.m. The Trustees' requested that Ms. Kelley discuss with each board and let them decide what time they would like to meet, since they are a voluntary board.

Ms. Kelley noted that Rosewood Developer, Jeff Hayes, will be filing a modification to request that three-car garages be permitted on adjacent lots.

**LET THE RECORD SHOW:** Commissioner Painter addressed the Board about the TIF funding. Mr. Uckotter noted the CDBG agreement on the agenda and thanked the Board of Commissioners for their support. Commissioner Painter pointed out that the Opium Settlement is being paid out and discussed the requirements for funding. Commissioner Painter will be forwarding emails to staff on steps to obtain financing.

### SERVICE DIRECTOR REPORT

Steven Tyminski, Service Director, gave the June 2022 report. The Reds had their baseball camp the week of June 20<sup>th</sup>. The Veteran's Services will have their family event on July 23<sup>rd</sup>. They will also have a fishing tournament. The Junk Days event filled 5 Republic dumpsters and the additional Service Dumpster. Mr. Uckotter asked the Board about having another junk day for the Fall. Discussion was had at having an extra fall date this year and next year just having one event with more dumpsters and having a Republic compacter on site to assist with the volume of trash.

Mr. Tyminski continued his report that the 2006 Kubota zero-turn is getting old and repairs are getting expensive. There are approximately 1,400 hours on it and discussion was had on getting a new truck. Jeff will review the state bid information. Steven gave an update on the activity in cemeteries. Steve Rohrich is starting the yearly winter service on the trucks. Mr. Tyminski suggested increasing the boot allowance. Greenbriar Road is being paved today. Discussion was had on resurfacing both parking lots at the Community Center. There are quite a few cracks in the basketball court, and the pickleball court also needs repairs. Lori and Cecelia were repainted two weeks ago, and the invoice will be paid. Steven and Jeff Uckotter visited the property for the drainage complaint from last month at 1448 Gumbert. Mr. Uckotter advised

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the resident to see if there was an obstruction downstream. The last day of employment for Don Stiles is July 15, 2022. Discussion was had on cars parking in the grass at the park. Mr. Uckotter will work with staff on alternative solutions or signage to address the issue. Suggestions included signs saying something similar to: Parking in Paved Areas Only. Mr. Parsons complimented the Service Dept. for some of them serving in Goshen for their tornado clean-up.

### TOWNSHIP ADMINISTRATOR REPORT

Jeff Uckotter gave his June report. Jeff reported on the Summerwood Development and the sidewalk project. To accomplish the installation of a sidewalk on this particular piece of property, there are options such as the traditional right of way acquisition, or signing three agreements which are a pedestrian easement, a maintenance agreement, and a donation agreement to get this accomplished. The crosswalk signal would be similar to the one by Amelia-Olive Branch, which is solar.

The interviews for the two positions available are coming up this week. We had one on Friday. Mr. Uckotter would like to perform a caliber assessment phase for the Director position. Final interviews will be scheduled with the Trustees during a special meeting on July 28.

Mr. Uckotter spoke about park rules and the comprehensive list of rules which Mr. Dave Frey reviewed. Signs will be posted upon approval. Mr. Uckotter gave an overview of the Resolutions scheduled for later in the meeting.

Mr. Uckotter is working with Duke Energy on the rental agreement for the property on Old SR32. Mr. Uckotter spoke about repairs needed on the windows in the Community Building. Mr. Uckotter spoke with Cintas about pricing under the State Bid. Cintas is reviewing our quantities and will provide a quote.

Mr. Uckotter discussed increasing the baseball field fees and turfing requests from Clermont College. He is working with Mr. Frey on the Memorandum of Understanding for the Brian Wilson Field.

The Open House and viewing of the 119 West Main Property and Auction Items will be held on July 14<sup>th</sup>, from 6 to 8 p.m. This will allow citizens the opportunity to view items that will be auctioned. Pierce Township posted an RFP for the three parcels, which include 44 Main St., 45 Maple St., and 19 Oak St. Information is posted on both websites.

August 6<sup>th</sup> is scheduled for a Veteran, backed car show. We will have a meeting with them to discuss the plans. A complaint was filed concerning the property located on Summit Road concerning the dirt bike track. Mr. Uckotter filed a complaint with the Ohio Environmental Protection Agency and the Clermont County Building Department for resolution.

Mr. Uckotter is getting a 3<sup>rd</sup> proposal for the corporation signs. Mr. Uckotter is still working on the ARRP website. A letter was received from the VFW requesting a donation.

### COMMITTEE REPORTS

There was no meeting last month for Central Joint Fire & EMS District.

Mr. Parsons gave the update for Batavia Union Cemetery. There was a meeting last week, and we agreed to increase our fees to match the Townships. Mr. Parsons recommended Batavia Township increase the Cemetery Fees for cremation burials. He will have the information at the next meeting.

### NEW BUSINESS

The Clermont County Park District has its Open House this Thursday from 3-7 p.m. at its new headquarters, 2156 Highway 50. They have a new comprehensive master plan.

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Ms. Haley spoke about the disaster in Goshen. If it isn't declared a state disaster, it is the Township's financial responsibility. The mutual aid agreements should be reviewed concerning financial burden as well. The County can help manage resources, but they are not responsible for the disaster expenses such as debris pick up and staffing.

### **Resolution 7-01-2022**

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 7-01-2022** and rescind **Resolution 6-01-2022**. Mr. Parsons seconded the motion. On the roll being called:

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

### **Resolution 7-02-2022**

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 7-02-2022**, authorizing the adoption of an alternative method of apportionment of the undivided local government funds for the calendar year 2023. Mr. Parsons seconded the motion. On the roll being called:

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

### **Resolution 7-03-2022**

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 7-03-2022**, adopting rules and regulations for the Township's Community Park. The discussion was had relative to the usage of drones and use of skateboards. Revisions were made to the skateboard rule. Mr. Sauls seconded the motion. On the roll being called:

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

### **Resolution 7-04-2022**

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 7-04-2022**, amending the Township's noise resolution rules to exempt noise resulting from the everyday use and maintenance of churches, schools, football, baseball, and soccer fields, public and private golf courses, and publicly owned parks. This will go into effect 30 days from today. Mr. Parsons seconded the motion. On the roll being called:

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

### **Resolution 7-05-2022**

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 7-05-2022**, authorizing acceptance of payments by financial transaction devices (via debit/credit card). Mr. Sauls seconded the motion. On the roll being called:

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

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### Resolution 7-06-2022

Mr. Sauls motioned the Batavia Township Board of Trustees to adopt **Resolution 7-06-2022**, to update the CDBG Sub-Recipient Agreement with the Clermont County Commissioners for the Chapel Sidewalk Project, Project #2018-003. Mr. Parsons seconded the motion. On the roll being called:

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

### Resolution 7-07-2022

Mr. Parsons motioned the Batavia Township Board of Trustees to adopt **Resolution 7-07-2022**, to remedy a nuisance property (high grass) in Batavia Township (3470 Virginia Drive, Amelia, Ohio, 45102 PIN-034511.036). Discussion was had about the debris in the yard and that some items will be removed if they are in the way. 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. Sauls motioned the Batavia Township Board of Trustees to authorize an increase in contract rates charged by Legendary Lawn and Landscape as follows:

- Batavia Township Park. \$858 to \$1075
- Old SR 32 building. \$140 to \$175
- Brian Wilson Field \$75 to \$99
- Old Amelia administration building \$125 to \$160
- Township soccer fields. \$299 to \$350

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. Sauls motioned the Batavia Township Board of Trustees to authorize the Township Administrator to set the work-boot allowance to \$225. Such boots must provide reinforced toe protection (e.g., steel toe or like protection). 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. Sauls motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract with Michael T. Collins, PE, for an amount not to exceed \$4,000, to provide a review of the Township Community Center's HVAC system, to provide a report detailing RFP requirements, and if necessary, to procure essential engineering documents. This motion requires that TIF funds are used to fund this project as this is a capital expense. 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

### Request For a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees to authorize the Township Administrator to enter into a contract with Above and Beyond Carpentry in an amount not to exceed \$16,450 to fix the leak in the office wall that faces to the south. It has been determined that TIF dollars can be used as this project is meant to retain the integrity of the building. The approval of the contract is contingent on acceptance 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 Above and Beyond Carpentry to provide exterior pre-painting carpentry service at a rate of \$50 per hour. The approval of the agreement is contingent on acceptance to form by the Law Director. 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. Parsons motioned the Batavia Township Board of Trustees to approve an invoice amount not to exceed \$4,000 for the replacement of the rear leaf spring packs for truck #9. This is an International truck. Mr. Sauls 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 enter into a contract with and approve payment to Frost, Brown, and Todd not to exceed \$7,000 for bidding and acquisition services upon approval to form by the Law Director. Mr. Sauls 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 compensate the VFW Post 3954 for the 2022 Memorial Parade services in Batavia Township for \$500. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls	yes	
Mr. Perry	yes	

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Mr. Parsons                                  yes                                  Motion carried

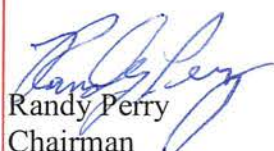
**ADDITIONAL DISCUSSION ITEMS**

There was discussion about several items: Relations with the Village of Batavia, Park improvements, splash pad, bathrooms, water pressure issue, concrete issue, grass reseeded/sodding, closing out documents, dog water bowl, and water fountain installation.

Mr. Parsons mentioned the issue with traffic at SR32 (Speedway Gas Station) and Stonelick-Olive Branch Road. Applications for project funding should be available in January or February. Trustee Parsons suggested a letter be sent to our County Engineer and ODOT to accelerate the funding for this issue.

**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 9:39 p.m.

  
Randy Perry  
Chairman

  
Jennifer Haley,  
Fiscal Officer