

RECORD OF PROCEEDINGS

Minutes of

June 6, 2023 – REGULAR MEETING

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM 100-443

RECORD OF PROCEEDINGS

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 6, 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, Township Administrator, Taylor Corbett, Zoning Administrator, Cody Smith, Service Director, and Sheriff Deputy Benkelmann.

APPROVAL OF AGENDA, MINUTES, AND FINANCIALS

Mr. Perry motioned the Batavia Township Board of Trustees approve the June 6, 2023 agenda as presented. Mr. Parsons seconded the motion. On the roll being called:

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

Mr. Parsons motioned the Batavia Township Board of Trustees approve the May 10, 2023 Regular Meeting Minutes and the May 19, 2023 Work Session Meeting Minutes as presented. Mr. Perry seconded the motion. On the roll being called:

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

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

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

Recognition

The Board of Trustees recognized Nany Cutler, Board of Zoning Appeals, for fulfilling her role as a member. She is very appreciated and will be missed. She was presented a plaque.

SHERIFF'S DEPARTMENT REPORT

Deputy Benkelmann gave the crime stats for May 2023. There was a decrease of 10.98% in offense reports from last month. The highest crime type was theft, 31 offenses. There were 133 offense reports taken by the Deputies and 169 incident reports. There were 10 traffic arrests and 28 warnings. The warrants and civil services were up. There were 38 adult arrests. There were 8 juvenile arrests, and a slight decrease in business checks. Deputies took 82% of the Township incident reports and 73% of the offense reports. Property recovered was \$4,778, \$4,000 was a vehicle. There were 384 neighborhoods patrolled. There were 6 overdoses in May. There were 2 burglaries. There were 5 reports of breaking and entering. Mr. Parsons inquired if there have been any issues with the Ford Explorers. Deputy Benkelmann said they seem to be the 2020-2021 models. Several Townships have had problems with theirs. Mr. Sauls thanked all the Deputies for serving our Township.

PUBLIC HEARING 6:15 p.m., Case B-04-23Z – Kluba Property, SR222 Zone Change

Jonathan Woche, Zoning Consultant gave his summary of the case which is a Zone Map Amendment request, located at 3648 SR222. Staff received a letter from a property owner to the east, John and Phyllis Gray, who had concerns about run off. Future use of the residual property would require a permit. There is a proposal sent to the civil engineer for sewer.

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Public Comments

Daron Farmer, owner, who lives across the street from this farm, spoke on behalf of the development and the future plans. Mr. Parsons asked about the structures around the pond. The plan is to put a few decks around the pond.

Ed Kluba, 3648 SR222, spoke on behalf of the development and any future plans.

Jim Cook, 2046 Plumb Lane, spoke against the development as he has concerns about traffic and a 3-way stop he feels is needed.

Steve Berry, 2009 Plumb Lane, spoke against the development due to traffic.

Motion to Close the Public Hearing

Mr. Perry motioned the Batavia Township Board of Trustees close the public hearing on this case. 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 approve Case #B-04-23Z – Kluba Property, SR 222, as presented. Mr. Parsons seconded the motion. On the roll being called:

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

PUBLIC HEARING 6:30 p.m., Case B-03-23Z – Zoning Text Amendments

Jonathon gave a summary of the text amendments to be adopted. There were four changes recommended by the Zoning Commission. Mr. Parsons had questions about current and adopted regulations for existing structures/parking areas.

There were no comments for the public hearing.

Motion to Close the Public Hearing

Mr. Perry motioned the Batavia Township Board of Trustees close the public hearing on this case. Mr. Parsons seconded the motion. Time 6:50 p.m. On the roll being called:

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

Resolution 6-06-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt Resolution 6-06-2023 concerning the text amendments to the Batavia Township Zoning, as presented. Mr. Parsons seconded the motion. On the roll being called:

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

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10146

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Savion Energy- Solar Farm Update

Karen Swartz introduced Drew Pierson, Cleveland, Ohio, and Eddie Barry, Houston, Texas, from the Clear Mountain Energy Project on Herald Road.

Drew Pierson and Eddie Barry gave an update on the current project and gave their presentation. They are a renewable energy development, mainly solar, based in Kansas. Ohio is a main focus area for this company's projects. There are 104 acres in Clermont County to be utilized for this project, and no more. All environmental and field studies have been completed. All land south of SR 276 is under purchase option agreement. The rest of the land is leased.

Solar panel safety, storm water prevention plan, and flood sensitive areas were discussed. Mr. Parsons asked about an area of trees; they will not be removed. The intent is to preserve trees, and design around the forested areas. Mr. Sauls questioned repowering. It would require new lease agreements.

TOWNSHIP ADMINISTRATOR REPORT

Karen Swartz submitted three areas/projects for the grant from House Bill 377.

Our electricity contract was renewed with Energy Harbor. Letters went out on May 19th. The current rate is 4¢, the new rate will be 6¢. This is electric only. Participation in the aggregation will save the residents money.

Karen researched fishing tournaments for our pond at the Township Park. Karen and Cody will work over the winter to get this organized.

The signs are being repainted.

We continue to have issues with the bathroom door. Karen called Perkins two weeks ago. Mr. Perry suggested we get an extended warranty and have a door rep. come here as well.

Karen spoke with Jonathon about the back entrance to Hanger Flats and the drainage issue. There have been no complaints. A berm is being built there.

Mr. Patel sent a letter requesting to purchase property on Olive-Branch adjacent to his current business.

Karen met with the representative from Republic Services as we are at the end of the 5-year contract. Karen will get more information about rates.

We completed the sexual harassment and bullying training. Driving record checks were done as well.

Nick Goslin will become the road patrol captain and Captain Allen will transfer to another unit.

The VFW is seeking a donation for the Memorial Day expenses.

Karen spoke with PES Group about the playground equipment proposal. They would like to meet with the Board on June 13th at 2:00 p.m. Karen will notify the media about the meeting which is about park improvements.

There was a discussion about the Pierce/Batavia joint owned parcels, consolidation, and pricing.

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GOVERNMENT FORMS & SUPPLIES 844-224-3398 FORM NO. 10148

Held Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP

Request for a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees donate \$500 to the VFW for Memorial Day Service expenses held at Batavia Township Cemeteries. 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. Parsons motioned the Batavia Township Board of Trustees move forward with consolidating ownership of the Village of Amelia parcels, which are on both the Batavia and Pierce Township sides. In addition, with the current appraisals in hand, we direct the Township Administrator and Law Director to work on getting an agreed price with Pierce Township. There was discussion. Mr. Perry seconded the motion. On the roll being called:

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

There was some discussion about the leases on the warning sirens, locations, etc. The Fire Dept. has the list.

ZONING ADMINISTRATOR/INSPECTOR REPORT

Taylor Corbett gave the May report. For May, we've had 5 single-family permits from Rosewood, 5 from Heritage Farms, 1 from Derby, and 1 from Billingsley. There are 111 multi-family permits from Redwood, and 3 in Billingsley. Comparing 2022 to 2023, we are down a bit from 2022 due to the high interest rates. There have been 119 permits in 2023.

Taylor gave the Inspector's report for Brad Harris. There are 3 cases of vegetation issues.

The Zoning Commission will hear one case on June 8th requesting approval for one acre.

There is one BZA case to be heard June 26th. Safe Harbor of Hope will be requesting a conditional use permit under B2 Zoning.

Taylor is the County Appointee for the airport master plan scoring committee. There were 2 submittals for the master plan.

Taylor met with a business looking to relocate to Batavia Township.

There have been no new PUD updates.

SERVICE DIRECTOR REPORT

Cody Smith, Service Director gave the May report.

We repaired a catch basin on Wulfert that became a sink hole.

The paving at Burnham Woods was completed. There were issues and Cody had it checked out. Barrett Paving will be re-doing the surface.

The footers and leveling of the graves have been completed before Memorial Day.

Grinding and patching was completed on Swan Lane.

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Staff are doing the roadside mowing and trimming, as well as weed eating.

Playground mulching was completed and is in compliance with safety regulations.

A culvert pipe on Trail 4 on the park property was washed out. It has been fixed and the pipe has been covered.

We now have the two half-tons. Light kits, bed liners, covers, etc. will be installed. There is a cemetery workday on May 10th at Cemetery Union.

There are issues with backflow prevention for irrigation. The diaphragm had to be replaced. There was a problem with the springs as well.

There was one full burial at Olive-Branch and one indigent burial.

We are trimming near some roads that have honeysuckle taking over.

Cody met with Charlie from Barrett about repaving the parking lots and quotes. The quotes were emailed to Cody from Barrett.

We have a quote to repair the two truck beds. Cody will check to see what a new bed would cost.

The repair quote for the current vac truck is \$20,000.

COMMITTEE REPORTS

Mr. Sauls gave an update for Central Joint Fire & EMS District. They are hiring 7 new employees, some of which are replacements.

Mr. Parsons gave the update for Batavia Union Cemetery. There was an extensive summary by Steve Shinkle at the last meeting. We had about 50% that were cremations last year. This year it has been about 5% that were cremations. We meet again tomorrow night.

We need another alternate for the BZA Board.

OLD BUSINESS

Mr. Parsons asked the Trustees to consider having concerts, movie nights, etc. at the Township Park. It is important we highlight this property for our residents as well as other communities. There were ideas suggested by staff members. Volunteer Boards/Committees would be of benefit for these events. We will start with quarterly events. Karen and staff will work on getting events scheduled for next year.

NEW BUSINESS

Resolution 06-08-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 06-08-2023** to increase appropriations to \$180,000 in the general fund #1000-760-730, to allow for the Community Development Block Grant Funding project. Mr. Perry seconded the motion. On the roll being called:

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

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GOVERNMENT FORMS & SUPPLIES 844-224-3838 FORM NO. 10148

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Request for a Motion

Mr. Parsons motioned the Batavia Township Board of Trustees approve Payment #1 with Choice One Engineering for the Amelia-Olive Branch Road Sidewalk Phase 2 in an amount not to exceed \$123,632.26 as outlined in the Contractor's Application for payment from 4/19/2023 to 5/19/2023 and as part of the Community Development Block Grant Program. Mr. Sauls seconded the motion. On the roll being called:

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

Contract Payment Request

Mr. Parsons motioned the Batavia Township Board of Trustees authorize the 2nd half payment of the 2023 contract with the Clermont County Sheriff for law enforcement in the amount of \$433,596.90, as outlined in the contract executed on January 5, 2022. Mr. Perry seconded the motion. There was discussion. On the roll being called:

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

Resolution 06-01-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 06-01-2023** to approve the 2024 Tax Budget. Mr. Sauls seconded the motion. On the roll being called:

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

Resolution 06-02-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 06-02-2023** authorizing an alternative method of apportionment of the undivided local government fund for Calendar Year 2024 through Calendar Year 2029. Mr. Parsons seconded the motion. There was discussion. On the roll being called:

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

Resolution 06-03-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 06-03-2023**, authorizing the abatement, control, or removal of vegetation, garbage, refuse, or debris for the following parcels:

PARCEL ID	ADDRESS
032023F102.	422 Amelia Olive Branch, Amelia, OH 45102
014506.005.	4302 Gary Lane, Batavia, OH 45103
012010B065..	2297 Chesterfield Lane, Batavia, OH 45103

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

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

Resolution 06-04-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 06-04-2023** declaring public infrastructure improvements to be a public purpose, exempting from real property taxation improvements to certain real property located in Batavia Township. Mr. Sauls seconded the motion. There was discussion. On the roll being called:

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

Resolution 06-05-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 06-05-2023** to approve the addition of new funds for the various tax increment financing districts in Batavia Township:

- No. 4501 TIF 1 – Bauer & Herold Roads
- No. 4502 TIF 2 – Herold Rd., SR 32, Batavia Rd., Sauls, Sr. Dr.
- No. 4503 TIF 3 – Hospital Dr., Herold Rd., Old SR 32
- No. 4504 TIF 4 – SR 132 & SR 222
- No. 4505 TIF 5 – CC Airport Area
- No. 4506 TIF 6 – Redwood Development

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

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

Resolution 06-06-2023

Mr. Perry motioned the Batavia Township Board of Trustees adopt **Resolution 06-06-2023** to adopt the text amendments to the Batavia Township Zoning Resolution. Mr. Parsons seconded the motion. On the roll being called:

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

Resolution 06-07-2023

Mr. Parsons motioned the Batavia Township Board of Trustees adopt **Resolution 06-07-2023** authorizing the purchase of a 2015 Freightliner Sewer/Vac Truck from Franklin County, Ohio, not to exceed \$105,000.00. Mr. Perry seconded the motion. On the roll being called:

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

