

RECORD OF PROCEEDINGS

Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP –

The Board of Trustees of Batavia Township met for a regular session at 6 p.m. Monday, April 8, 2019, at the Batavia Township Community Center.

**CALL TO ORDER**

Following the Pledge of Allegiance, Jennifer Haley gave the roll call for the Board of Trustees. Present were: Mr. Dowdney, Mr. Sauls, and Mr. Perry. Also present were Jennifer Haley, Fiscal Officer, Rex Parsons, Township Administrator, Denise Kelley, Zoning Administrator, Brad Harris, Zoning Inspector, Ken Embry, Service Dept. Director, and Deputy Dowers, Clermont County Sheriff's Department.

**APPROVAL OF AGENDA AND MINUTES**

Mr. Sauls motioned the Batavia Township Board of Trustees approve the April 8, 2019 agenda as presented. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Dowdney	yes	
Mr. Sauls	yes	Motion carried

Mr. Dowdney motioned the Batavia Township Board of Trustees approve the minutes of the March 4, 2019 regular meeting as presented. Mr. Sauls seconded the motion. On the roll being called:

Mr. Dowdney	yes	
Mr. Perry	yes	
Mr. Sauls	yes	Motion carried

**FINANCIAL REPORTS**

Ms. Haley gave the March financial reports as presented.

Mr. Sauls motioned the Batavia Township Board of Trustees approve the March 2019 financial reports as presented. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Perry	yes	
Mr. Dowdney	yes	
Mr. Sauls	yes	Motion carried

**REPORTS OF THE ZONING INSPECTOR**

Brad Harris gave his housing report. The total permits for single family homes were up in March.

The ball fields are always in use. Mr. Harris thanked the Service Dept. for the fine work they've done on the fields.

**REPORTS OF THE ZONING ADMINISTRATOR**

Denise Kelley, Zoning Administrator, gave her March report which included the BZA and Zoning Commission updates.

**REPORTS OF THE SERVICE DIRECTOR**

Ken Embry gave an update on the basketball goals issue which is still being addressed.

We are in good shape in Phase II.

There was a resident complaint about trees in the right-of-way on Snyder Road. The resident is aware if there is harm to the traveling public, he is responsible for the trees.

For the cemetery work day there were two township workers and one village worker.

Mr. Embry gave an overview of his plan for the 2019 road paving program. He encouraged the Board to look at the roads as well.

**DEPUTY REPORT**

Deputy Dowers gave the March 2019 reports. The highest crime for the month was theft at 19. There were 143 offense reports of which the Township cars took 53.8%; and of the 208 noncriminal reports, the Township cars took 78.8%. There was \$100 recovered. There were two overdoses for March.

**ZONING HEARING**

**Case B-03-26ZPD-DP-F04 Derby Place**

Zoning Consultant, Jonathan Wocher presented the case and offered a summary.

Mr. Sauls motioned the Batavia Township Board of Trustees approve **Case B-03-26ZPD-DP-F04 Derby Place** as presented. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Sauls	yes	
Mr. Dowdney	yes	
Mr. Perry	yes	Motion carried

**ZONING HEARING**

**Case B-01-18Z-PDFD1 Rosewood**

Zoning Consultant, Jonathan Wocher presented the case and offered a summary. Richard Hoffman, applicant, spoke about the case.

Mr. Dowdney motioned the Batavia Township Board of Trustees approve phase 1, **Case B-01-18Z-PDFD1 Rosewood** as presented. Mr. Sauls seconded the motion. On the roll being called:

Mr. Dowdney	yes
Mr. Sauls	yes

Mr. Perry                      yes                                      Motion carried

**PUBLIC HEARING**

**Case B-02-19Z-PD Ron Gibbs**

Zoning Consultant Jonathan Wocher presented the case and gave the summary. Mr. Ron Gibbs commented about the case. There was no public comment.

Mr. Sauls motioned the Batavia Township Board of Trustees approve **Case B-02-19Z-PD** as presented. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Perry                      yes  
Mr. Dowdney                      yes  
Mr. Sauls                      yes                                      Motion carried

**PUBLIC HEARING**

**Case B-01-19Z-PD Arch Materials, LLC**

Zoning Consultant Jonathan Wocher presented the case and gave the summary. Joseph Trauth, Attorney, representing the developer, Arch Materials, LLC, spoke concerning the case. There was no public comment.

The Township finds that the proposed use and Preliminary Development Plan is appropriate for the area based on the recommended Future Land Use Classification in the Growth Policy Plan.

1. The only uses permitted on the property are agricultural use on the surface and underground limestone mining.
2. Any changes to the surface uses, including proposed structures that are not related to agricultural activity, must be reviewed and approved by Batavia Township in accordance with the procedures outlined in Article 36 Planned Development of the Batavia Township Zoning Resolution.
3. Increase the frequency of use of street sweeper on SR 276 to reduce dust and gravel on the road.
4. Pillars created for underground mining in Batavia Township will remain in place and will not be removed after mining activity is complete.
5. Establish an emergency response plan and provide the plan to Batavia Township.
6. Establish a process to respond to community comments and/or complaints related to mining activity.
7. Provide historical data about federal threshold vibration measures at the Jackson Township facility.
8. Arch Materials shall conduct pre-blast surveys prior to starting operations/mining in Batavia Township of existing structures on property in Batavia Township within 1,000 feet of the proposed Planned Development district boundary, and Arch Materials shall provide notification of start of operation in Batavia Township and copies of the surveys to Batavia Township.

Mr. Dowdney motioned the Batavia Township Board of Trustees approve **Case B-01-19Z-PD** as presented, in addition to the conditions as modified above. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls                    yes  
Mr. Perry                    yes  
Mr. Dowdney                yes                                Motion carried

**PUBLIC PARTICIPATION**

Mr. Parsons gave an overview of the Duke Energy tree trimming issue and copied the Trustees on all email correspondence with Mr. Hammer, Duke Energy and Mr. Holtman. Barb White, 3725 Mackey Rd also provided a letter to the Township.

Phil Hammer, 3727 Mackey Rd., spoke about Duke Energy and the high power line trimming.

**Permit Fee**

Mr. Perry motioned the Batavia Township Board of Trustees approve payment of our 2019 Stormwater MS4 Permit fee in the amount of \$7,403.69. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Sauls                    yes  
Mr. Perry                    yes  
Mr. Dowdney                yes                                Motion carried

**REPORTS OF THE TOWNSHIP ADMINISTRATOR**

Mr. Parsons spoke about Republic trash service, and the trash amnesty letter. This is a week-long event.

The Family Fun Adventure Challenge is Saturday, May 11<sup>th</sup>. There are already 230 people registered for the event.

Saturday, April 20<sup>th</sup>, there will be an Easter Egg Hunt from 11am-1pm, at the Township Park, sponsored by The Crossing Church and Batavia Rotary Club.

There is a streetlight request for Twin Gates off of Judd Road.

The dog park dedication will be Wednesday, April 17<sup>th</sup> at noon.

Mr. Parsons will be asking for donations of food for the Reds Rookie Success League.

The Law Enforcement Banquet will be Wednesday, May 22<sup>nd</sup> at the Oasis Conference Center. A table sponsor costs \$600.

Mr. Sauls motioned the Batavia Township Board of Trustees authorize table sponsorship payment in the amount of \$600 for the Law Enforcement Banquet. Mr. Dowdney seconded the motion. On the roll being called:

Mr. Dowdney                yes  
Mr. Perry                    yes  
Mr. Sauls                    yes                                Motion carried

The pickleball court shades have been installed.

Mr. Parsons provided to the Trustees a copy of the deputies' schedule.

**OLD BUSINESS**

Mr. Parsons met with the County Engineer. He spoke about the special assessment project. Rex will proceed with the paperwork.

**NEW BUSINESS**

Mr. Parsons spoke about the SR 132/222 intersection complaints, just south of Batavia Village. Per the County it is the Village of Batavia's issue. It is a very dangerous intersection. The Village of Batavia has been notified.

There have been complaints about sidewalks in Batavia Township and subdivisions. We do not have a sidewalk repair program. Mr. Parsons will work on a sidewalk policy.

**COMMITTEE REPORTS**

Mr. Perry gave an update on Union Cemetery. A gentleman was upset about trees on his property/gravesite. There is a yearly joint meeting of Union Cemetery for May 13<sup>th</sup> at 5:30 pm.

Ms. Haley gave an update on CJFED. They purchased two new CPR automated machines.

Mr. Sauls gave an update on CCTA. The banquet is May 2<sup>nd</sup> at 6:00 pm.

**May Meeting Date Change**

Mr. Perry motioned the Batavia Township Board of Trustees change the May meeting date to Monday, May 13<sup>th</sup> with a start time of 6:30 pm, due to a scheduling conflict. Mr. Sauls seconded the motion. On the roll being called:

Mr. Dowdney	yes	
Mr. Sauls	yes	
Mr. Perry	yes	Motion carried

Mrs. Kelley got in contact with J2 Development, Twin Gates. They are preparing to put in street trees. Because this was a consent decree, this cannot be changed.

**ADJOURNMENT**

With no further business to come before the Board, Mr. Sauls motioned to adjourn the meeting. Mr. Dowdney seconded the motion. Meeting adjourned at 8:58 pm.

Randy Perry,  
Chairman

Jennifer Haley,  
Fiscal Officer