

BATH TOWNSHIP BOARD OF TRUSTEES

MARCH 16, 2016

This regular meeting of the Bath Township Board of Trustees was called to order by Mr. Pitstick. Other township personnel in attendance were Mr. Martin, Mr. Ross, Mr. Heizer, Mr. Trimbach, Mr. Miller, and Mrs. Brown. Mr. Ross made a motion to accept the agenda; seconded by Mr. Martin. Roll call: three ayes, no nays, motion carried. Mr. Martin made a motion to approve the minutes of the March 2nd meeting; seconded by Mr. Ross. Roll call: Pitstick, aye; Ross, aye; Martin, abstain; motion carried. Mr. Ross made a motion to pay the bills totaling \$30,853.66; seconded by Mr. Martin. Roll call: three ayes, no nays, motion carried.

GUEST: Michele Burns, Tecumseh Land Trust, addressed the Board concerning Resolutions of Support for applications from Jim Heider and Tom Pitstick to the State of Ohio for purchases of agricultural easements on their properties. She and Mr. Pitstick gave a brief explanation of the Ohio Local Agricultural Easement Purchase Program and Mr. Pitstick spoke of his desire to see his land as protected farmland. Mr. Martin made a motion to approve Resolution 14-2016 that states that the Board has reviewed a request from Tecumseh Land Trust on behalf of Jim Heider for support of his application to the State of Ohio for purchase of agricultural easements on his properties located at 1129 W. Yellow Springs-Fairfield Road (160 acres) and Armstrong Road (159.5 acres) and has determined that the nomination of the properties for purchase of agricultural easements is compatible with the township's goals to preserve and promote agriculture as an important part of the area's economy and that the Board supports the application; seconded by Mr. Ross. Roll call: Martin, yes; Pitstick, yes; Ross, yes; motion carried. Mr. Martin then made a motion to approve Resolution 15-2016 that states that the Board has received and reviewed a similar request from Tecumseh Land Trust on behalf of Tom and Lynn Pitstick for support of their application to the State of Ohio for purchase of an agricultural easement on their property located at 1146 Herr Road and determined that the nomination of the properties for purchase of agricultural easement is compatible with the township's goals and that the Board supports the application; seconded by Mr. Ross. Roll call: Martin, yes; Pitstick, abstain; Ross, yes; motion carried.

OLD BUSINESS: Mr. Pitstick noted that the 1995 International truck was picked up this morning by two Carthage Township Trustees who delivered a check in the amount of \$13,001. Mr. Pitstick has not contacted the two men who were interested in purchasing the truck, but Mr. Heizer, Road Supervisor, thought the road crew had informed them of the sale to Carthage Township.

The Board reviewed the Vision Service Plan spreadsheet comparing several options. Mr. Ross explained that with the current plan there is a \$20 charge for materials but no charge for the exam while the slightly less expensive alternate plan would be \$20 whether one gets glasses or not. There was a question about the variable rates on the OPEC Plan 4 option. Mrs. Brown will get more information.

Mr. Pitstick reported that Josh Wallace, ODOT, had responded about our request concerning the intersection of Trebein Road and SR 235, stating that it has been sent to their District office for a safety analysis and that he will pass on any information to us as soon as he gets it. Also, ODOT will be cutting the vegetation back at the intersection as far as possible this spring. Mr. Ross will follow up with Mr. Wallace about the brush removal at the Byron Road and SR 235 intersection. Mr. Heizer reported that ODOT had removed the brush at the Bath Road and Route 4 intersection, greatly improving the sight line.

Mr. Pitstick noted that there was no additional charge this year for adding collision and comprehensive insurance for the 2001 Silverado that has been converted to a utility truck. Mrs. Brown will contact Hylant about adding the coverage. (With the next renewal, the insurance will cost \$49.)

The Board and Mr. Heizer discussed the need for an additional road levy. Mr. Heizer had prepared a 10-year projection for the necessary maintenance on all the township roads based on additional funds of \$100,000 per year. It is estimated that a 1.0 mill levy would produce \$90,000. They discussed the type of surfacing on various roads. It was also apparent that some roads would not hold up until there were sufficient funds available. Thus something more than 1.0 mill might need to be considered. Mr. Pitstick suggested holding neighborhood meetings to present the information to the voters showing what can be accomplished with each level of taxation. Mrs. Brown will contact County Auditor David Graham to ascertain when monies would be available if a new levy was approved at the November, 2016 election.

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STAFF REPORTS: Mr. Heizer reported on the condition of Medway Road. Due to the weather conditions this past winter combined with the heavy truck traffic, repair work is necessary now, not next year as previously anticipated. The Board and Mr. Heizer discussed how to proceed. Mr. Heizer proposed doing a double run of chip and seal with no mastic. Mr. Pitstick suggested seeking financial assistance from Ernst Concrete and Barrett Paving Materials. Mr. Martin will talk with County Engineer Bob Geyer about this possibility. If a double run of chip and seal is done this year, it will save the cost of the skin patching that was planned for this summer. They discussed a double run versus a single run. They also discussed what to do with Butternut. Ray Hensley, Inc. suggested milling it and doing a single run of chip and seal. Milling would cost \$9,108.00, single run of chip and seal \$4,250.40, and mastic \$4,311.12—for a total of \$17,669.52. Hensley would also mill the driveways. Mr. Pitstick noted that milling was definitely needed and the total cost would be approximately \$4,000 more than what was initially proposed to do Butternut. They agreed that mastic should be applied to Cedarwood and Hickorynut as well after the single run of chip and seal. Mr. Pitstick suggested that a final decision on what to add to our collective bid should wait until the price quotes are in. Mr. Heizer noted that if Hensley does not get the chip and seal bid, he will have to negotiate the milling separately. Also the mastic is done by another company and will have to be coordinated with the chip and seal application.

The Board reviewed Mrs. Phillips' cemetery report. She provided copies of suggested revisions to the Cemetery Rules & Regulations that she would like finalized at the March 30th meeting. Following up on a plan to plant trees where some of the stumps were removed earlier this year, she submitted a proposal from Strausburg Nursery for nine trees (five different varieties) for \$2,115 which includes delivery and planting with a one-year guarantee. One tree, a scarlet oak, would be planted in the center of the triangle that will be Section 16. Mr. Ross made a motion to accept Mrs. Phillips' recommendation to buy the nine trees per the Strausburg proposal at a cost of \$2,115; seconded by Mr. Martin. Roll call: three ayes, no nays, motion carried. There have been requests for benches at the mausoleums. Mrs. Phillips is contemplating a small gravel area for the benches as a temporary fix until the placement of future mausoleums is determined. Mr. Trimbach pointed out the area on the map that they were considering. Mr. Ross volunteered to visit the site to get a better picture of what they have in mind.

Mr. Miller, Zoning Inspector, reported that Rusty Strader from Cemex had contacted him about Eco-Green Recycling purchasing some land from Cemex that is adjacent to their operation at 1290 E. Dayton Yellow Springs Road. Mr. Strader wanted the Board to be aware of this. Mr. Miller noted that a zoning change would be necessary—agriculture to business. Mr. Miller did not foresee this to be a problem as the yard waste recycling operation provides a useful service to the township and county as well. Mr. Pitstick had a question about what looks like a shallow dug-out area that might be holding water. Mr. Trimbach explained that it is an area that holds the run-off from the mulch dying process which is then recycled. The purchased property will allow for a new entrance to the recycling area rather than going through Michael Breeding's Body Shop and Storage. The entrance will be at the Linebaugh intersection but will not cycle the traffic signal. Concerning the property at 2879 Old Yellow Springs Road, Mr. Miller reported that he will be filing papers with the court rather than asking the Board to hold a nuisance hearing. He plans to meet with other Greene County Zoning Inspectors to learn more about how they successfully handle nuisance hearings.

NEW BUSINESS: The Board reviewed quotes from Valley Asphalt and Barrett Paving Materials for 448T1 asphalt. Barrett's quote was \$64.00/ton; Valley's, \$72.00. Mr. Heizer noted that the Valley product is better, but due to the distance it gets cold. There have been some issues with Barrett not being open and their product sometimes being cold. The Board agreed that Barrett's quote would be best. Mr. Heizer noted that he wouldn't need 300 tons if we were going to chip and seal Medway Road—150 tons would be sufficient. Mrs. Brown will prepare a purchase order for approval at the next meeting.

Correspondence:

- Ron Volkerding, Director, Greene County Sanitary Engineering Department: his emails and replies from Karen Hawkins, Fairborn Utilities Superintendent, in response to Mr. Pitstick's inquiry about sewer access for Tanner Plat to the Fairborn facility. Mr. Volkerding's estimation of the cost was \$1,200,000 which would be shared by each property with access to the sewer line--about 50 properties. This does not include the \$3,500 tap-in fee per property nor the homeowner's cost to extend a lateral from the property line to the house. He suggested contacting Deb Leopold and Mark Isaacson,

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Greene County Combined Health District, to see what other options are available. Mr. Pitstick noted that a major part of the cost is the ODOT requirement for casing pipe to cross the SR4 right-of-way. If/when the situation gets bad enough, EPA may have grant money.

- Deborah McDonnell, Fairborn City Manager: letter about our EMS billing for contract years 2013-2017. She wrote that after much consideration on the issue of "Cancelled in Route" charges, she agrees with our assessment that this is not service delivered. A recalculation of the billing removing the CIR calls for the past four years resulted in a credit to the Township of \$90,895 which will be applied toward the 2016 billing. Mr. Pitstick explained that we were being billed for about 20-24 CIR runs per year and by eliminating them in the future the cost for services is closer to the amount generated by the fire levy. The run report sheet is now being sent to us in an Excel spreadsheet which will allow the township to analyze the data and possibly correct/control problem areas. Mr. Pitstick stated that they plan to continue meeting every other month to discuss various issues. Mr. Miller noted that the city has been holding meetings concerning the September Presidential Debate at the Nutter Center. Bath Township will be invited to join. Ms. McDonnell asked for the township's help in cleaning up the entrance/exit ramps along I675.

Mr. Ross noted that the township might want to seek relief on the fire contract for the fire levy taxes loss on recent annexations—two Cemex parcels and an 80-acre parcel on Trebein. Mrs. Brown stated that the Cemex parcels generated \$7,598 for the fire levy in 2014. Mr. Pitstick mentioned drafting a letter to Ms. McDonnell thanking her for her consideration of the township's position. Mr. Ross has emailed Alex Zaharieff, Beaver Creek Township Administrator, asking for information about the millage and revenue generated by the City of Beaver Creek's fire/EMS levy and what a cost per run might be. Their Fire Chief is gathering the information.

Mrs. Brown reported that the township received a Motor Vehicle Fuel Tax refund in the amount of \$753.76 for off road usage for the period of March 2015 through January 2016. She also noted that the depository agreements with Fifth Third and US Bank expire in April. She has a meeting with US Bank to discuss interest rates on the Municipal Investor Account.

Mr. Ross reported on the Greene County Combined Health District's Advisory Council annual meeting. He noted that Health Commissioner Melissa Branum gave a good informative report on the major purpose of the health district—to stop or impede the spread of communicable diseases. She asked that Deborah Leopold be advised of any areas of standing water so that larvicide can be applied. Mr. Ross noted that the Fairborn City Schools' levy had passed and now they are looking at building new schools on Cemex properties. Terry Riley, the interim School Superintendent, would like for the City and the Township to write to Cemex supporting the Schools' acquiring Cemex land. Mr. Ross also reported on a presentation by Fairborn's new economic development director, Rob Anderson. The City is looking at doing some speculation development in the township which is part of TIF 4. There was a brief discussion on how the TIF would benefit the township.

Mr. Herman Jeffers, 4220 E. Kitridge Road, addressed the Board concerning the speed limit on Kitridge. There had been a fatal accident recently due to excessive speed. After a brief discussion, Mr. Ross stated that he would send a letter to County Engineer Bob Geyer requesting a speed study.

Mr. David Anderson, 3600 Byron Road, asked about the utility pole at Byron and Dayton-Yellow Springs Road that is leaning against the new one. Mr. Heizer stated that the utility company was using it as a brace until the ground dries out. Mr. Anderson also questioned the need for Mr. Miller to attend meetings with a trustee instead of another trustee. Mr. Martin explained that the Board did not want it to appear that the Trustees were in violation of the open meetings act by sending two trustees to a meeting, but having a second person who could contribute to the discussion was valuable. Mr. Anderson replied that he has brought several incidents to the Board's attention, but they don't do anything about it.

Mr. Pitstick made a motion to adjourn to Executive Session to discuss security measures and the Workers' Compensation court case; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried.

Mr. Ross made a motion to come out of Executive Session and resume the regular meeting; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried.

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There being no further business, Mr. Pitstick moved to adjourn the meeting; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried.

Elaine M. Brown, Fiscal Officer

Tom Pitstick, Chairman