

## BATH TOWNSHIP BOARD OF TRUSTEES

June 15, 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. Ross, Mr. Heizer, Mr. Miller, and Mrs. Brown. Mr. Ross made a motion to approve the agenda; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Action on the June 1st minutes is on hold until Mr. Martin is present. Mr. Ross made a motion to pay the bills totaling \$31,515.10 plus a transfer of \$5,701.21 to the US Bank Municipal Investor account; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

**OLD BUSINESS:** The Board reviewed the quote from B&H for surveillance equipment costing \$510.73 and along with Mr. Heizer, Road Supervisor, viewed placement options. Noting that the deadline for the quote had expired, Mr. Ross made a motion to purchase the equipment for a cost not exceeding \$550; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. (Note: B&H accepted the order at the quoted price of \$510.73.)

**STAFF REPORTS:** Mr. Heizer reported that the road crew had worked on clearing the tile in front of 3137 and 3147 Bell Drive. Storm water has been backing up and flooding the roadway. The tile in front of 3137 has an 8" pipe inserted into a 12" pipe. For now the water is running. On Mud Run Road they filled the ditch on one side of the road so that water will stay on the side where it can drain off. The backhoe will be getting new tires on Friday. Mr. Heizer reported that the contractor (Southpointe from Point Pleasant, Ohio) is beginning work on Fairborn's raw water line improvement project that will run along Medway Road, SR 235 and Sandhill Road. (See correspondence in February 19, 2014 minutes.) Mr. Heizer has contacted Hensley about delaying the chip seal on Medway Road until the project is completed, probably by September. Skin patching was done this past week. Mr. Heizer believes that all the areas on Ravenwood have been fixed and should hold up for another year or two. He still has on order another 100-150 gallons that will be applied where needed later on this season. The County will start painting the yellow lines next week. Mr. Heizer and the Board discussed what was needed to repair and widen Herr Road at the approach to SR 235. The road narrows slightly at this point and the truck and bus traffic is breaking down the edge. The road surface is asphalt covered with chip seal. The surface is slipping/sliding where the trucks slow down. Mr. Heizer would like to use tacking in doing the repair. Mr. Pitstick agreed that he should look into it.

Mr. Pitstick and Mr. Heizer discussed the video taping of the Alamo arm mower to show the reaction time while raising and lowering the arm and also how it breaks back when going into brush. Mr. Pitstick would like this sent to JD Equipment as soon as possible.

Mr. Pitstick read through Mrs. Phillips' cemetery report. The Board reviewed the brochure one more time. Mr. Ross would like the bold print at the bottom in italics. The new dump truck wouldn't start and was towed to the dealer, Middletown Ford. Apparently when Henderson did the conversion for the dump bed they cut through a wire harness. Mrs. Phillips has notified Henderson. She believes the \$810 charge for the repair should be paid by Henderson. Since she has been in contact with Henderson about this, the Board agreed that she should write to them enclosing the bill. Mrs. Phillips also reported that she has spoken with the secretary at the VFW regarding the raising of the flag on Memorial Day. The secretary said she would speak with the Post Commander and ask that they raise the flag before leaving the cemetery. Mrs. Phillips will follow up with them next year. Concerning the drainage issues at the cemetery Ken Middleton from Greene County Soil and Water has been out. He will be meeting soon with the Board to discuss his findings. Mrs. Phillips has expressed her thanks to Sean Oberschlake for mowing the area beyond the dirt barn where it is particularly hard on the cemetery mowers.

Mr. Miller reported that he had sent a letter to Interstate Billing Service disputing Rush Truck Center's charges for replacing the oil pan on the International truck. Mr. Pitstick noted that if we had been aware that this was not covered under the warranty, we would have replaced it ourselves with an aluminum pan. The Board complemented Mr. Miller on a well-written letter. Mr. Miller noted that a gentleman had been to the office checking on zoning related to the Greene Country Club. Concerning the rezoning of the Eco-Green Recycling property on Dayton-Yellow Springs, Mr. Pitstick stated that nothing has come before the Regional Planning and Coordinating Commission yet. Mr. Miller has several zoning matters that he would like the Zoning Commission to handle at the same time as this rezoning.

Mr. Ross, Mr. Miller, and a couple members of the Zoning Commission and BZA had attended the Agritourism workshop presented by Assistant Prosecutor Hayden at Sugarcreek Township on June 8<sup>th</sup>. The Board and Mr. Miller discussed various issues related to Senate Bill 75 that

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will go into effect on August 16, 2016. Mr. Ross stated that Ms. Hayden noted that the limitations are quite broad and cautioned the townships not to write zoning resolutions that exceed what state law allows. Township zoning can make some requirements about property access, parking and building setbacks in certain situations based upon public safety. Mr. Pitstick noted that the State Farm Bureau is interested in keeping regulations uniformed across the state. Mr. Miller stated that he doesn't believe it is critical for Bath Township to do anything with their zoning regulations before the August 16 deadline. He does question whether weddings can be considered an agricultural activity. There is a general feeling that much of this will end up in court. Mr. Ross would like to attend the upcoming meetings of the Zoning Commission and the Board of Zoning Appeals to let their members know that the Trustees are aware of these issues. There will be another workshop held at the Beaver Creek Township fire station on July 7th.

Mr. Pitstick reported that County Treasurer Dick Gould had addressed Regional Planning about the Land Bank program and how it could help townships get rid of blighted properties that are in receivership or behind on taxes. Mike Pitman, Sugar Creek Township Trustee, had noted that they have had some success with property maintenance codes. Mr. Miller said that Ms. Hayden did not recommend this approach. Mr. Miller intends to check with the mortgage holder on the property at 4953 Bath Road. Mrs. Jan Miller noted that there is a statement in a mortgage contract that the mortgagee will pay the taxes, keep the property in good condition, and pay the insurance.

**NEW BUSINESS:** Mr. Ross made a motion to approve Resolution 22-2016 providing for the Byron Cemetery Schedule of Charges Price List effective June 1, 2016; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

Mr. Ross made a motion to approve a reallocation in the General Fund of \$300 from Administrative-Repairs & Maintenance to Machinery, Equipment, & Furniture; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

Mr. Ross made a motion to transfer \$150,000 to the Fifth Third checking account from the Fifth Third savings account; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Mrs. Brown requested the transfer so that interest earned on the checking account would cover the service charges.

After a brief discussion with the Fiscal Officer, Mr. Ross made a motion to transfer the US Bank Municipal Investor Account funds to a new Fifth Third savings account; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Mrs. Brown had attempted to get an account at US Bank with a comparable interest rate to the Fifth Third account, but was not successful. All of Bath Township's public funds are covered under Depository Agreements for Active, Interim and/or Inactive Public Funds.

### **Correspondence:**

- Frank Harmon, Ohio Insurance Services Agency: letter about OPEC-HC's financial status and Hamilton Township's unauthorized withdrawal from the group. Mr. Ross noted that Bath Township's commitment to the OPEC-HC group is for another 18 months. Kent Campbell, Cedarville Township Trustee, had invited members of the Greene County Township Association to attend a meeting that they are hosting on health insurance.
- Ohio Public Utilities Commission: letter about Damage Prevention Enforcement Registration. There is a \$25 registration fee for any excavator, developer, designer or utility operator conducting business in Ohio that participates in the One-Call system.

Mr. Ron Shields, 2800 Old Yellow Springs Road, asked about storm water management. Greene County is required to submit a plan to the Ohio EPA that outlines the program for Bath, Beaver Creek, Sugar Creek, and Xenia Townships. Concerning drainage behind Mr. Shields' property, Mr. Heizer stated that the area involved is in Fairborn and that Mr. Shields should contact Terry Adkins, Water Department Supervisor.

Mrs. Miller, 660 Yellow Springs-Fairfield Road, asked about possible well water contamination from WPAFB in the Country Acres and Terry Acres area of Bath Township. Mrs. Brown will contact Greene County Health Commissioner Melissa Branum.

Mr. Pitstick reported that Mike Uecker, 945 Dayton Yellow Springs Road, had contacted him a few months ago about the County extending their water line down Dayton Yellow Springs

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Road. Since then the residents have submitted a petition to Ron Volkerding, Greene County Sanitary Engineer. About half the property owners signed the petition. Mr. Pitstick will follow up on this.

There being no further business, Mr. Ross made a motion to adjourn; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

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Elaine M. Brown, Fiscal Officer

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Tom Pitstick, Chairman