

## BATH TOWNSHIP BOARD OF TRUSTEES

April 19, 2017

This regular meeting of the Bath Township Board of Trustees was called to order by Mr. Ross. Other township personnel in attendance were Mr. Pitstick, Mr. Heizer, Mr. Miller, and Mrs. Brown. Mr. Pitstick made a motion to approve the agenda; seconded by Mr. Ross. Roll call: two ayes, no nays, motion carried. Mr. Pitstick made a motion to approve the minutes of the April 5<sup>th</sup> meeting; second by Mr. Ross. Roll call: two ayes, no nays, motion carried. Mr. Pitstick made a motion to pay the bills totaling \$37,791.33; seconded by Mr. Ross. Roll call: two ayes, no nays, motion carried.

Before proceeding with the regular agenda, Mr. Ross invited the nine residents from Beaconview Drive and Skyros Drive in Tanner Plat to comment on their concerns about various properties in their neighborhood. Several houses on Tanner Drive were noted because of vehicles parked in the front yard, pallets, construction materials, and other debris. Other issues mentioned were dogs, target practice, tall grass, and the narrowness of the roads. The Board was able to address some issues. Concerning animal complaints, Mr. Pitstick stated that Greene County Animal Control should be contacted. He explained that the township road department does handle noxious weed complaints, but not tall grass. It can take several weeks following a complaint before the weeds are removed. Mr. Ross suggested that a Homeowners' Association might be the best approach for problems that the township cannot handle and urged the residents to investigate establishing an association. He talked about the limited powers that a township has compared to a city. Mr. Miller, Zoning Inspector, reviewed what he has done about the trash accumulating on the vacant property at 9570 Adams Road. He has had trouble contacting the owner personally since he only has his phone number and no home address. Neighbors reported seeing the owner bring in junk from offsite to store on the property. Since taking an owner to court is such a lengthy process, Mr. Miller stated that he makes every effort to get an owner to comply without filing charges. Mr. Miller noted that the court may issue a fine for the violation but not order the owner to clean up the property. The only recourse is to file another complaint with the court. Mr. Miller reiterated Mr. Ross' remarks about a township's limited powers to deal with some situations and endorsed the idea of a Homeowners' Association but noted that there are downfalls with HOAs. Mr. Megson, 3790 Beaconview Drive, elaborated on the potential problems of a Homeowners' Association, noting that he enjoyed the amenities of township living, and further stated that he would be willing to talk to the neighbors about these various concerns. Mr. Heizer, Road Superintendent, noted their experience with the Sheriff's department concerning parking along the road. As long as two tires are on the grass they will not tow. However, Mr. Heizer stated that if the roadway is too narrow it cannot be plowed. Mr. Miller explained the procedure and difficulties involved in the removal of junk cars and the definition of a junk car. He will be contacting homeowners about parking cars in the front yard. Mr. Pitstick asked the residents to keep Mr. Miller informed about conditions in their neighborhood.

Noting that Mr. Ross was not at the March 29<sup>th</sup> meeting when he discussed the road repair schedule with the Board, Mr. David Anderson, 3600 Byron Road, stated that he had viewed the roads listed for repair ahead of Byron Road and that he believed Byron Road should be before them. Mr. Ross noted that the condition of the roads is evaluated annually and that the 5-year projection is only a guide. Mr. Anderson also mentioned the excessive speed, the narrowness, and the amount of traffic on Byron Road. Ms. Linda Collins, Fairborn Daily Herald, asked about the road survey. Mr. Pitstick explained that one of the Board members works with the Road Supervisor and that suppliers from various companies are consulted as well as the County Engineer. Mr. Ross noted that he, Mr. Heizer and Mr. Rhoades from the road department had recently attended a road preservation seminar presented by the Ohio Local Technical Assistance Program. Ms. Kassie Lester, 750 Herr Road, asked if there had ever been any engineering studies done on the roads with high truck traffic.

**STAFF REPORTS:** Mr. Heizer noted that they are working on the paver repairs. Reporting on the condition of the roads, he noted that there are issues with some of the work done last year. The Onyx surface on the park path has not maintained its color. Mr. Heizer believes Strawser will redo it. The chip seal in Country Acres is coming up. Mr. Heizer and Mr. Rhoades met with Luke Trubee and Jeff Baughn from Greene County and they agreed that there is an issue. The chip seal project was part of the Greene County Engineer's collective bid and has a one year warranty. There will be a meeting with Hensley next week. Mr. Pitstick and Mr. Heizer discussed whether a reapplication of the Onyx would be covered by the warranty. Mr. Heizer stated that Hensley might do a fog seal after redoing the chip seal. Strawser recommends waiting a year before doing Onyx. Mr. Heizer reported that the street sweeper is beyond repair. Concerning the road projects scheduled for the next few years, Mr. Heizer explained that roads originally designated for this year have been rescheduled. Ravenwood is scheduled

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for 2018—a more expensive project that requires milling and overlay. In 2019 Byron Road along with some roads initially scheduled for 2020 will be done. Byron Road will only be chip sealed. Mr. Heizer explained the difference between Onyx, mastic, and fog seal.

Mr. Miller, Zoning Inspector, reported that Jefferson, Spring Valley, Cedarville, and New Jasper are going to ban cultivation, processing and distribution of medical marijuana. Beavercreek and Sugarcreek townships are looking at a Resolution and Xenia Township has in place a six-month moratorium. Mr. Miller noted that he had received an inquiry from an individual wanting to set up a grow operation. He advised the Board that if they intend to enact a ban that they should take action before the state begins licensing.

**NEW BUSINESS:** Mr. Pitstick made a motion to approve reallocation in the General Fund for \$50 to Zoning-Other Dues & Fees from Zoning-Fidelity Bond Premiums; and in the Road Fund for \$50 to Other-Dues & Fees from Other-Professional & Technical Services; seconded by Mr. Ross. Roll call: two ayes, no nays, motion carried.

### Correspondence:

- Patricia Higgins, Development Coordinator: thank you from B-W Greenway for the Board's support
- Frank Harmon, Ohio Insurance Services Agency: OPEC-HC update noting possible changes in the health insurance contract—withdrawal notice by September 1 instead of July 1 and removal of 3-year commitment to membership on an annual basis.

The Board and Mr. Miller discussed a resolution that would prohibit issuance and processing of any permits allowing retail dispensaries, cultivators, processors of medical marijuana within Bath Township. The Board considered waiting for all three trustees to be present, but that wouldn't be until May 17. Mr. Miller noted that while the resolution does prohibit, it can also be revisited at a later time. Ms. Lester and Mr. Anderson questioned Mr. Ross' reasons for wanting to pass the prohibition. Stating that the issue can always be reconsidered should there be a compelling reason to do so, Mr. Pitstick made a motion to pass the proposed resolution number 17-2017; seconded by Mr. Ross. Roll call: two ayes, no nays, motion carried.

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

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Elaine M. Brown, Fiscal Officer

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Steven E. Ross, Chairman