

BATH TOWNSHIP BOARD OF TRUSTEES

September 20, 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. Martin, Mr. Pitstick, Mr. Heizer, Mr. Miller, Mr. Harrell, and Mrs. Brown. Mr. Martin made a motion to approve the agenda; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried. Mr. Martin made a motion to approve the minutes of the August 16th meeting; seconded by Mr. Pitstick. Roll call: Ross, abstain; Martin, aye; Pitstick, aye; motion carried. Mr. Martin made a motion to approve the minutes of the August 30th meeting; seconded by Mr. Pitstick. Roll call: Ross, aye; Martin, abstain; Pitstick, aye; motion carried. Mr. Pitstick made a motion to approve payment of the bills totaling \$68,662.02 which includes \$14,250 for the annual property/liability insurance premium and \$13,304.94 for park mowers; seconded by Mr. Martin. Roll call: three ayes, no nays, motion carried.

OLD BUSINESS: Mr. Ross reported that the Mad River Township Board of Trustees had returned a signed copy of the five-year agreement for maintaining Mud Run Road. (See minutes of August 30, 2017 meeting.)

STAFF REPORTS: Mr. Heizer, Road Supervisor, had obtained a proposal from Wagner Paving, Inc. to profile mill approximately ½" of deteriorating slurry seal surface on Clearcreek Trail costing \$8,500 plus \$100/hour for the pelican street sweeper in 2018. Mr. Heizer reported on the consultation with Ryan Terry who explained that any surface placed over the slurry seal will slide since the slurry is not bonded. The milling will go down to the old chip and seal surface. A chip and seal surface will be done after the milling. Mr. Heizer noted that he had checked with several contractors and Wagner's was the best price for the milling. The Township will handle the hauling and disposal of the millings as well as the sweepings. Wagner estimates 2.5 hours for the sweeper. Mr. Heizer plans to get a quote to do a 2" mill on Ravenwood with an overlay. He noted that Wagner was the subcontractor who did the overlay on Old Yellow Springs Road. Mr. Martin made a motion to accept the Wagner Paving proposal for milling Clearcreek Trail; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried.

Mr. Heizer requested that the Board establish a charge for call-outs to unlock the community room door. There was a brief discussion about ways to handle the problem. Mrs. Brown suggested getting a lock that automatically unlocks when the door is opened. Mr. Miller suggested adding a notice to the rental agreement that there would be a \$50 charge to unlock the door. Mr. Martin made a motion to charge a \$50 fee for unlocking the door and to add the notice to the rental agreement; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried. It was also noted that the 1992 GMC pickup sold today for \$950. The bed from the old cemetery pickup sold last week for \$300.

Mr. Ross read Mrs. Phillips' cemetery report. She provided pictures of the recently completed sidewalks. They are preparing to pour another round of footers and have enough orders for one more round. She requested approval to have TruGreen do a fall application. Mr. Ross made a motion to approve the TruGreen application as long as it doesn't exceed last year's price; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried. Mr. Heizer has agreed to have the Road Department assist with asphalt work on some deteriorating areas of roadway in the cemetery.

Mr. Miller, Zoning Inspector, reported on a recent case of an auto repair business in a residential-zoned area at 8355 Adams Road. He had issued a building permit in March for an accessory building but was not informed that it was for an auto repair shop. He sent a letter to the owner stating that a cease and desist order might be issued. In a return letter, the owner stated that they did not intend to deceive Mr. Miller about the use of the building. Possible remedies would be a use variance or spot zoning. Both would involve the neighbors. Stephanie Fasnacht, 8355 Adams Road, addressed the Board. She recounted the interactions with Mr. Miller during the time they had secured the zoning permit and built the structure noting that he had not said anything about the zoning prohibitions. Her impression of his recent inspection was that he portrayed himself as a customer. In response, Mr. Miller explained that he was waiting while a lady was being attended to. Mrs. Fasnacht explained further that this is a small business with word-of-mouth advertising, that enables her husband to stay a home with their children. Mr. Martin stated that the burden is on the land owner to know what the zoning is. Mr. Pitstick suggested that Mr. Miller continue to work with the Fasnachts about a possible remedy. Mr. Miller asked that it be noted on the record that he does not try to deceive anybody in his position as zoning inspector and takes

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offense to Mrs. Fasnacht accusing him of acting like a customer. Mrs. Fasnacht then apologized and asked that her apology be noted on the record as well.

Mr. Miller, Zoning Inspector, reported on his conversation with the owner of the former Greene Country Club property. Apparently, the owner had been approached by a Fairborn group about annexation. There was some discussion and speculation about what this might portend and what other properties might be involved.

NEW BUSINESS: Mr. Martin made a motion to approve the reallocations in the General Fund of \$11,810 to Machinery, Equipment and Furniture from Administration-Election Expenses \$6,000, Administration-Other Professional and Technical Services \$1000, Zoning-Compensation of Boards \$3450, and Payment to Another Political Entity \$1360; seconded by Mr. Pitstick. This reallocation was necessary to accommodate the purchase of the park mowers. Roll call: three ayes, no nays, motion carried. Mr. Martin made a motion to approve reallocations in the General Fund \$110 from Townhall-Property Insurance Premiums/Liability to Administration-Property Insurance Premiums/Liability and \$2100 from Other-Professional and Technical Services to Auditing Services; in the Cemetery Fund \$800 and \$400 to Improvement of Sites from Property Insurance Premiums; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried.

The Board reviewed the Fund Summary Report through August.

CORRESPONDENCE:

- Harmony Byrd, Community Relations Coordinator, Family Violence Prevention Center: letter about Domestic Violence Awareness Month and a request for a proclamation promoting community awareness. Mr. Ross read Resolution 25-2017 in which the Bath Township Board of Trustees proclaims October 2017 to be designated "Domestic Violence Awareness Month" and urges all citizens to join in the mission of the Family Violence Prevention Center of Greene County. Mr. Martin made a motion to approve Resolution 25-2017; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried.
- Joshua Hail, 202 E. Main Street: letter requesting permission to have a Trunk-or-Treat Event for the Pokemon Go group in the park on Sunday October 15 from 4-6pm. Mr. Martin made a motion to permit Mr. Hail to rent shelters 3 & 4 and use the two back parking lots for their event; seconded by Mr. Pitstick. Roll call: three ayes, no nays, motion carried.
- Frank Harmon, Ohio Insurance Services Agency: letter concerning Delta Dental renewal. There will be a 3% premium reduction starting in January, 2018, and no increase in Vision and Life premiums. Mrs. Brown noted that after conferring with Paul-Michael La Fayette, she had issued the monthly check to Ohio Insurance Services for all policies other than the OPEC-HealthCare.

In response to Mrs. Michelle Clements-Pitstick's question about the fire contract, Mr. Ross stated that negotiations would start soon since the contract expires December 31. She also asked about the paint on Wilkerson Road. Mr. Ross noted that the township did not file charges. Wilkerson is scheduled for fog seal within the next few weeks along with the other roads that were chip/sealed this summer.

Mrs. Kassie Lester, 750 Herr Road, reported on her conversation with County Engineer Geyer about "Hidden Drive" signs. He told her the signs give a false sense of security, and motorists don't read them, but it was up to the discretion of the township. Mr. Martin agreed that this was the conversation he had had with Mr. Geyer. Mrs. Lester again requested that the signs be installed. She described the situation. Mr. Pitstick agreed, noting that he pulls over as far as possible when he moves farm equipment along the road. Mr. Pitstick made a motion to install two signs; seconded by Mr. Martin. There was a brief discussion on placement. Roll call: three ayes, no nays, motion carried.

Mr. David Anderson, 3600 Byron Road, suggested evaluating whether the weeds in the field along Byron Road at the backside of Trebein on the Bluffs will provide an anti-drifting snow barrier for Byron Road.

Mr. Pitstick asked Mr. Heizer to put out cones or some kind of warning at the section of Herr Road that is scheduled for repair next week.

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Mr. Pitstick made a motion to go into Executive Session for the following reasons:

- ORC 121.22 (G)(1) The appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or the investigation of charges or complaints against a public employee;
- ORC 121.11 (G)(3) Conducting conferences with an attorney for the public body, concerning disputes involving the public body that are the subject of pending court action.

Mr. Martin seconded the motion. Mr. Ross noted that Assistant Prosecutor Hayden was in attendance. Roll call: Ross, aye; Martin, aye; Pitstick, aye. Motion carried.

Mr. Ross called the regular meeting back to order. There being no further business, Mr. Pitstick made a motion to adjourn; seconded by Mr. Martin. Roll call: three ayes, no nays, motion carried.

Elaine M. Brown, Fiscal Officer

Steven E. Ross, Chairman