

RECORD OF PROCEEDINGS

Minutes of

December 17, 2024 – SPECIAL BOARD MEETING

Meeting

RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held Minutes of BOARD OF TRUSTEES – BATAVIA TOWNSHIP

The Board of Trustees of Batavia Township met for a Special Board Meeting at 1:30 p.m. on Tuesday, December 17th, at the Batavia Township Community Center.

CALL TO ORDER

Following the Pledge of Allegiance, Jennifer Haley, Fiscal Officer, gave the roll call for the Board of Trustees. Present were: Mr. Parsons, Mr. Perry, and Mr. Sauls. Also present was Karen Swartz, Township Administrator, Cody Smith, Service Department Director, and Taylor Corbett, Planning and Zoning Director.

APPROVAL OF AGENDA AND MINUTES

Mr. Sauls motioned the Batavia Township Board of Trustees approve the December 17, 2024 agenda as presented. Mr. Perry seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Parsons | yes | |
| Mr. Sauls | yes | Motion carried |

Mr. Perry motioned the Batavia Township Board of Trustees approve the December 3, 2024 Regular Meeting Minutes as presented. Mr. Parsons seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Sauls | yes | |
| Mr. Parsons | yes | |
| Mr. Perry | yes | Motion carried |

NOMINATIONS/ELECTIONS OF CHAIRPERSON AND VICE-CHAIRPERSON FOR CALENDAR YEAR 2025

Chairperson Nomination/Election

Mr. Sauls motioned the Batavia Township Board of Trustees nominate and elect Randy Perry as Chairperson. Mr. Parsons seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Parsons | yes | |
| Mr. Sauls | yes | Motion carried |

Vice Chairperson Nomination/Election

Mr. Parsons motioned the Batavia Township Board of Trustees nominate/elect Jim Sauls as Vice-Chairperson. Mr. Perry seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Sauls | yes | |
| Mr. Perry | yes | |
| Mr. Parsons | yes | Motion carried |

COMMITTEE APPOINTMENTS – Central Joint Fire & EMS and Batavia-Union Cemetery

Mr. Parsons motioned the Batavia Township Board of Trustees appoint Jim Sauls and Randy Perry to serve on CJFED Board for 2025. Mr. Sauls seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Sauls | yes | |
| Mr. Perry | yes | |
| Mr. Parsons | yes | Motion carried |

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Mr. Perry motioned the Batavia Township Board of Trustees appoint Rex Parsons to serve on the Batavia-Union Cemetery Board for 2025. Mr. Sauls seconded the motion. On the roll being called:

Mr. Parsons yes
Mr. Sauls yes
Mr. Perry yes Motion carried

NEW BUSINESS

Resolution 12-01-2024

Mr. Sauls motioned the Batavia Township Board of Trustees adopt Resolution 12-01-2024 to compensate Township Trustees in the calendar year 2025 per ORC for a Township with a budget over \$6,000,000.00 and under \$10,000,000.00. Mr. Perry seconded the motion. On the roll being called:

Mr. Parsons yes
Mr. Perry yes
Mr. Sauls yes Motion carried

Resolution 12-02-2024

Mr. Sauls motioned the Batavia Township Board of Trustees adopt Resolution 12-02-2024 to authorizing Batavia Township to become a member of the Coalition of Large Ohio Urban Townships (CLOUT) as part of the Ohio Township Association and to pay the 2025 annual CLOUT membership dues in the amount of \$200.00. Mr. Perry seconded the motion. On the roll being called:

Mr. Perry yes
Mr. Sauls yes
Mr. Parsons yes Motion carried

Resolution 12-03-2024

Mr. Perry motioned the Batavia Township Board of Trustees adopt Resolution 12-03-2024 requesting the advancement of payments to the Township of payments to the Township Fiscal Officer of 2024 real estate taxes collected by the County Auditor for both halves in 2025. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls yes
Mr. Perry yes
Mr. Parsons yes Motion carried

Resolution 12-04-2024

Mr. Perry motioned the Batavia Township Board of Trustees adopt Resolution 12-04-2024 to compensate the Township Fiscal Officer in the year 2025 per ORC for a Township with a budget over \$6,000,000.00 and under \$10,000,000.00. Mr. Sauls seconded the motion. On the roll being called:

Mr. Sauls yes
Mr. Parsons yes
Mr. Perry yes Motion carried

Resolution 12-05-2024

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

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Mr. Sauls motioned the Batavia Township Board of Trustees adopt ~~Resolution 12-05-2024~~ dispensing the requirement that a resolution is read on two separate days, and hereby authorizes the adoption of further 2025 resolutions upon its first reading. Mr. Perry seconded the motion. On the roll being called:

Mr. Parsons yes
Mr. Sauls yes
Mr. Perry yes Motion carried

Resolution 12-06-2024

Mr. Sauls motioned the Batavia Township Board of Trustees adopt Resolution 12-06-2024 to retain David Frey, with the law firm Nichols, Speidel & Nichols, as the Township’s Legal Counsel for 2025 at the rate of \$190.00 per hour. Mr. Perry seconded the motion. On the roll being called:

Mr. Sauls yes
Mr. Perry yes
Mr. Parsons yes Motion carried

Resolution 12-07-2024

Mr. Perry motioned the Batavia Township Board of Trustees adopt Resolution 12-07-2024 authorizing the contract for accounting service to assist the Township in financial statements preparation and other accounting services performed in 2024 with Hurst Kelly and Company, LLC, in the amount of \$5,700.00. There was discussion. Mr. Sauls seconded the motion. On the roll being called:

Mr. Perry yes
Mr. Parsons yes
Mr. Sauls yes Motion carried

Resolution 12-08-2024

Mr. Sauls motioned the Batavia Township Board of Trustees adopt Resolution 12-08-2024 authorizing the adoption of Temporary Appropriations for the year 2025. Mr. Perry seconded the motion. On the roll being called:

Mr. Parsons yes
Mr. Sauls yes
Mr. Perry yes Motion carried

Resolution 12-09-2024

Mr. Sauls motioned the Batavia Township Board of Trustees adopt Resolution 12-09-2024 approving a contract with Choice One Engineering Corp. to prepare plans and construction bidding documents for pickleball courts at the Batavia Township Park and issue a purchase order for services in 2025, in the amount of \$16,090.00. There was discussion. Mr. Perry seconded the motion. On the roll being called:

Mr. Sauls yes
Mr. Parsons yes
Mr. Perry yes Motion carried

Staff Travel & Training

Mr. Sauls motioned the Batavia Township Board of Trustees approve travel for the two staff members to attend the Certified Playground Safety Inspector Training, March 31 through April

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2, 2025, located in Cincinnati, Ohio in a total amount not to exceed \$1,500.00. Mr. Perry seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Sauls | yes | |
| Mr. Parsons | yes | Motion carried |

Appointment Approval

Mr. Perry motioned the Batavia Township Board of Trustees appoint Jennifer Haley, Fiscal Officer as the Representative and Karen Swartz, Administrator, as Alternate to the Ohio Township Association Risk Management Authority (OTARMA). Mr. Sauls seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Parsons | yes | |
| Mr. Sauls | yes | |
| Mr. Perry | yes | Motion carried |

Mileage Reimbursement Rate

Mr. Sauls motioned the Batavia Township Board of Trustees approve setting the mileage reimbursement rate at \$0.70 cents per mile in 2025 per the IRS and effective January 1, 2025. Mr. Perry seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Parsons | yes | |
| Mr. Sauls | yes | Motion carried |

Parade Donation

Mr. Perry motioned the Batavia Township Board of Trustees donate \$500 to the Amelia Christmas Parade, LLC for operations of the 2024 parade. Mr. Sauls seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Parsons | yes | |
| Mr. Perry | yes | |
| Mr. Sauls | yes | Motion carried |

Date Designation

Mr. Sauls motioned the Batavia Township Board of Trustees designate December 24, 2024 as a full day off for the staff for Christmas. Mr. Perry seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Sauls | yes | |
| Mr. Parsons | yes | Motion carried |

Payment Authorization

Mr. Sauls motioned the Batavia Township Board of Trustees authorize the following payments:

| Vendor | \$ Amount | Fund/PO | Purpose |
|-----------------------------------|--------------|-----------------------|--------------------------------------|
| PES | \$199,846.50 | PO 20-2024 General | Splashpad/Playground Improvements |
| Southeastern Equipment Company | \$57,100.00 | PO 72-2024 | Road Widener |

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| | | | |
|---------------|---------------------|------------|--|
| JDC | \$5,695.00 | PO 71-2024 | Repairs Vac Truck |
| Baxla Tractor | \$17,549.00 | PO 68-2024 | 2024 Zero Turn Kubota |
| Mills Fence | \$21,820.00 | PO 66-2024 | 515 ft. Guardrail on Product Rec'd Greenbriar |
| Ohio Cat | \$92,901.00 | PO 67-2024 | New Caterpillar Model 305 Product Rec'd Excavator & Accessories |
| TOTAL: | \$394,911.50 | | |

Mr. Parsons seconded the motion. There was discussion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Parsons | yes | |
| Mr. Perry | yes | |
| Mr. Sauls | yes | Motion carried |

TRUSTEES DISCUSSION/OTHER ITEMS

The Sheriff's Contract was executed for three more years. Karen did a ride-along last night and observed the collaboration of local law enforcement departments. There was discussion about the response of the Batavia Township Deputies to calls on Batavia Village properties with no response from the Batavia Village Police Department to those particular calls.

Karen shared with the Trustees information about the Veteran's Golf Club properties and their tax exemption request from the County while under construction.

There was discussion about the Ohio Pace Program (a state-funded financing program). Karen will get more information and present it at the February meeting.

The Township Association Meeting is scheduled for January 16, 2025.

There was discussion about the park amenities, maintenance, etc.

RECESS

Mr. Perry motioned the Batavia Township Board of Trustees to recess the meeting until the Public Hearing at 6:00 p.m. Mr. Sauls seconded the motion. Time: 3:12 p.m. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Perry | yes | |
| Mr. Parsons | yes | |
| Mr. Sauls | yes | Motion carried |

After the Pledge of Allegiance, the Special Board Meeting reconvened at 6:00 p.m. with all members present.

PUBLIC HEARING 6:00 P.M. Farmstead Development Case # B-06-24Z-PD

Taylor Corbett, Planning and Zoning Director explained to those in attendance why the Zoning Meeting was rescheduled for December 17th instead of December 3rd due to errors in the publication of the legal notice with the Clermont Sun.

Jonathon Wocher gave a summary of the case. Copies of the Staff Report were available for those in attendance. The application was submitted by M/I Homes, requesting approval to rezone 117.4 acres from A-Agricultural District and ER-Estate Residential District to PD-Planned Development District at 3648 SR222 on the east side of SR 222 and the north side of SR 222 and Chapel Road.

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Justin Lanham with M/I Homes spoke on behalf of the development and presented some slides. These homes are expected to start in the high \$300,000 range. There would be ranches and two-stories ranging in square footage from 1500 to over 3,100, some on slabs and some with basements. The Trustees had questions and there was discussion. There is concern about lot sizes with 28 of the 60-foot lots were over 75 feet at the building line.

Nick Selhorst from Choice One commented about the traffic on SR222. Mr. Perry asked about the turn lanes with Chapel Road and SR 222. ODOT acknowledged there is a safety issue, but not enough crashes in their system to warrant a traffic study.

Chris McKinley, 3596 Woodview Lane, is a Stonegate resident who spoke about safety and density, and a study for all of the SR 222 area.

Kevin Cornell, 3604 Woodview Lane is a new resident who looked at 2 acre lots originally proposed. He was discouraged by the farm left on the site. He questioned if there could be a light at Stonegate.

Josh Phillips, 4100 SR 222 shared his concerns about safety and crashes in his yard. He is asking for a reduction in the proposed plan.

Katy Schmidt, 2156 Snyder Rd., spoke about density and safety. She feels too much attention is being put on quantity, not quality.

Betty Howell, 3784 SR 222, spoke about traffic and the density. She gave traffic statistics.

Lincoln Lutz, 3925 SR 222, has concerns about the traffic accidents, including those that have happened even since the last meeting. Many of these accidents go unreported.

Bill Albright, 4316 Marbe Lane, spoke against any more houses or developments. There are too many houses and not enough businesses. He spoke against intersections, including the intersection in the village of Main Street and SR 222.

Tim Fitzpatrick, 2124 Union Chapel Rd., spoke about the history of the farmer's property.

The Board of Trustees took a break from public testimony from 7:45 p.m. until 7:53 p.m.

Eleia Nessler, 3625 SR222, stated she is a 2-year resident and noted there have been so many accidents and is concerned about traffic safety for her family even leaving her home onto Union Chapel.

Pamela Hoyle, 3572 Woodview Lane, commented about the traffic and why there are two entrances.

John Deck, 3589 Woodview Lane, spoke about the density and traffic issues. It is very difficult to make a left turn towards Batavia.

Debbie Davidson, 2265 Snyder Rd., would create traffic issues and doesn't want the development.

Terry Brothers, 29 Terrick Lane, Amelia, commented he feels the smaller homes are not needed and could be eliminated.

Barb Bruner, 3884 SR222 stated we need larger lots and that the Township has unique opportunities to offer at least half acre or one acre lots. She had to wait one morning for 30 cars to pass her driveway before she could pull out. There are crashes in her yard and she has concerns about the volume.

Ed Schmidt, 2156 Snyder Rd., Batavia, commented on the density and safety of SR22 and it's up to the Township to protect its residents.

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John Gray, 3620 SR222, wants larger lots and is opposed to this plan as presented. He would like to see a traffic study before this is voted on. Mr. Gray put out a survey on social media of those supporting and those not supporting the development, and would they want a referendum on this plan, or if they were interested in changing the PD zoning. Mr. Gray spoke about requirements versus recommendations in a zoning resolution. He asked the Trustees to change the PD zoning to include real hard requirements and stick to them; the second item would be size. He feels less than a quarter acre is not reasonable. Thirdly, he asked how do you calculate density.

Don Kroner, 2186 Union Chapel Rd has concerns about fire safety with the smaller setbacks on the smaller lots.

Justin Lanham gave some final comments.

With no further public comments, the public portion of the meeting closed at 8:30 p.m.

Jonathon Wocher offered more comments about options, conditions, recommendations, modifications, and clarifications.

Mr. Sauls prefers to first see a traffic study and have the developer resubmit a new plan, and to continue this meeting/application when the developer is ready.

Mr. Parsons has major concerns about not including the agricultural portion/parcel adjacent to these homes and make these nicer lots.

Motion

Mr. Perry motioned the Batavia Township Board of Trustees to continue the hearing until a later date to address some concerns such as ODOT traffic impact study, side yards, buffers, nicer lots, etc. Mr. Sauls seconded the motion. On the roll being called:

| | | |
|-------------|-----|----------------|
| Mr. Sauls | yes | |
| Mr. Parsons | yes | |
| Mr. Perry | yes | Motion carried |

There were a few questions and answers.

ADJOURNMENT

With no further business to come before the Board, Mr. Perry motioned to adjourn the meeting. Mr. Sauls seconded the motion. Meeting adjourned at 8:46 p.m.

Rex A. Parsons,
Chairman

Jennifer Haley,
Fiscal Officer