

## BATH TOWNSHIP BOARD OF TRUSTEES

December 15, 2021

This regular meeting of the Bath Township Board of Trustees was held at the Bath Township Hall and live-streamed on Facebook Live-Bath Township, Greene County, OH. Mr. Pitstick called the in-person meeting to order at 7:00pm with the pledge. Other township personnel in attendance were Mrs. Lester, Mr. Bales, and Mrs. Brown. Mr. Pitstick noted that we were experiencing problems with the live-stream on Facebook.

Mrs. Lester made a motion to approve the amended agenda adding Resolution 07-2022; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Mrs. Lester made a motion to approve the minutes of the December 1<sup>st</sup> regular meeting; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Mrs. Lester made a motion to approve payment of bills totaling \$69,294.74; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

### STAFF REPORTS:

#### Administrator's Report, dated December 13, attached.

- Mr. Bales reported on a great orientation meeting with the Trustees-elect. They reviewed various township issues, programs, policies, and procedures. Greene County Prosecutor David Hayes and Assistant Prosecutors Stephen Haller and Ashley Caldwell gave an exceptional overview about the services they offer the township.
- Last week he attended the Ohio Grants Summit put on by the Office of Budget and Management. Topics included allowable uses, compliance, and legal considerations with Fiscal Recovery Funds.
- He also attended the annual Workers' Compensation Education training seminar. BWC requires annual training for a representative of the Township.
- He reviewed several items that will be voted on during New Business.
  - Resolution 62-2021: This authorizes Mr. Bales to sign the participation form to join Bath Township in the OheOhio Subdivision Settlement-Johnson & Johnson Opioid Settlement Participation
  - Paul-Michael La Fayette, the attorney for Bath Township and 36 other public entities in the Bloom Township RE: Stark County Litigation (OPEC-Ohio Insurance Services Case) is moving his practice from Mazanec, Raskin & Ryder Co. to Freeman, Mathis & Gary, LLP. Bath Township may vote to stay with the current firm, move with the attorney to his new firm, or select another firm. Mr. Haller recommended staying with Mr. La Fayette since he has been on the case from the beginning.
- **Road Report:** The road crew spent two days working with the City and their jet truck cleaning out the storm drains and the water separator pit in the garage. Mr. Bales thanked the City for their assistance. Over the weekend the crew responded to four different fallen tree calls due to the high winds.
- **Cemetery Report:** There have been nine burials since last report and four burials on the books so far for this week. Three quotes have been submitted for replacement tracks for the Skid Loader and the Track Hoe—Triple S Tire Company, \$6050; United Skid Tracks, \$5580; and Midwest Equipment Sales, \$5456. A previous purchase was from Midwest. Mrs. Lester made a motion to approve the purchase of the tracks from Midwest Equipment Sales for \$5456; seconded by Mr. Pitstick. Roll call: two ayes, motion carried.
- **Zoning Report:** Concerning the Joseph Sunday property, a certified letter was sent on December 3<sup>rd</sup> and the public notice appeared in the Fairborn Daily Herald on December 7<sup>th</sup> which begins the 20-day period in which Mr. Sunday can ask for an appeal hearing.
- Mr. Bales wished all a Happy Holiday, Merry Christmas, and a prosperous new year. He thanked Mr. Pitstick for his service to the township and stated that he was looking forward to working with the new trustees.

**OLD BUSINESS:** none

### NEW BUSINESS:

- Mrs. Lester made a motion to reallocate in the General Fund \$76 to Townhall-Garbage & Trash Removal from Repairs & Maintenance and \$30 to Administration-Other-Dues & Fees from Fidelity Bond Premiums; and in the Road Fund \$1700 to Repairs & Maintenance and \$150 to Office Supplies from Machinery, Equipment & Furniture. Mr. Pitstick seconded the motion. Roll call: two ayes, no nays, motion carried.

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- Concerning the Bloom Township Re: Stark County Litigation, Mr. Pitstick explained that in 2017 Bath Township joined with 36 other Ohio public entities to reach a settlement with The Jefferson Health Plan for run-out claims from OPEC-HC members. (Our health insurance company at that time was Ohio Insurance Services owned by Frank Harmon. Bath Township became a member of his Ohio Public Entity Consortium-Healthcare Cooperative in September 2014). Bloom Township hired Paul-Michael La Fayette, an attorney then with Bricker & Eckler LLP, to handle the litigation. The other entities became intervening parties. Mr. Pitstick concurred with Mr. Haller's opinion to stay with Mr. La Fayette. Mrs. Lester made a motion to stay with Mr. La Fayette as he moves his practice from Mazanec, Raskin & Ryder Co. to Freeman, Mathis & Gary, LLP. Mr. Pitstick seconded the motion. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve **Resolution 60-2021**: Supplemental Certificate of Resources for \$3.61 in the CARES Fund; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve **Resolution 61-2021**: Supplemental Appropriation of \$3.61 in the CARES Fund--Machinery, Equipment & Furniture; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve **Resolution 62-2021**: An emergency resolution authorizing Pete Bales, Bath Township Administrator, on behalf of the Bath Township Trustees, to execute the Participation Agreement for the OneOhio Subdivision Settlement with Janssen/Johnson&Johnson pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed Settlement Agreement. Mr. Pitstick seconded the motion. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve **Resolution 08-2022**: Providing for the appointment of John Heins for a five-year term on the Zoning Commission, beginning January 1, 2022; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve **Resolution 09-2022**: Providing for the appointment of Clarinda Smith for a five-year term on the Board of Zoning Appeals, beginning January 1, 2022; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.
- Mrs. Lester made a motion to approve the amended **Resolution 07-2022**: appointing Teresa Phillips Cemetery Supervisor and Secretary/Office Manager at the hourly rate of \$27.25; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried.

**CORRESPONDENCE: none**

### TRUSTEES' REPORTS:

- Mrs. Lester wished all a Merry Christmas, Happy Holidays, and Happy New Year and called for a round of applause thanking Mr. Pitstick for his service to Bath Township.
- Mr. Pitstick gave a report on the state of the township. He made note of the following: the roads are in good condition with a long-range plan; Byron Cemetery is well-run, financially sound, and the nicest in the area; township equipment is in good shape with a long-range replacement plan; funds are adequate to carry out business; excellent workers with the new employees doing well; a fire contract in place for the next 19 years; and finally the hiring of a township administrator, Pete Bales, who has given the township an air of professionalism and expertise in government management.

### AUDIENCE COMMENTS:

- Mrs. Lynn Pitstick, Herr Road, thanked her husband for the time he has given to the township.
- Ms. Jeri Luce, SR 235, a former School Board member, thanked Mr. Pitstick for his work with the township and his support for the Fairborn School Board. She expressed the hope that the new Board will have their heart in the township as he has had.

Mrs. Lester made a motion to adjourn; seconded by Mr. Pitstick. Roll call: two ayes, no nays, motion carried. Time 7:20pm.

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Elaine M. Brown, Fiscal Officer

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Tom Pitstick, Chairman