

BATH TOWNSHIP BOARD OF TRUSTEES

October 6, 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 and roll call. Other township personnel in attendance were Mrs. Lester, Mr. Ross, Mr. Miller, Mr. Bales, and Mrs. Brown.

Mrs. Lester made a motion to approve the amended agenda, removing the Executive Session item; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Mrs. Lester made a motion to approve the minutes of the September 15th meeting and the Special meetings on September 20 & 29; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Mr. Ross made a motion to approve payment of bills totaling \$80,773.50 and a transfer of \$6,003.40 from the checking account to the Perpetual Care savings account; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried.

INVITED GUESTS: none

STAFF REPORTS:

Administrator's Report, dated October 4, attached.

- Goose Issue: Beaver Creek Township sprayed grape seed oil on selected areas of the grounds on September 27th. So far, the geese have stayed away.
- Bath Township welcomed three new employees: Matt Spencer started September 27 at the Cemetery, and Coy Payton and Brad Eakle started October 4 at the Road Department.
- Mr. Bales provided a list of projects suggested at the public meetings for American Rescue Plan Act funding. He noted that a Ravenwood Ditch Drainage Study done in 2001 estimated the cost to install a concrete culvert the full length of the ditch to be \$2.8 million. Since this far exceeds the \$809,200 ARPA funds, he suggested that the Board hold a work session to consider other projects.
- At the Special meeting on September 29, the Board passed a Resolution to honor retiring Fairborn Fire Chief David Reichert. It was presented to him by the Trustees at his retirement ceremony on September 30. Ryan Williams was sworn in as the new chief at that time.
- John J. Jurgensen will be performing the base repairs and resurfacing on Clearcreek Trail this week, weather permitting. They will also be working on Armstrong Road.
- Mr. Bales is working with Choice One Engineering and the Greene County Engineer to assemble a grant for improvements on Linebaugh Road. He has had preliminary discussions with Fairborn Cement Company about their participation in the project.
- Road Department: updated the five-year Capital Equipment Replacement Plan; repaired storm pipe on Bernice; installed Knox Box; Durapatching completed; the bucket truck was used to do tree trimming in Bath Township and to help Miami Township with their tree trimming; work zone safety equipment was replaced with OSHA compliant equipment.
- Cemetery Department: there have been 13 burials since last report and two more pending for this week. Two more rounds of foundations have been poured. Mrs. Phillips submitted the third quarter sales report that showed a \$74,000 increase (22%) compared to the 2020 3rd quarter report.
- Concerning political signs: Mr. Bales read excerpts from the Bath Township zoning code-Section 704 Setback Requirements and Section 705.1 Political Signs.

Zoning Inspector's Report:

- Mr. Miller noted that there would be a BZA hearing on October 12 concerning a front yard setback change from 50 feet to 40 feet on an Appaloosa Drive property. Notices have been sent to all properties within 500 feet of the property.
- Concerning Spangler Road property: the State and the County have resolved who has control of that stretch of right-of-way, but a sliver of land along Spangler Road that was not deeded at the time of the land transfer is still in question. Mr. Miller has mentioned that the property is overgrown to Mr. Berger, who is handling the property. Mr. Berger requested an email from Mr. Miller to present to the owner.
- The weed complaint on National Road has been resolved and clean-up has begun on the Old Yellow Springs Road one.

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- Concerning the Joseph Sunday property on Bath Road: the Health Department filed charges. The Court issued a warrant instead of a summons which was served at the vacant Bath Road property. A summons needs to be sent to Mr. Sunday's Washington D.C. address. Mr. Miller will follow up on the matter.

OLD BUSINESS: none

NEW BUSINESS:

- Mr. Ross made a motion to reallocate \$9000 in the Gasoline Tax Fund to Operating Supplies (Highway Materials) signs/rails from Operating Supplies (Highway Materials) crack sealant; and \$6,000 in the Road Fund to Contracted Services from Machinery, Equipment, and Furnitures; seconded by Mrs. Lester. Roll call: three ayes, no nays, motion carried.
- The Board reviewed the Fund Summary Reports through September 30. Appropriation and Revenue Status reports and Receipts and Payments listings for September were sent electronically.
- Mr. Pitstick read Resolution 50-2021 Authorizing the Expenditure of CARES Funding for Township Hall Improvements. The authorization is for an amount not to exceed \$14,109.83 for the purchase of meeting room furniture, computer hardware equipment, and the installation of an automatic door entry system. Mrs. Lester made a motion to approve the resolution. Mr. Ross seconded the motion with discussion. Mr. Ross asked Mr. Bales to explain the source and purpose of this funding. Bath Township received money from the Federal Government (\$394,491.80) which was used for COVID leave, improvement to telework capabilities, cemetery fuel tanks, PPE supplies and a refund to Greene County Auditor for redistribution in Greene County (\$340,000). The balance was retained to cover any COVID leave for employees for the first quarter of 2021. After that deadline, the money could still be used to limit potential exposure to the COVID-19 virus. The money cannot be spent for infrastructure. It must comply with the CARES Act directive. Mr. Pitstick noted that the automatic door entry will be ADA compliant as well. Roll call: three ayes, no nays, motion carried.
- Mr. Bales submitted an Indigent Burials and Reimbursement Policy for the Board's review. The policy provides a step-by-step procedure to determine indigency, internment, and reimbursement by the State of Ohio. Mrs. Lester made a motion to adopt the policy; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried.

CORRESPONDENCE: none

TRUSTEES' REPORTS:

- Mr. Ross reported on the Fairborn Rotary meeting. Greene County Engineer Stephanie Goff spoke about possible solutions for the three intersections in Bath Township-- Trebein at SR235 and Garland and SR235 at Byron. She is looking at round-a-bouts and closing south Byron Road at SR235; but nothing is definite at this time. Mr. Ross noted that Fairborn High School Superintendent Gene Lolli had announced that he has kidney cancer. Mr. Ross asked for prayers for him.
- Mrs. Lester stated that she believes signs on cemetery property are disrespectful and in order to avoid confusion, signs should not be allowed on any township property. Mr. Ross added that this should include in-ground and hand-held signs at the township hall on election day. Mrs. Lester made a motion to prohibit all signs on township property; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Mrs. Lester asked the voters to do their research and make an informed decision about Issue #1. Mrs. Lester noted that this week is National Fire Prevention Week. She asked that everyone take the opportunity to thank a fire fighter and personally thanked Zack Pitstick, who was in attendance. Mrs. Lester reported that Fire Chief David Reichert's retirement ceremony was a very nice and moving event.
- Mr. Pitstick addressed the statement Mrs. Sams read at the last meeting concerning EPA restrictions on land applications from the biodigester. Mr. Pitstick noted that only one of the restrictions applied to his farming operation.

AUDIENCE COMMENTS:

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- The following people addressed the Board stating that the Dovetail biodigester is having a detrimental effect on the communities of Fairborn and Bath Township **and/or** addressed Mr. Ross and Mr. Pitstick claiming their unfitness for the position of Trustee: David Anderson, Byron Road; Theresa Gum, Sharon Drive; Susan Nelson, N. Maple Avenue; Chris Gayheart, Artesian Lane; Pam Gayheart, Artesian Lane; Gary Goldblatt, Timberwyck Court; Stephen Sheets, Arabian Drive; Jillian Kennedy, Conservation Circle; Sarah Fulton, Byron Road; Aaron Ware, Baywood Drive; Karla Sams, Erie Avenue; Lorie Venable, Sunset Canyon Court;

On other subjects:

- David Anderson, Byron Road, spoke about Mr. Ross' appointment to John Martin's vacated seat stating that this was done so that Mr. Ross didn't have to run against Mrs. Lester in the 2019 election.
- Steve Curtis, Cornerstone Trail, opposed the Board's decision to prohibit signs on Township property. Concerning the biodigester, he stated that he had read the application and the permit and determined that information there refutes certain allegations made by members of the public.
- Sarah Fulton, Byron Road, had questions concerning a citizens' advisory group that would be given access to executive sessions with the attorney concerning the biodigester.
- Aaron Ware questioned whether the manpower needs of the township are properly determined and stated that the Trustees are derelict in their duties by hiring a township administrator.
- Dan Kirkpatrick, Meadowlands Drive, announced a second candidates' night at St. Mark's Lutheran Church, on October 14. Mr. Kirkpatrick is hosting the event that is being sponsored by the Greene County Tea Party. Aaron Ware questioned the motives of the event, stating that Candidate Clements had to recuse herself or be in violation of the Hatch Act.
- Michelle Clements, W. Enon Road, stated that due to her full-time job, attending this candidates' night is a gray area, but she will be sending a representative.
- Joe Batman, N. Enon Road, recommended that road department work be outsourced. He asked why the Trustees do not have keys to all township buildings. Mr. Ross explained the reasons for hiring a township administrator which was something the County Prosecutor's Office highly recommended.
- Zack Pitstick, W. Enon Road, explained that his wife, Michelle Pitstick, is not using her married name because of his family connection with Mr. Pitstick's farming operation.

Mrs. Lester made a motion to adjourn; seconded by Mr. Ross. Roll call: three ayes, no nays, motion carried. Time 8:33pm.

Elaine M. Brown, Fiscal Officer

Tom Pitstick, Chairman