

RECORD OF PROCEEDINGS
REGULAR MEETING

Minutes of

Meeting

Held May 16 11
20

The Bath Township Board of Trustees met in the Trustees Meeting Room on May 16, 2011, at 4:00 pm for the purpose of conducting the business of the Township. The President of the Board, Mr. James Nelson, convened the meeting. Trustees present were Mrs. Elainea Goodrich and Mr. James Nelson.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Mrs. Goodrich moved approval of the agenda. Mr. Nelson seconded the motion; the motion passed.

FISCAL OFFICER, Sharon Troike

The Fiscal Officer requested, and Mrs. Goodrich moved, to approve requisitions and regular purchase orders 2011-06-0637 through 2011-06-0680, and payments totaling \$146,551.78. Mr. Nelson seconded the motion and the Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer requested, and Mrs. Goodrich moved, to approve intra-fund transfers in the amount of \$3,849.13. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer reported the financial statements through April had been reviewed and were available for public view.

The Fiscal Officer reported four bids were received and opened for the janitorial services contract for Bath Township. The bids were:

- Your Building Maintenance (YBM) \$21,600 per year for 3 years
- Ajax \$22,115 first 2 years, then \$23,220, 3rd year
- Jan I King \$24,300 per year for 3 years
- Janco \$27,204 per year for 3 years

The Fiscal Officer announced Correspondence, Board, Commission, and Committee logs were available for public view.

DEPARTMENT HEADS AND ADMINISTRATORS

Police Chief Michael McNeely

Report:
No report was given.

Recommendations:

Chief McNeely recommended, and Mrs. Goodrich moved, to increase Zachary Honaker's hourly part-time rate to \$20.15 per hour, effective May 16, 2011, in accordance with the Bath Township Organizational Resolution. Mr. Nelson seconded the motion; the motion passed.

Interim Fire Chief Timothy Gemind

Report:
No report was given.

Recommendations:

Interim Chief Gemind recommended, and Mrs. Goodrich moved, to accept, with regret, a letter of resignation from Fire Medic Mike Lester, effective April 26,

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2011. Mr. Nelson seconded the motion; the motion passed.

Service Director Robert Wilson

Report:

No report was given.

Recommendations:

Mr. Wilson requested the Trustees consider Resolution 2011-19.

Mr. Nelson presented the following Resolution and moved its adoption:

RESOLUTION 2011-19
TO ENTER INTO AN AGREEMENT WITH THE
COUNTY OF SUMMIT FOR PAVEMENT MAINTENANCE

WHEREAS, the Bath Service Director has determined that certain roadways are in need of repair; and,

WHEREAS, the Summit County Engineer and Bath Township Trustees desire to enter into an agreement to confirm the project construction costs and to designate the County Engineer as the lead agency for the administration of competitive bidding; and

WHEREAS, the projects estimated cost for construction, construction engineering, and inspection would be performed by the county;

NOW THEREFORE BE IT RESOLVED that the Bath Township Board of Trustees authorizes the signing of an agreement with the County of Summit for its 2011 Pavement Maintenance Program in Bath Township for the following projects:

1. Crack Seal Program for the following roadways: Pin Oak Road and Aspenwood Drive; N. Ridge Drive, Willow Lane, and Stone Gate Blvd; Shaw Road Ext.; Wye Road; Roberts Ridge and Charles Lane; Sandin Road; Robinwood Hills Drive, Inner Circle; Candlewood Lane; Arbour Green, Autumn Leaves, Mallard Pond, and Darlington drives.
2. Mill and fill with #448 base (8%) repair: Olentangy Drive from concrete surface to Bath Hills Blvd.; Maple Leaf Hill, Reserve Drive and Raintree Road.
3. Pave and Seal #405 and #409: Knollwood Lane and Lakeview Drive from N. Revere to #2056 Lakeview Drive (from #2056 to Boltz Road); Big Spruce Drive, Harvest Drive, Idlebrook Drive; Woodhaven Blvd.; Ranchwood Spur; Rolling View Drive, Springcrest Drive, Bittersweet Drive; Tee Drive; Retreat Drive; Heather Hills Rd.; Briar Hill Spur, Cliff Spur, Derrwood Drive, Fox Chase Dr.; Green Drive, Fairway Drive, Montrose Ave., Clouse Ave.
4. Rejuvenate 4 roadways: Arbour Green, Autumn Leaves, Mallard Pond, and Darlington Drives
5. 10-12" Pulva-mix and #409 seal coat for Aegean Drive.

Resolution seconded for discussion purposes by Mrs. Goodrich. Discussed and Roll call:

Mrs. Corbett, Absent
Mrs. Goodrich, Aye

Resolution Adopted

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Mr. Nelson, Aye

Parks Administrator Michael Rorar

Report:

No report was given.

Recommendations: None

Zoning Inspector/Administrator William Funk

Report:

In light of his absence at the May 2, 2011 Regular Trustees' Meeting, Mr. Funk presented his April report.

During the month of April - 9 zoning permits were issued in the following categories:

Type of Permit	Number Issued
Accessory Structure	4
Business Use	0
Commercial Addition	1
Fence	0
New Commercial Building	0
New Residential Dwelling	0
Residential Addition	1
Sign	2
Swimming Pool	1
Minor Subdivision or Recombination	
Major Subdivision	
Outdoor Seasonal Storage	

*no permit issued for recombination's or subdivisions

- Fees collected totaled \$1,401.00

Zoning Commission

April 7, 2011 -Work Session

Topics of discussion: Zoning Commission reviewed and approved work session minutes of March 3, 2011. March Zoning Report was presented by the Zoning Inspector. There were seven permits issued for March which included two business uses, two accessory structures, one sign permit, one temporary outdoor display permit, and one minor subdivision was also issued. First phase of the Yellow Creek house has been done and second phase to be completed in July. There has been a request to relocate on an existing cell tower located on ODOT property by I-77 and it will be sent to BZA. The Stein property owners will be resubmitting rezoning request for property on Rt. 18. The Comprehensive Plan's recommendation is to continue the business zoning from Crystal Lake to N. Hametown Road on Rt. 18. Currently, there are no plans for the BP sites. Appearance Review Commission did not review any cases in March.

Zoning Commission Chairman explained that Ms. Moeller has worked on the updating of the Comprehensive Plan and the Trustees have accepted this plan and now the sub-committee members and consultant will start the implementation process to our zoning resolution. Wendy Moeller of Compass Point then outlined the timeline for the zoning

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resolution update and asked each sub-committee member to state some of the issues and concerns they would like to see with the update of the zoning resolution. Copies of the updated Comprehensive Plan will be distributed before the next meeting. The next regularly scheduled meeting will be on May 5, 2011 at 7:00 p.m.

Board of Zoning Appeals

BZA-11-05

Mike and Anita Marks, 3562 Knollwood Lane, requesting variance approval from Article III, Section 301-4-P-1 b and c for a front yard location and a reduction in the side yard to construct an accessory structure. – R-2.

BZA-11-06

Bath Township Ira Road Facility, 3863 Ira Road, requesting Conditional Use Approval per Article IV, Section 402-3-D for proposed changes to buildings and site review, R-2.

Old Business

BZA-11-01

Susan Moore, Arkinetics Inc. for Circle K Gas Station, 791 N. Cleveland-Massillon Road, requesting variances from Article IV, 406-4-B, C and D for reduction of the minimum front, side and rear yard setback and from Article IV, Sections 411 for construction within the riparian setback for an addition. Tabled further. B-1.

Appearance Review Commission

April 4, 2011 - Meeting

New Business

ARC-11-06

Kurt Reed, Fairlawn School of Music, 201 N. Cleveland-Massillon Road, review of new monument sign. **Approved with comments.** B-4.

ARC-11-07

Mark Diekmann, Hasenstab Architects for Old Trail School, 2315 Ira Road, review new building addition to school. **Approved.** R-1.

ARC-11-08

Bath Township Recycling Bin, Bath School Parking lot, W. Bath Road, review recycling drop-off bins and site plan. **Approved.** R-2.

Old Business

ARC-11-01

Susan Moore, Arkinetics Inc., Circle K, 791 N. Cleveland-Massillon Road, review building renovations/addition and site plan. **Tabled further.** B-1.

Recommendations: None

Township Administrator William Snow

Report:

Memorial Day Observance

Mr. Snow reminded residents of the upcoming Memorial Day Observance scheduled for Monday, May 30, at noon, at the Veterans War Memorial. The Revere Band is participating.

Nuisance Properties

Because of the exorbitant amount of rainfall this year there are a number of high grass complaints. The township is sending letters as a reminder to be a good neighbor and attend to properties. In addition, copies of those letters are being sent to the neighboring properties as a way of communications the township is aware of the issues.

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Smith Road Storm Water Drainage Improvement
Applications for Issue II funding from the Ohio Publics Works Commission are available. This is the township's fifth submission for funding for the Smith Road storm water line improvements, once a collaborative effort with Akron and Fairlawn and Summit County. This year, however, Summit County has declined to participate.

Solid Waste Bid Award

After reviewing the three bids for solid waste pick up for the township, the current trash hauler, Rumpke, came in with the best bid.

Recommendations:

Mr. Snow requested the Trustees consider Resolution 2011-20.

Mr. Nelson presented the following Resolution and moved its adoption:

**RESOLUTION 2011-20
TO APPLY FOR ISSUE II FUNDS FOR THE
SMITH ROAD STORM SEWER IMPROVEMENT**

WHEREAS, the Ohio Public Works Commission's financial assistance program currently has funds available for capital improvement projects through Ohio's Local Transportation Program (LTP) and the State Capital Improvements Program; and

WHEREAS, the capital improvement project is identified as the Smith Road Storm Sewer Improvement from Caledonia Avenue to approximately eight hundred (800) feet east of Revere Road; and

WHEREAS, there has been a need for an improvement of this storm water sewer system to prevent further flooding; and

WHEREAS, this application is a joint application with the City of Akron and the City of Fairlawn without the County of Summit who has since declined to participate; and

WHEREAS, Bath Township desires financial assistance under the Ohio Public Works Commission's financial assistance program for this improvement;

NOW THEREFORE BE IT RESOLVED that the Bath Township Board of Trustees authorizes the filing of a joint application with the cities of Akron and Fairlawn.

FURTHER that the Bath Township Board of Trustees by its participation in this joint project authorizes the appropriation of \$50,000 toward the improvement.

Resolution seconded for discussion purposes by Mrs. Goodrich. Discussed and Roll call:

- Mrs. Corbett, Absent
- Mrs. Goodrich, Aye
- Mr. Nelson, Aye

Resolution Adopted

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Mr. Snow recommended, and Mrs. Goodrich moved, to award the Bath Township Solid Waste Bid to Rumpke with the following quarterly rates: Curb Side \$45, Garage Door \$87, Senior Curb Side \$38.25, and Senior Garage Door \$72.00. Mr. Nelson seconded the motion; the motion passed.

Mr. Snow requested the Trustees consider Resolution 2011-01 Amendment 05.

Mrs. Goodrich introduced the following resolution and moved its adoption:

BATH TOWNSHIP RESOLUTION 2011-01 AMENDMENT 05 TO AMEND THE 2011 ORGANIZATIONAL RESOLUTION

WHEREAS the Township operates with regard to several master documents; and,

WHEREAS the Bath Township Board of Trustees adopted the 2011 Organization Resolution to take effect January 1, 2011; and,

WHEREAS, the trustees have awarded the 2011-12 trash and recycle services contract;

NOW THEREFORE BE IT RESOLVED that the Bath Township Board of Trustees amends the Organizational Resolution 2011-01 with an amendment to G. Solid Waste District quarterly rates to read:

Service Type	Curb Side	Garage Door Service
Regular Rate	\$45.00	\$87.00
Senior Rate (Age 65 and up)	\$38.25	\$72.00

Mr. Nelson seconded the Resolution for discussion.

The Fiscal Officer called the Roll:

- Mrs. Corbett, Absent
- Mrs. Goodrich, Aye
- Mr. Nelson, Aye

Resolution Adopted

BUSINESS FROM THE BOARD

Trustees James Nelson, Becky Corbett, and Elainea Goodrich Mrs. Goodrich presented the following Resolution and moved its adoption:

RESOLUTION 2011-21 TO APPLY FOR A GRANT FROM THE NATIONAL SCENIC BYWAYS PROGRAM

WHEREAS, the Federal Highway Administration has grant monies available through the National Scenic Byways Program; and

WHEREAS, the Bath Township Board of Trustees had applied in 2010 for financial assistance to purchase a 7.5 acre parcel adjacent to Ghent Historic District for a Scenic Byway Wayside Exhibit; and

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WHEREAS, the Scenic Byway Coordinator for Ohio Department of Transportation encourages Bath Trustees to apply again as the FHWA determined Bath's project to be eligible but were unable to fund it in 2010;

NOW THEREFORE BE IT RESOLVED, that the Bath Township Board of Trustees:

1. Approves the filing of an application to the Federal Highway Administration's National Scenic Byway Program.
2. That Trustee Elaina Goodrich is hereby authorized and directed to execute and file an application and to provide all information and documentation required to become eligible for possible funding assistance.
3. That Bath Township does agree to obligate the funds required in the amount of not to exceed \$251,556 to satisfactorily complete the proposed project and become eligible for reimbursement under the Federal Highway Administration fund.

FURTHER, that the Fiscal Officer be directed to create Special Revenue Fund #660 and if the grant is awarded, to amend the 2011 Certificate of Estimated Resources and the Permanent Appropriations to reflect the new revenue and expenses.

Second by Mr. Nelson; discussion and roll called:

Mrs. Corbett, Absent
Mrs. Goodrich, Aye
Mr. Nelson, Aye

Resolution Adopted

Mrs. Goodrich reported due to David Shaw's generous donation, the township has collected the funds needed to purchase an Ohio Historical Marker for the Moore's Chapel Cemetery.

FUTURE TRUSTEE MEETINGS AND EVENTS

May 16, 2011	Bath Water & Sewer District Board-TMR	6:00 p.m.
May 16, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
May 17, 2011	Board of Zoning Appeals-TMR	7:00 p.m.
May 23, 2011	Work Session-TCR	9:30 a.m.
May 24, 2011	Zoning Commission Forum	
	& Bath Business Association TMR	6:30 p.m.
May 30, 2011	Legal Holiday-Offices are Closed – Trash Delayed One Day	
June 2, 2011	Zoning Commission-TMR	7:00 p.m.
June 6, 2011	Agenda Session-TCR	9:30 a.m.
June 6, 2011	Appearance Review Commission-TMR	5:00 p.m.
June 6, 2011	Board of Trustees-TMR	7:00 p.m.
June 11, 2011	Bath Baseball Day-Bath Baseball Park	All Day
June 13, 2011	Work Session-TCR	9:30 a.m.
June 16, 2011	Park Board -	7:00 p.m.
June 20, 2011	Agenda Session-TCR	9:30 a.m.
June 20, 2011	Board of Trustees-TMR	4:00 p.m.
June 20, 2011	Bath Water & Sewer District Board – TCR	6:00 p.m.
June 20, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
June 21, 2011	Board of Zoning Appeals –TMR	7:00 p.m.

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June 27, 2011 Work Session-TCR

9:30 a.m.

Future Events~
May 30, 2011 Memorial Day Observance – Veterans Park at Noon

Future Events at the Bath Township Museum`

May 15, 2011 2:00 p.m. "Bath's 150"

A summary of 16-months of research for the Civil War veterans of Bath Township.

May 30, 2011 11:00 a.m. "GAR Remembrance Ceremony"
Bath Center Cemetery Civil War veterans will be remembered.

June 12, 2011 2:00 p.m. "Gramma's Quilt Story"

Nancy Terjesen has written and will present a program on a quilt she made.

July 24, 2011 2:00 p.m. "The Southern Viewpoint"

Ed and Sue Curtis of Salisbury, North Carolina will visit the museum.

August 7, 2011 2:00 p.m. "Songs of the Civil War"

Nancy Ganyard will accompany her talk with the music of the era.

TCR – Trustees Conference Room (Administrative Offices)

TMR – Trustees Meeting Room, lower level, Bath Township Center.

HBTH – Historic Bath Town Hall

CITIZENS' COMMENTS

There were no citizens' comments.

COMMITTEE REPORT

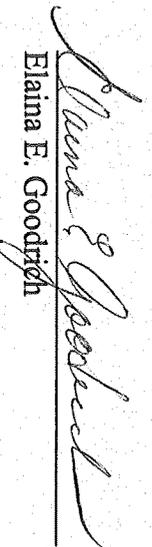
Libby Bauman and Lee Darst of the Bath Museum gave an introduction to the next Bath Museum display, Civil War Veterans. They also announced there would be a reenactment of a GAR Memorial Service at 11:00 a.m. at the Bath Center Cemetery preceding the Memorial Day Observance on Monday, May 30.

ADJOURNMENT

There being no other business before the board, the meeting was adjourned at 4:45 p.m.


James N. Nelson, President
Bath Township Board of Trustees

Absent
Becky Corbett, Vice President
Bath Township Board of Trustees


Elaine E. Goodrich

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Bath Township Board of Trustees



Sharon A. Troike
Fiscal Officer

Date: May 16, 2011
Bath Township Board of Trustees

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