



**August 13, 2019  
REGULAR BUSINESS MEETING, 7:00 P.M.**

**CALL TO ORDER**

Pledge of allegiance was taken.

Let the record show Trustee Biggs was absent.

**APPROVAL OF THE MINUTES**

A motion to approve the minutes for the July 9, 2019 Regular Business Meeting the July 30, 2019 and August 6, 2019 Workshop Meetings Moved by Trustee VanHaaren seconded by Trustee Wright.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGT</b>	<b>YES</b>

**STAFF REPORTS**

**SHERIFF**

Nothing to report from Deputy. Fire Chief Andy Ehrhart said they appreciated the help from the sheriff’s office on all of our auto accidents.

**FIRE**

See Attached

**ZONING**

**TRUSTEE MEETING – August 13, 2019  
Planning & Zoning Report**

Since the last Trustee meeting, the following zoning certificate applications have been received

ZC-20-19	4805 SR 571	Accessory building
ZC-21-19	7544 S Dayton-Brandt Rd	Accessory building
ZC-22-19	7085 S Dayton-Brandt Rd	New residence
ZC-23-19	7115 S Dayton-Brandt Rd	New residence

ZC-24-19	9605 S Wildcat Rd	Accessory building
ZC-25-19	6510 A State Route 202	Above-ground pool
ZC-26-19	7730 Staley Rd	Above-ground pool
ZC-27-19	8390 S Wildcat Rd	Addition to residence
ZC-28-19	9161 S. St. Rt. 201	Commercial building

Since the last Board of Zoning Appeals (BZA) meeting, the following applications were approved or are in process

V-06-19 (approved)	8955 Bellefontaine Rd.	Road frontage less than required
V-07-19 feet from	8955 Bellefontaine Rd.	Existing residence closer than 20 existing property line (approved)
V-08-19	8955 Bellefontaine Rd. (Bordering)	Parcel less than two acres
V-09-19 residence	6845 Studebaker Rd	Accessory buildings in front of (approved)
V-10-19	4910 SR 201	Frontage less than 175'
CU-04-19 (approved)	5370 SR 571	Events on a B-2 parcel
CU-05-19 (approved)	5370 SR 571	Events on an A-2 parcel
CU-06-19 parcel	8955 Bellefontaine Rd. (Bordering)	Existing accessory building on a without a primary residence (approved)
CU-07-19 50+-acre	5165 US 40	Allow a second residence on a parcel zoned A-2 (Pending)

Since the last Zoning Commission (ZC) meeting, the following zoning amendment applications are in process

ZA-01-19	Agenbroad and Dayton Brandt Rds. to	Rezoning 18.492 acres from A-2 R-1AAA for eight building lots (Pending)
ZA-03-19 zoned R-	P&R Communications Tower – US 40	Rezone 10.004 acres presently 1AAA and A-2 to R-1AAA for 3.114 acres and A-1 for 6.861 acres for the purpose of selling the 6.861-acre parcel to the owners of adjacent parcel at 4925 E. US 40. Rezoning contingent upon a zero-frontage variance approval. (Pending).
ZA-04-19 presently zoned	5165 US 40	Rezone 2 acres of 30 acres A-2 for the purpose of creating a building lot. Rezoning contingent upon a zero-frontage variance approval. (Pending).

Since the last Zoning Commission (ZC) meeting, one zoning text amendment application is in process

ZTA-02-18	Review of Article 35 – Off-Street Parking and Loading – Tabled
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**YEAR TO DATE (2019):**

Certificates issued in 2019:	28
Declarations received in 2019:	1

Variances requested in 2019: 10  
 Variances approved in 2019: 9  
  
 Conditional Use requested in 2019: 7  
 Conditional Use approved in 2019: 6  
  
 Zoning Amendments requested in 2019: 4  
 Zoning Amendments approved in 2019: 1 (One from 2018)  
  
 Zoning Text Amendments 2019: 0

**BOARDS & COMMISSIONS:**

**MIAMI COUNTY PLANNING COMMISSION:**

The next scheduled meeting is August 20, 2019, at 7:30 p.m. The Township does not have a case.

**BETHEL TOWNSHIP BOARD OF ZONING APPEALS (BZA):**

The BZA will meet August 22 at 6:30 p.m. to consider case V-10-19.

**BETHEL TOWNSHIP ZONING COMMISSION (ZC):**

The ZC will not meet in August.

**2019 ZONING ENFORCEMENT:**

	Junk Cars	High Grass	Construction Related	Health Referrals	Other	Cleared
Month	0	6	0	0	0	4
YTD	1	13	2	1	4	19

Total: 21  
 Total Cleared: 19

**PUBLIC COMMENT FOR ITEMS ON AGENDA**

None

**ACTION ITEMS**

**RESOLUTION #19-08-050**

**A RESOLUTION TO APPROVE THE ASPHALT SEALCOATING OF THE BETHEL TOWNSHIP PARKING LOT BY SMITH AND SONS A COST NOT TO EXCEED \$6,500.**

WHEREAS, THE TOWNSHIP INVESTED IN REPAVING THE PARKING LOT IN 2016, AND

WHEREAS, IN ORDER TO MAINTAIN THE PARKING LOT ROUTINE MAINTENANCE MUST BE PREFORMED, AND

WHEREAS, QUOTES WERE RECEIVED TO PERFORM THIS WORK AND SMITH AND SONS PROVIDED THE BEST QUOTE FOR THE PROJECT,

THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT THE SEALCOATING OF THE BETHEL TOWNSHIP PARKING LOT BE PERFORMED BY SMITH AND SONS AT A COST NOT TO EXCEED \$6,500:

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-051**

**A RESOLUTION TO PURCHASE TWO (2) SETS OF REPLACEMENT FIRE GEAR FROM PHOENIX SAFETY OUTFITTERS AT A COST OF \$4,370.00**

WHEREAS, UP TO DATE FIRE GEAR IS A INTEGRAL PART OF FIREFIGHTER SAFETY, AND

WHEREAS, TWO SETS OF GEAR FOR FIREFIGHTERS ROLL AND DAVIS WERE DEEMED UNUSABLE DURING A SAFETY INSPECTION AND

THEREFORE BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT TWO (2) SETS OF FIRE GEAR BE PURCHASED FROM PHOENIX SAFETY OUTFITTERS AT A COST OF \$4,370.00.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-052**

**A RESOLUTION TO REPLACE THE TIRES ON FIRE ENGINE 6 THRU BEST ONE TIRE AT A COST OF \$3,500.00**

WHEREAS THE TIRES ON FIRE ENGINE 6 NEED REPLACEMENT, AND

WHEREAS, THE CURRENT TIRES ARE THE ORIGINAL TIRES WITH THE ENGINE AND ARE TWENTY YEARS OLD, AND

WHEREAS, THE CURRENT TIRES ARE EXPERIENCING “DRY ROT” AFTER ALL THE YEARS OF SERVICE.

THEREFORE BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT ALL OF THE TIRES ON FIRE ENGINE 6 BE REPLACED BY BEST ONE TIRE AT A COST NOT TO EXCEED \$3,500.00.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-053**

**A RESOLUTION AUTHORIZING THE USE OF GOVDEALS , IN ADDITION TO THE USE E-BAY, FOR THE LIQUIDATION OF TOWNSHIP EQUIPMENT DECLARED SURPLUS BY THE TOWNSHIP TRUSTEES**

WHEREAS TOWNSHIP STAFF HAVE REQUESTED ANOTHER MEANS IN WHICH TO LIQUIDATE SURPLUS TOWNSHIP EQUIPMENT, AND

WHEREAS, THE USE OF GOVDEALS IS APPROPRIATE FOR TOWNSHIP USAGE, AND

THEREFORE BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THE USE OF GOVDEALS, IN ADDITION TO THE USE E-BAY, FOR THE LIQUIDATION OF TOWNSHIP EQUIPMENT DECLARED SURPLUS BY THE TOWNSHIP TRUSTEES

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-054**

**A RESOLUTION AUTHORIZING THE PURCHASE OF FORD F-250 COMMAND VEHICLE FROM BEAU TOWNSEND FORD THRU THE OHIO STATE BID PROGRAM AT A QUOTED COST OF \$32,699.50**

WHEREAS THE BETHEL TOWNSHIP FIRE DEPARTMENT IS REQUESTING THE REPLACEMENT OF THE 2006 CHEVROLET IMPALA STAFF VEHICLE, AND

WHEREAS, THE CURRENT 2014 CHIEF'S COMMAND VEHICLE WILL BECOME THE STAFF VEHICLE, AND

WHEREAS, THE CHIEF'S COMMAND VEHICLE WILL BE THE FORD F-250, AND

WHEREAS, THE VEHICLE WILL BE PURCHASED UTILIZING THE OHIO STATE BID PROCESS AT A COST OF \$32,699.50

THEREFORE BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THE AUTHORIZATION TO PROCEED WITH THE ORDERING AND PURCHASE OF A 2019 FORD F-250 COMMAND VEHICLE THRU BEAU TOWNSEND FORD UTILIZING THE STATE BID PROCESS

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-055**

WHEREAS, the Bethel Township Board of Trustees, Miami County, Ohio (the “Board”) desires to regulate the placement of Junk Motor Vehicles located within the unincorporated territory of Bethel Township, Miami County, Ohio pursuant to the authority granted to the Board under Ohio Revised Code section 505.173.

NOW, THEREFORE BE IT RESOLVED, that pursuant to the authority granted to the Board under Ohio Revised Code section 505.173:

Section 1. No person shall openly, store, park, or have any Junk Motor Vehicle on private or public property within the unincorporated territory of Bethel Township, Miami County, Ohio, unless such Junk Motor Vehicle is stored, parked or contained within, or concealed by, buildings, fences, vegetation, terrain, or other suitable screening from public view.

If a Junk Motor Vehicle is not stored, parked or contained within, or concealed by, buildings, fences, vegetation, terrain, or other suitable screening from public view, then the Board shall send written Notice of such fact to the person or persons who have the right of possession of the real property upon which such Junk Motor Vehicle is stored or parked. Such Notice shall also indicate that the Junk Motor Vehicle must be stored, parked or contained within, or concealed by, buildings, fences, vegetation, terrain, or other suitable screening from public view,

If the person or persons having the right of possession to the real property upon which the Junk Motor Vehicle is stored, parked, or placed does not contain or conceal the Junk Motor Vehicle from public view pursuant to this resolution within 14 days after receipt of written Notice to do so, such person or persons shall be a guilty of a minor misdemeanor. Each day that such violation continues shall constitute a separate offense.

Section 2. Nothing contained in this resolution is intended to limit the ability of the Board to institute and/or undertake other remedies provided by law including without limitation an action for injunction, mandamus, or abatement, or any other appropriate action or proceeding to prohibit the storage of junk motor vehicles in violation of this resolution or pertinent Ohio Revised Code sections.

Section 3. Nothing contained in this resolution is intended to limit the ability of the Board to pass other resolutions for the regulation of Junk Motor Vehicles pursuant to Ohio Revised Code section 505.173 or any other Ohio Revised Code section.

Section 4. This resolution does not apply to the operations of a scrap metal processing facility licensed under R.C. Sections 4737.05 to 4737.12; a motor vehicle salvage dealer, salvage motor vehicle auction, or salvage motor vehicle pool licensed under R.C. Chapter 4737; or a business providing towing or recovery services pursuant to R.C. sections 4513.60 to 4513.63.

Section 5. As used in this resolution, the term “Junk Motor Vehicle” means a motor vehicle, including a “collector’s vehicle” that meets all of the following criteria:

- A. Three model years old, or older; and

- B. Apparently inoperable; and
- C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

For purposes of this Resolution, and regardless of whether it is licensed or unlicensed, a “collector's vehicle”, as that term is defined by the Ohio Revised Code, is a “Junk Motor Vehicle” if it meets all the criteria set forth in this Section 5.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-056**

**DECLARATION OF NUISANCE AND ABATEMENT, CONTROL, AND/OR REMOVAL OF NUISANCE PURSUANT TO R.C. § 505.87 ON REAL PROPERTY LOCATED AT:**

**8750 S. Fifth St., (Brandt), Tipp City, OH 45371**

PARCEL NUMBER: A01-073600

WHEREAS, the Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio (“Board”) is familiar with the real property located at 8750 S. Fifth St., (Brandt), Tipp City, OH 45371 bearing Miami County Permanent Parcel Number A01-073600 (“Property.”); and

WHEREAS, the Property is wholly located in Bethel Township, Miami County, Ohio; and

WHEREAS, the record owner of the Property is John H. Eblin (Deceased – No estate filed); and

WHEREAS, the Property is not maintained by the property owner and contains accumulations of vegetation, garbage, refuse or other debris that are a nuisance, dangerous, unhealthy, and/or unsightly to the neighborhood and community and which negatively impact the general welfare of the neighborhood and community; and,

WHEREAS, the Board believes that the Property owner’s maintenance of such vegetation, garbage, refuse, or other debris on the Property constitutes a nuisance; and

WHEREAS, the Board hereby seeks to abate, control and/or remove such vegetation, garbage, refuse or other debris from the Property and recover its costs in so doing, all in accordance with R.C. § 505.87.

NOW THEREFORE, BE IT RESOLVED:

- A. The Board determines and declares that the Property owner’s maintenance of vegetation, garbage, refuse, or other debris, to-wit: garage sale items, tall grass and weeds, junk vehicles, lawn mowers, etc., on the Property constitutes a nuisance.
- B. The Board shall provide for the abatement, control, or removal of such vegetation, garbage, refuse, and other debris from the Property and recover the Board’s costs in so doing, all in accordance with R.C. § 505.87.
- C. At least seven (7) days before providing for such abatement, control, or removal of vegetation, garbage, refuse, or other debris from the Property, notification shall be provided to the owner(s) of the Property and any

holders of liens of record on the Property. Such individual(s)/entity(ies) and the last known and best address(es) for such individual(s) and/or entity(ies) is/are as follows:

Owner

1. John H. Eblin (Deceased – No estate filed)

Holders of Liens of Record

1. None known

D. If the owner of the Property is known, a notice shall be sent by certified mail to the above owner(s) and lienholders of record on the Property at the above addresses. In addition, a copy of such notice shall be posted on the principal structure on the Property and a photograph taken of such posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot be reasonably obtained, the notice shall be published once in a newspaper of general circulation in the Township.

E. The contents of the notice shall:

1. Order the owner to abate, control, or remove the vegetation, garbage, refuse, or other debris, to-wit: garage sale items, tall grass and weeds, junk vehicles, lawn mowers, etc., the owner's maintenance of which has been determined by the Board to be a nuisance;
2. State that if that vegetation, garbage, refuse, or other debris previously described is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven (7) days, the Board shall provide for the abatement, control, or removal. Any expenses incurred by the Board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.

F. A copy of this Resolution shall accompany the mailed notices.

G. The Bethel Township Fiscal Officer ("Fiscal Officer") or her designee shall send, post and/or publish the above notices on behalf of the Board.

H. If, within seven (7) days after notice is given pursuant to this Resolution, the owner of the Property fails to abate, control, or remove the vegetation, garbage, refuse, or other debris as previously described, or no agreement for its abatement, control, or removal is entered into under R.C. § 505.87(D), the Board shall provide for the abatement, control, or removal of such nuisance and may employ the necessary labor, materials, and equipment to perform the task.

I. All expenses incurred to abate, control, or remove the vegetation, garbage, refuse, or other debris previously described, when approved by the Board, shall be paid out of the Township general fund from moneys not otherwise appropriated.

J. Pursuant to R.C. § 505.87, the Board shall collect the total cost of abating, controlling, or removing the vegetation, garbage, refuse, or other debris from the Property. To do so, the Board shall make a written report to the Miami County Auditor of the Board's action. The Board shall include in the report a proper description of the Property and a statement of all expenses incurred and the date of their incurrence in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris from the Property, including the Board's charges for its services, the costs incurred in providing notice, any fees or interest paid to borrow moneys, and the amount paid for labor, materials, and equipment.

K. On behalf of the Board, the Fiscal Offer shall prepare the report described in Section J above and provide such report to the Board for approval. Once approved by the Board, the Fiscal Offer shall deliver the



report, along with a certified copy of this Resolution and a certified copy of the Resolution approving the report, to the County Auditor.

L. The expenses incurred, when allowed, shall be entered upon the tax duplicate, are a lien upon the Property from the date of the entry, shall be collected as other taxes, and shall be returned to the Township and placed in the Township general fund.

M. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

N. This Resolution shall be in full force and effect immediately upon adoption.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-057**

**DECLARATION OF NUISANCE AND ABATEMENT, CONTROL, AND/OR REMOVAL OF NUISANCE PURSUANT TO R.C. § 505.87 ON REAL PROPERTY LOCATED AT:**

**6725 E Singer Rd, Dayton OH 45424**

PARCEL NUMBER: A01-013905

WHEREAS, the Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio ("Board") is familiar with the real property located at 6725 E Singer Rd, Dayton OH 45424 bearing Miami County Permanent Parcel Number A01-013905 ("Property."); and

WHEREAS, the Property is wholly located in Bethel Township, Miami County, Ohio; and

WHEREAS, the record owner of the Property is James B. Macik; and

WHEREAS, the Property is not maintained by the property owner and contains accumulations of vegetation, garbage, junk vehicles, refuse or other debris that are a nuisance, dangerous, unhealthy, and/or unsightly to the neighborhood and community and which negatively impact the general welfare of the neighborhood and community; and,

WHEREAS, the Board believes that the Property owner's maintenance of such vegetation, garbage, junk vehicles, refuse, or other debris on the Property constitutes a nuisance; and

WHEREAS, the Board hereby seeks to abate, control and/or remove such vegetation, garbage, refuse or other debris from the Property and recover its costs in so doing, all in accordance with R.C. § 505.87.

NOW THEREFORE, BE IT RESOLVED:

A. The Board determines and declares that the Property owner's maintenance of vegetation, garbage, junk vehicles, refuse, or other debris, to-wit: junk vehicles, high grass and weeds, etc., on the Property constitutes a nuisance.

B. The Board shall provide for the abatement, control, or removal of such vegetation, garbage, refuse, and other debris from the Property and recover the Board's costs in so doing, all in accordance with R.C. § 505.87.

C. At least seven (7) days before providing for such abatement, control, or removal of vegetation, garbage, refuse, or other debris from the Property, notification shall be provided to the owner(s) of the Property and any holders of liens of record on the Property. Such individual(s)/entity(ies) and the last known and best address(es) for such individual(s) and/or entity(ies) is/are as follows:

Owner

1. James B. Macik

Holders of Liens of Record

1. None known

D. If the owner of the Property is known, a notice shall be sent by certified mail to the above owner(s) and lienholders of record on the Property at the above addresses. In addition, a copy of such notice shall be posted on the principal structure on the Property and a photograph taken of such posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot be reasonably obtained, the notice shall be published once in a newspaper of general circulation in the Township.

E. The contents of the notice shall:

1. Order the owner to abate, control, or remove the vegetation, garbage, junk vehicles, refuse, or other debris, to-wit: junk vehicles, tall grass and weeds, etc., the owner's maintenance of which has been determined by the Board to be a nuisance;

2. State that if that vegetation, garbage, refuse, or other debris previously described is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven (7) days, the Board shall provide for the abatement, control, or removal. Any expenses incurred by the Board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.

F. A copy of this Resolution shall accompany the mailed notices.

G. The Bethel Township Fiscal Officer ("Fiscal Officer") or her designee shall send, post and/or publish the above notices on behalf of the Board.

H. If, within seven (7) days after notice is given pursuant to this Resolution, the owner of the Property fails to abate, control, or remove the vegetation, garbage, refuse, or other debris as previously described, or no agreement for its abatement, control, or removal is entered into under R.C. § 505.87(D), the Board shall provide for the abatement, control, or removal of such nuisance and may employ the necessary labor, materials, and equipment to perform the task.

I. All expenses incurred to abate, control, or remove the vegetation, garbage, refuse, or other debris previously described, when approved by the Board, shall be paid out of the Township general fund from moneys not otherwise appropriated.

J. Pursuant to R.C. § 505.87, the Board shall collect the total cost of abating, controlling, or removing the vegetation, garbage, refuse, or other debris from the Property. To do so, the Board shall make a written report to the Miami County Auditor of the Board's action. The Board shall include in the report a proper description of the Property and a statement of all expenses incurred and the date of their incurrence in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris from the Property, including

the Board's charges for its services, the costs incurred in providing notice, any fees or interest paid to borrow moneys, and the amount paid for labor, materials, and equipment.

K. On behalf of the Board, the Fiscal Offer shall prepare the report described in Section J above and provide such report to the Board for approval. Once approved by the Board, the Fiscal Offer shall deliver the report, along with a certified copy of this Resolution and a certified copy of the Resolution approving the report, to the County Auditor.

L. The expenses incurred, when allowed, shall be entered upon the tax duplicate, are a lien upon the Property from the date of the entry, shall be collected as other taxes, and shall be returned to the Township and placed in the Township general fund.

M. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

N. This Resolution shall be in full force and effect immediately upon adoption.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**RESOLUTION #19-08-058**

**DECLARATION OF NUISANCE AND ABATEMENT, CONTROL, AND/OR REMOVAL OF NUISANCE PURSUANT TO R.C. § 505.87 ON REAL PROPERTY LOCATED AT:**

**9860 E. Haskett Ln, Dayton OH 45424**

PARCEL NUMBER: A01-084260

WHEREAS, the Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio ("Board") is familiar with the real property located at 9860 E. Haskett Ln, Dayton OH 45424 bearing Miami County Permanent Parcel Number A01-084260 ("Property."); and

WHEREAS, the Property is wholly located in Bethel Township, Miami County, Ohio; and

WHEREAS, the record owner of the Property is Wilma Fay Howard; and

WHEREAS, the Property is not maintained by the property owner and contains accumulations of vegetation, garbage, junk vehicles, refuse or other debris that are a nuisance, dangerous, unhealthy, and/or unsightly to the neighborhood and community and which negatively impact the general welfare of the neighborhood and community; and,

WHEREAS, the Board believes that the Property owner's maintenance of such vegetation, garbage, junk vehicles, refuse, or other debris on the Property constitutes a nuisance; and

WHEREAS, the Board hereby seeks to abate, control and/or remove such vegetation, garbage, refuse or other debris from the Property and recover its costs in so doing, all in accordance with R.C. § 505.87.

NOW THEREFORE, BE IT RESOLVED:

A. The Board determines and declares that the Property owner's maintenance of vegetation, garbage, junk vehicles, refuse, or other debris, to-wit: junk vehicles, high grass and weeds, etc., on the Property constitutes a nuisance.

B. The Board shall provide for the abatement, control, or removal of such vegetation, garbage, refuse, and other debris from the Property and recover the Board's costs in so doing, all in accordance with R.C. § 505.87.

C. At least seven (7) days before providing for such abatement, control, or removal of vegetation, garbage, refuse, or other debris from the Property, notification shall be provided to the owner(s) of the Property and any holders of liens of record on the Property. Such individual(s)/entity(ies) and the last known and best address(es) for such individual(s) and/or entity(ies) is/are as follows:

Owner

1. Wilma Fay Howard

Holders of Liens of Record

1. None known

D. If the owner of the Property is known, a notice shall be sent by certified mail to the above owner(s) and lienholders of record on the Property at the above addresses. In addition, a copy of such notice shall be posted on the principal structure on the Property and a photograph taken of such posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot be reasonably obtained, the notice shall be published once in a newspaper of general circulation in the Township.

E. The contents of the notice shall:

1. Order the owner to abate, control, or remove the vegetation, garbage, junk vehicles, refuse, or other debris, to-wit: junk vehicles, tall grass and weeds, etc., the owner's maintenance of which has been determined by the Board to be a nuisance;

2. State that if that vegetation, garbage, refuse, or other debris previously described is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven (7) days, the Board shall provide for the abatement, control, or removal. Any expenses incurred by the Board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.

F. A copy of this Resolution shall accompany the mailed notices.

G. The Bethel Township Fiscal Officer ("Fiscal Officer") or her designee shall send, post and/or publish the above notices on behalf of the Board.

H. If, within seven (7) days after notice is given pursuant to this Resolution, the owner of the Property fails to abate, control, or remove the vegetation, garbage, refuse, or other debris as previously described, or no agreement for its abatement, control, or removal is entered into under R.C. § 505.87(D), the Board shall provide for the abatement, control, or removal of such nuisance and may employ the necessary labor, materials, and equipment to perform the task.

I. All expenses incurred to abate, control, or remove the vegetation, garbage, refuse, or other debris previously described, when approved by the Board, shall be paid out of the Township general fund from moneys not otherwise appropriated.

J. Pursuant to R.C. § 505.87, the Board shall collect the total cost of abating, controlling, or removing the vegetation, garbage, refuse, or other debris from the Property. To do so, the Board shall make a written report to

the Miami County Auditor of the Board's action. The Board shall include in the report a proper description of the Property and a statement of all expenses incurred and the date of their incurrence in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris from the Property, including the Board's charges for its services, the costs incurred in providing notice, any fees or interest paid to borrow moneys, and the amount paid for labor, materials, and equipment.

K. On behalf of the Board, the Fiscal Offer shall prepare the report described in Section J above and provide such report to the Board for approval. Once approved by the Board, the Fiscal Offer shall deliver the report, along with a certified copy of this Resolution and a certified copy of the Resolution approving the report, to the County Auditor.

L. The expenses incurred, when allowed, shall be entered upon the tax duplicate, are a lien upon the Property from the date of the entry, shall be collected as other taxes, and shall be returned to the Township and placed in the Township general fund.

M. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

N. This Resolution shall be in full force and effect immediately upon adoption.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

<b>MRS. VANHAAREN</b>	<b>YES</b>
<b>MRS. WRIGHT</b>	<b>YES</b>

**ANNOUNCEMENTS**

August 20	Trustee Workshop Meeting, Township Meeting Room, 8:00AM*
August 22	Board of Zoning Appeals Meeting 6:30pm/ No Zoning Commission Meeting
August 27	No Trustee Meeting – Summer Schedule
September 2	Township Offices Closed in observance of Labor Day
September 3	Trustee Workshop Meeting, Township Meeting Room, 8:00AM*

**An \* indicates a meeting will be held only if needed.**

**An \* indicates a meeting will be held only if needed.**

**PUBLIC COMMENTS ON ANY TOPIC**

None

**MOTION TO RECORD PAYMENT OF WARRANTS AND ELECTRONIC PAYMENTS**

**RESOLUTION 19-07-059  
A RESOLUTION TO RECORD WARRANTS  
51418 TO 51582  
AND ELECTRONIC PAYMENTS 520-638**

BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT THE PAYMENT OF WARRANTS NO. 51418 THROUGH NO. 51582 AND THE ELECTRONIC PAYMENTS FROM NO.520-638 BE RECORDED THROUGH THE REQUEST OF THE FISCAL OFFICER.

**THE ABOVE MOTION WAS MOVED BY MRS. VANHAAREN AND SECONDED BY MRS. WRIGHT AND THE VOTE BEING TAKEN AS:**

**MRS. VANHAAREN        YES**  
**MRS. WRIGHT            YES**

**PAYMENTS**

<b>Number</b>	<b>Post Date</b>	<b>Payee</b>	<b>Total Warrant Amount</b>
180	8/6/19	MIAMI COUNTY AUDITOR	\$22,964.64
520	7/12/19	BEN ALLEN	\$118.55
521	7/12/19	MICHAEL ARNOLD JR	\$786.26
522	7/12/19	CYRUS N BROYLES	\$740.56
523	7/12/19	BENJAMIN M CAHILL	\$314.09
524	7/12/19	BRANDEN L CARPENTER	\$650.23
525	7/12/19	NICHOLAS R CARPENTER	\$752.78
526	7/12/19	MARTIN G CASKEY	\$877.45
527	7/12/19	JACOB DANIEL CLINE	\$558.83
528	7/12/19	ALLAN DAVIS	\$918.86
529	7/12/19	JAMES ANDREW EHRHART	\$1,833.01
530	7/12/19	NICHOLAS M HALTER	\$589.57
531	7/12/19	VICTORIA BARBARA LAVEY	\$176.55
532	7/12/19	MEGAN LEWIS-GOINS	\$429.16
533	7/12/19	CHELSEA A LIPIEC	\$293.59
534	7/12/19	ANNA R LUDWICK	\$146.86
535	7/12/19	NICHOLAS A MAGOTEAUX	\$269.39
536	7/12/19	WILLIAM P MANNHEIM	\$227.73
537	7/12/19	ZACHARY SCOTT MCCARROLL	\$402.03
538	7/12/19	BRIAN DD MCKELLAR	\$545.78
539	7/12/19	JAROD M REILLY	\$401.27
540	7/12/19	CHARLES RITTER	\$160.07
541	7/12/19	MARCUS A ROLL	\$600.39
542	7/12/19	JOSHUA SCHIEBREL	\$492.62
543	7/12/19	CHRISTOPHER M SCOTT	\$990.06
544	7/12/19	JAMES R SEBASTIAN	\$282.27
545	7/12/19	ALEXANDER SEGRETTO	\$1,011.85
546	7/12/19	ROBERT STEVENSON	\$570.70
547	7/12/19	CODY TYLER TEEGARDEN	\$749.28
548	7/12/19	LARRY RAY TRUSTY	\$633.27

549	7/12/19	TERRENCE W. WELDON JR.	\$814.14
550	7/12/19	CONNOR WHELAN	\$1,075.51
551	7/12/19	MARK A WYSONG	\$638.96
552	7/12/19	ROBERT JAY YOCUM	\$873.27
553	7/12/19	JAY T. ZIMMERMAN	\$156.51
555	7/18/19	UNITY NATIONAL BANK	\$5,397.03
556	7/26/19	BEN ALLEN	\$236.91
557	7/26/19	MICHAEL ARNOLD JR	\$322.47
558	7/26/19	CYRUS N BROYLES	\$505.38
559	7/26/19	BENJAMIN M CAHILL	\$607.41
560	7/26/19	BRANDEN L CARPENTER	\$779.80
561	7/26/19	NICHOLAS R CARPENTER	\$900.87
562	7/26/19	MARTIN G CASKEY	\$884.76
563	7/26/19	JACOB DANIEL CLINE	\$17.58
564	7/26/19	ALLAN DAVIS	\$1,116.86
565	7/26/19	JAMES ANDREW EHRHART	\$1,833.01
566	7/26/19	NICHOLAS M HALTER	\$758.94
567	7/26/19	VICTORIA BARBARA LAVEY	\$254.41
568	7/26/19	MEGAN LEWIS-GOINS	\$531.25
569	7/26/19	CHELSEA A LIPIEC	\$405.48
570	7/26/19	ANNA R LUDWICK	\$281.03
571	7/26/19	NICHOLAS A MAGOTEAUX	\$594.51
572	7/26/19	WILLIAM P MANNHEIM	\$459.11
573	7/26/19	ZACHARY SCOTT MCCARROLL	\$804.60
574	7/26/19	BRIAN DD MCKELLAR	\$20.83
575	7/26/19	JAMES A MOORE	\$22.31
576	7/26/19	JAROD M REILLY	\$283.24
577	7/26/19	CHARLES RITTER	\$526.16
578	7/26/19	MARCUS A ROLL	\$1,513.82
579	7/26/19	JOSHUA SCHIEBREL	\$331.76
580	7/26/19	CHRISTOPHER M SCOTT	\$992.50
581	7/26/19	JAMES R SEBASTIAN	\$293.27
582	7/26/19	ALEXANDER SEGRETTO	\$768.72
583	7/26/19	ROBERT STEVENSON	\$570.70
584	7/26/19	CODY TYLER TEEGARDEN	\$507.86
585	7/26/19	LARRY RAY TRUSTY	\$138.23
586	7/26/19	TERRENCE W. WELDON JR.	\$675.77
587	7/26/19	CONNOR WHELAN	\$1,045.43
588	7/26/19	MARK A WYSONG	\$517.86
589	7/26/19	ROBERT JAY YOCUM	\$865.22
590	7/26/19	JAY T. ZIMMERMAN	\$169.34
592	8/1/19	GARY BIGGS	\$883.91
593	8/1/19	HELEN E VANHAAREN	\$815.93
594	8/1/19	DEBORAH A WATSON	\$1,151.97
595	8/1/19	CAROLYN WRIGHT	\$796.24

597	8/9/19	BEN ALLEN	\$247.20
598	8/9/19	MICHAEL ARNOLD JR	\$322.47
599	8/9/19	CYRUS N BROYLES	\$554.56
600	8/9/19	BENJAMIN M CAHILL	\$663.58
601	8/9/19	BRANDEN L CARPENTER	\$650.23
602	8/9/19	NICHOLAS R CARPENTER	\$604.69
603	8/9/19	MARTIN G CASKEY	\$884.76
604	8/9/19	JACOB DANIEL CLINE	\$324.68
605	8/9/19	ALLAN DAVIS	\$918.86
606	8/9/19	JAMES ANDREW EHRHART	\$1,876.30
607	8/9/19	NICHOLAS M HALTER	\$441.04
608	8/9/19	VICTORIA BARBARA LAVEY	\$120.85
609	8/9/19	MEGAN LEWIS-GOINS	\$430.29
610	8/9/19	CHELSEA A LIPIEC	\$324.07
611	8/9/19	ANNA R LUDWICK	\$146.86
612	8/9/19	WILLIAM P MANNHEIM	\$627.48
613	8/9/19	ZACHARY SCOTT MCCARROLL	\$426.10
614	8/9/19	BRIAN DD MCKELLAR	\$681.20
615	8/9/19	JOHN MEYER	\$49.06
616	8/9/19	JAROD M REILLY	\$298.49
617	8/9/19	CHARLES RITTER	\$1,009.34
618	8/9/19	MARCUS A ROLL	\$1,264.44
619	8/9/19	JOSHUA SCHIEBREL	\$610.66
620	8/9/19	CHRISTOPHER M SCOTT	\$1,227.56
621	8/9/19	JAMES R SEBASTIAN	\$209.72
622	8/9/19	ALEXANDER SEGRETTO	\$899.06
623	8/9/19	ROBERT STEVENSON	\$629.33
624	8/9/19	CODY TYLER TEEGARDEN	\$558.34
625	8/9/19	TERRENCE W. WELDON JR.	\$1,072.25
626	8/9/19	CONNOR WHELAN	\$749.28
627	8/9/19	MARK A WYSONG	\$759.28
628	8/9/19	ROBERT JAY YOCUM	\$869.24
629	8/9/19	JAY T. ZIMMERMAN	\$289.58
631	8/9/19	UNITY NATIONAL BANK	\$5,430.21
632	8/9/19	TREASURER OF STATE OF OHIO	\$1,446.65
633	8/9/19	SCHOOL DISTRICT INCOME TAX	\$80.70
634	8/9/19	REGIONAL INCOME TAX AGENCY	\$115.84
635	8/9/19	MIAMI EAST	\$43.62
636	8/9/19	CITY OF VANDALIA	\$52.62
637	8/9/19	CITY OF SIDNEY	\$67.62
638	8/9/19	CITY OF DAYTON	\$36.44
51418	7/12/19	JIM STUBBS	\$1,961.64
51513	7/10/19	STAPLES ADVANTAGE	\$50.21
51514	7/10/19	UNITY NATIONAL BANK/CARD MEMBER SERVICES	\$249.00



51515	7/10/19	AIRGAS	\$199.16
51516	7/10/19	TIME WARNER	\$82.12
51517	7/10/19	WASTE MANAGEMENT OF OHIO INC	\$568.17
51518	7/10/19	CULLIGAN	\$86.72
51519	7/10/19	TREASURER OF STATE	\$948.00
51520	7/10/19	DAYTON POWER & LIGHT CO	\$430.59
51521	7/10/19	AIM MEDIA MIDWEST OPERATING	\$402.60
51522	7/10/19	SAMS CLUB	\$740.39
51523	7/10/19	DUNCAN OIL CO	\$460.93
51524	7/10/19	US BANK	\$176.28
51525	7/10/19	MIAMI COUNTY SANITARY ENGINEERING DEPT.	\$272.78
51526	7/10/19	LOWES BUSINESS ACCOUNT	\$188.86
51527	7/12/19	JIM STUBBS	\$2,124.69
51528	7/22/19	A.E. DAVID COMPANY	\$316.65
51529	7/22/19	ACCENT BUSINESS COMMUNICATIONS	\$1,207.54
51530	7/22/19	DURST BROS. EXCAVATING CO.	\$500.00
51531	7/22/19	DUNCAN OIL CO	\$856.35
51532	7/22/19	CINTAS CORPORATION	\$35.04
51533	7/22/19	B&R MULCH	\$65.00
51534	7/22/19	AUTOZONE,INC	\$19.98
51535	7/22/19	LAVY ENTERPRISES	\$1,604.26
51536	7/22/19	VERIZON	\$271.63
51537	7/22/19	LAWN PLUS LLC	\$23,627.00
51538	7/22/19	AFLAC	\$124.16
51539	7/22/19	AFLAC	\$62.08
51540	7/22/19	AFLAC	\$83.60
51541	7/22/19	AFLAC	\$189.39
51542	7/22/19	AFLAC	\$43.70
51543	7/22/19	DELTA DENTAL	\$372.14
51544	7/22/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$50.00
51545	7/22/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$80.00
51546	7/22/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$25.00
51547	7/22/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$15.00
51548	7/22/19	VISION SERVICE PLAN	\$203.39
51549	7/22/19	AFLAC	\$19.95
51550	7/22/19	BETHEL FIRE ASSOCIATION	\$350.00
51551	7/22/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$215.60
51552	7/22/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$525.32
51553	7/23/19	PROVIDENT	\$5,120.00

51554	7/30/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$25.00
51555	7/30/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$15.00
51556	7/30/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$50.00
51557	7/30/19	DELTA DENTAL	\$504.23
51558	7/30/19	CASH	\$149.70
51559	7/30/19	CASH	\$149.70
51560	7/30/19	BETHEL FIRE ASSOCIATION	\$315.00
51561	7/30/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$309.72
51562	7/30/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$215.60
51563	7/30/19	KENWORTH OF DAYTON	\$4.59
51564	7/30/19	P & R COMMUNICATIONS SERVICES, INC.	\$1,379.25
51565	7/30/19	AUTOZONE,INC	\$25.00
51566	7/30/19	RUSH TRUCK CENTER	\$24.90
51567	7/30/19	LAVY ENTERPRISES	\$31.60
51568	7/30/19	WARREN FIRE EQUIPMENT, INC	\$268.25
51569	7/30/19	EMSER MEDICAL REPAIR, INC	\$65.00
51570	7/30/19	STAPLES ADVANTAGE	\$268.88
51571	7/30/19	LOWES BUSINESS ACCOUNT	\$416.25
51572	7/30/19	AT&T	\$66.67
51573	7/30/19	CINTAS CORPORATION	\$35.04
51574	7/30/19	MEDICOUNT MANAGEMENT, INC	\$510.58
51575	8/5/19	UNITED STATES POSTAL SERVICE	\$500.00
51576	8/9/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$366.93
51577	8/9/19	OHIO CHILD SUPPORT PAYMENT CENTER	\$215.60
51578	8/9/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$25.00
51579	8/9/19	OHIO PUBLIC EMPLOYEES DEFERRED COMPENSAT	\$15.00
51580	8/7/19	Skipped Warrants 51580 to 51580 Series 1	\$0.00
51581	8/7/19	UNITY NATIONAL BANK	\$7,000.00
51582	8/7/19	MEGAN LEWIS-GOINS	\$63.97

## RECEIPTS

Receipt Number	Source	Purpose	Total Receipt
142-2019	MIAMI COUNTY MUNICIPAL COURT	TRAFFIC FINES	\$305.00
143-2019	MIAMI COUNTY AUDITOR	CIGARETTE LICENSE FEE	\$73.11

144-2019	NEWCOMERS FUNERAL HOME	FOUNDATION BASE	\$50.00
145-2019	MEN DEVELOPMENT	ZONING FEE	\$100.00
160-2019	KELLER	ZONING FEES	\$100.00
161-2019	BOWMAN CONSTRUCTION	ZONING	\$400.00
162-2019	NEWCOMER FUNERAL	OPEN AND CLOSE GRAVE	\$450.00
163-2019	OSBORNE	ZONING FEE	\$100.00
164-2019	MIAMI COUNTY AUDITOR	GASOLINE TAX	\$5,020.99
165-2019	MIAMI COUNTY AUDITOR	CENTS PER GALLON	\$2,554.81
166-2019	MIAMI COUNTY AUDITOR	LOCAL GOVT	\$2,982.90
167-2019	MIAMI COUNTY AUDITOR	LOCAL GOVVVT SUPPLEMENT	\$570.09
168-2019	SHOCK	ZONING FEE	\$100.00
169-2019	OHIO BELL	FRANCHISE FEE	\$101.28
170-2019	MEDICOUNT	MEDIC RUN PAYMENTS	\$911.32
171-2019	CABLE	ZONING FEE	\$100.00
172-2019	RIVIELLO	ZONING FEES	\$700.00
173-2019	MAXWELL	ZONING FEE	\$100.00
174-2019	MUNICIPAL COURT	TRAFFIC FINED	\$258.00
175-2019	NEWCOMER	OPEN AND CLOSE OF GRAVE	\$450.00
176-2019	AFLAC	REFUND	\$231.51
177-2019	MIAMI COUNTY AUDITOR	AUTO REG TWP LEVY	\$3,924.80
178-2019	MIAMI COUNTY AUDITOR	AUTO REG TWP PERM	\$900.91
179-2019	MIAMI COUNTY AUDITOR	AUTO REG TOWNSHIP	\$800.45
180-2019	MIAMI COUNTY AUDITOR	2ND HALF TAX SETTLEMENT	\$663,610.47

Meeting Adjourned 8:20 PM

\_\_\_\_\_  
Carolyn Wright- Chair

**ABSENT**  
\_\_\_\_\_  
Gary Biggs- Trustee

\_\_\_\_\_  
Beth Vanhaaren- Trustee

\_\_\_\_\_  
Mrs. Deborah Watson, Fiscal Officer