



**Bethel Township Board of Trustees
December 08, 2022
Emergency Meeting 1:00pm**

In attendance:

**Trustees: Beth vanHaaren
Julie Reese
Don Black**

**Staff: Administrator Andy Ehrhart
Fiscal Officer Deborah Watson
Zoning Administrator Mike Arnold**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS FOR ITEMS ON THE AGENDA

Ian Bowman asked how did the process change and why is this an emergency meeting?

Administrator Ehrhart explained that the Township had two weeks or 14 days to accept the petition by resolution. We thought our next scheduled meeting would be good, but due to the Thanksgiving Holiday and the petition being turned in on November 22, 2022 our next scheduled meeting would not meet that requirement.

As soon as this was brought to our attention he called Chris Englert to ask if the 14 days were working days. Chris said no and we had to have an Emergency Meeting and then take the petition up immediately to the Board of Elections.

As soon as this meeting is over we will take to the Board of Elections.

Ian Bowman then wanted to explain what they have done throughout this process. He stated that at the beginning of the year at a Trustee meeting they showed what they had planned. At that time, he asked if there were any suggestions from the Trustees. He sent e-mails to 4 or 5 residents asking them for their input. We made every attempt to talk to everyone involved. This process has not been easy. We did expect it to be fair and honest. That was what was expected of us. And it was said that Alex and I could not be trusted they were going to change the plan after it passed. We decided to move forward in spite of all this. We even looked into bonds.

This was passed by the Trustees.

We attended the Land & Lifestyle Preservation Committee meeting to explain what we were doing.

He was surprised that the day before Thanksgiving a resident had said they signed the petition, but was not given accurate information before signing. We just don't think the people who signed the petition was given accurate information. We don't think this should move forward, but we understand that legally you the Trustees must move forward.

He then asked the Trustees and Administrator what they thought.

Administrator Ehrhart explained that we have to certify this petition at face value. The BOE would have to open a case.

Trustee vanHaaren stated she also received calls and the callers also confirmed that the person passing around the petition was giving out false information. One of the callers were led to believe this was about the New Carlisle Annexation. She stated had they read the petition they may have not signed it. She is disappointed. The Referendum is a process that gives voters an input.

Trustee Don Black said that he thinks this is terribly unfair. He thinks the only way they could get signatures was to lie about the facts. If residents were told the factual plan he feels that they would not have signed it. The very same petitioners, some have never ever attended a meeting, so how would they know the details and facts. He is disappointed in our residents; however, it is a small percentage that signed the referendum, 221 signatures out of almost 5,000 residents. It is a shame that they want to go against this. This really hurts the residents on Bethelville and their Flooding Issues. The plan would have helped them. Our focus should be Annexation. I understand the school is overcrowded but 20 houses on 60 acres would not hurt.

Trustee Reese stated ~~mentioned~~ that the intention of the public comments section was intended for the public to address the Trustees, not for us to answer questions.

Trustee Reese then went on to make two points about the process. First, it was my understanding that when collecting signatures, if a person believes what they are saying, they can say it. Second, I get asked questions all the time about the New Carlisle annexation, the Huber Heights annexation, and development in the township and unless you spend a lot of time explaining, people sometimes get confused about which development you are describing. I suspect there was some confusion just in general.

Trustee Black stated to Ian Bowman that he didn't have any way to say no to this.

Administrator Ehrhart did state that he notified the News outlets as soon as we found out we had to have this meeting. This is the only action that can be discussed, and that there was a second section for public comments but any additional comments would have to be based on the actions, like if someone wanted to talk about the vote.

ACTION ITEMS

RESOLUTION #22-12-080

A RESOLUTION CERTIFYING A PETITION FOR TOWNSHIP ZONING REFERENDUM RESOLUTION 22-10-072/RE-ZONING CASE ZA-03-22 TO THE MIAMI COUNTY BOARD OF ELECTIONS IN ACCORDANCE WITH OHIO REVISED CODE SECTION 519.12

WHEREAS, ON OCTOBER 25 2022, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY, OHIO (“BOARD”) ADOPTED RESOLUTION 22-10-072/RE-ZONING CASE ZA-03-22: A RESOLUTION APPROVING ZONING CASE: ZA-03-22: A REQUEST FROM D.A. BOWMAN CONSTRUCTION TO RE-ZONE MIAMI COUNTY PARCEL #A01-059300, 60.457 ACRES CURRENTLY ZONED A-2, TO R-1AAA, AND

WHEREAS, ON NOVEMBER 22, 2022, THE FISCAL OFFICER FOR BETHEL TOWNSHIP, MIAMI COUNTY, OHIO, RECEIVED THE ATTACHED PETITION FOR TOWNSHIP ZONING REFERENDUM ON RESOLUTION 22-10-072/RE-ZONING CASE ZA-03-22 CONSISTING OF 17 “PART

PETITIONS” CONTAINING 221 SIGNATURES AND A MAP OF THE AREA TO BE SUBJECT TO THE PROPOSED REFERENDUM (COLLECTIVELY, “PETITION”); AND

WHEREAS, UNDER R.C. 519.12 THE PETITIONERS HAD UNTIL NOVEMBER 24, 2022, TO FILE THE PETITION WITH THE BOARD; AND

WHEREAS, UPON EXAMINING THE “FACE” OF THE PETITION IT APPEARS THAT IT IS IN THE FORM REQUIRED BY R.C. SEC. 519.12 AND THAT IT CONTAINS THE NUMBER AND FULL AND CORRECT TITLE OF THE ZONING AMENDMENT RESOLUTION, MOTION OR APPLICATION, AND FURNISHES THE NAME BY WHICH THE AMENDMENT IS KNOWN AND A BRIEF SUMMARY OF THE AMENDMENT, MOTION OR APPLICATION’S CONTENTS; AND

WHEREAS, AN EXAMINATION OF THE PETITION INDICATES THAT IT CONTAINS 221 SIGNATURES, WHICH NUMBER EXCEEDS 8% OF THE TOTAL VOTES CAST FOR ALL CANDIDATES FOR GOVERNOR IN THE UNINCORPORATED AREA OF BETHEL TOWNSHIP, MIAMI COUNTY, OHIO (APPROXIMATELY 190 VOTES) IN THE LAST PROCEEDING GENERAL ELECTION FOR GOVERNOR OF THE STATE OF OHIO.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY, OHIO (THE “BOARD”) THAT

SECTION 1: Upon examining the attached Petition for compliance with R.C. 519.12, the Board hereby finds that the Petition was timely filed and that the Petition appears to be compliant with pertinent provisions of R.C. Sec. 519.12.

SECTION 2: The Board hereby certifies the attached Petition For Township Zoning Referendum Resolution 22-10-072/Re-Zoning Case ZA-03-22 to the Miami County Board of Elections to determine its sufficiency and validity in accordance with law, and, if the Miami County Board of Elections so determines that it is indeed sufficient and valid, to place the question of the referendum for vote on the ballot at a special election to be held on the day of the next primary or general election that occurs at least ninety days after the date the Petition was filed with the Board.

SECTION 3: In accordance with law, Board Resolution 22-10-072/Re-Zoning Case ZA-03-22 shall not become effective unless a majority of the votes cast on the issue is in favor of the amendment and the Miami County Board of Elections has certified such result.

SECTION 4: Immediately after the adoption of this Resolution, the Fiscal Officer is hereby directed to transmit a certified copy of this resolution, the original Petition, including all part-petitions, and the map to the Miami County Board of Elections.

The motion was moved by Trustee: **Julie Reese**
And seconded by Trustee: **Beth vanHaaren**

VOTE:

Trustee Julie Reese YES
Trustee Beth vanHaaren YES
Trustee Don Black YES

CERTIFICATE OF RECORDING OFFICER

I, DEBORAH A. WATSON, HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF RESOLUTION #22-12-080 ADOPTED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI

COUNTY HELD ON THE 8TH DAY OF DECEMBER, 2022, AND THAT I AM DULY AUTHORIZED TO EXECUTE THIS CERTIFICATE.

DEBORAH A. WATSON
FISCAL OFFICER
BETHEL TOWNSHIP, MIAMI COUNTY

Motion to adjourn at 1:35

Don Black, Chair

Julie Reese, Trustee

Beth Vanhaaren, Trustee

Deborah Watson, Fiscal Officer