

Minutes of the Board of Licking Township Trustees, Regular Meeting, held at the Twp Hall Jacksontown, OH at 7:00pm on June 19, 2006.

Mr. Acord called the meeting to order with the following members present: Ron Acord, Dave Miller and Jill Linn. Joe Cooper was absent.

Others present: Julie Sheets, Ed Brosie, Larry Gerlach, Joe Walker, Joe Hart, Steve Trickle, Bill Ours, Charles Prince, Cindy Fields, Robert Snedden Sr., Richard Cash, Doug Hoermle, Richard Cash, Steve Patterson and Charlie Davis.

The Pledge of Allegiance was recited.

Minutes of the May 15, 2006 meeting were read, approved and signed by the Trustees.

Minutes of the June 5, 2006 meeting were read, approved and signed by the Trustees.

Attached is a copy of all expenditures totaling \$13,214.02.

There are funds on hand or in the process of collection to pay the attached listed bills. _____, Fiscal Officer.

Motion was made by Mr. Acord, seconded by Mr. Miller that the attached list of bills be approved as the lawful obligation of Licking Township and the Fiscal Officer be directed to issue warrants of the Township in payment of the same. Roll call: Acord, yes; Miller, yes.

CORRESPONDENCE:

1. Received information from LCATS regarding a Christmas in July hog roast.
2. Received information from the LCHD regarding a dog bite incident.
3. Received a notice of violation from the LCHD regarding the property at 2210 Ryan Road.
4. Received the June Grassroots Clippings.
5. Received the Ohio Historic National Road Design Handbook.

The Fiscal Officer mentioned that there will not be a budget hearing since it is not necessary.

There was no Fire Co. report.

Joe Walker turned in 1 permit totaling \$45. The resident on 18 Summit Street will clean up his property.

Mr. Acord wanted to explain what was agreed to in executive session. Mr. Miller wanted to clarify that no decision was made in executive session. Mr. Miller mentioned that Mr. Cooper was not here to defend himself. Mr. Miller's personal opinion on the zoning appeals board process is that he believes the issue was tainted and that Mr. Hart won the election. He stated that if you want controversy you can throw it out and start again. He mentioned that being a fair-minded person, if he was on the board and felt that it was received in an inappropriate way or under cloud, he personally would step down. Mr. Acord mentioned that he had a meeting with Jerry Brems in which Mr. Brems would let the Trustees know by the meeting whether he would step down. Mr. Brems didn't contact the Trustees so Mr. Acord mentioned that he believes that Mr. Brems will fill the position. Mr. Acord mentioned that the Trustees will be the ones whose scores will count. He mentioned that it would be appreciated if Mr. Walker and the Board Chairman sit in on the interview process. Mr. Walker said that when he took the job of Zoning Inspector he was told that he would attend those meetings and that his input would be weighed like everyone else. He doesn't have a problem with the Trustees making the decision he just doesn't get paid enough to sit there for two hours and do nothing. He doesn't mind weighing in but why waste his time. Mr. Acord said that it was his choice.

In regards to the new zoning permit fees, Mr. Miller said that the proposed rates were out of line. He mentioned going from \$75 to \$435 for the zoning hearing is ridiculous. Cindy Fields mentioned that early in the spring she came to a township meeting and pointed out that she saw some inconsistencies in the zoning fees. At that time she said that Mr. Cooper mentioned that there were different fee schedules floating around. The research that she has done from the time, with the exception of Mr. Acord, the Trustees who have been on the Board would be familiar with the fee schedule from 1988. According to the website, the zoning fees were effective September 8, 1983 and the only amendments on February 1, 1988 were changes to pools and decks. Cindy mentioned that the actual zoning resolution establishment of amendments and time lines that are in the proposed zoning that went before the Zoning Commission and the Commissioners only listed four amendments through September 19, 1988. Cindy also mentioned that there are five amendments in the current zoning and that what is on the website is not current. She asked in the spring if what was on the website was current and was told by Mr. Cooper that it was. She asked that the Board update the website. She would also like to know why a resident was charged \$100 for a trailer permit when the fee schedule from 1983 states that it should be \$25. She asked that if there had been updates, when did they occur. She mentioned that would like them placed on the website and wants to know when the amendments took place. She also asked back in the spring that if you want to be a Trustee is there a manual so that you know how to do your job. She was told then that they check with the prosecutor but no one said that there was a manual. Mr. Miller said that there is a manual in the ORC. Cindy mentioned that the State Auditors Office provides a 612-page manual and that it would be costly to download. Mr. Miller said that they each have a copy. Cindy said that it

would be nice to have a copy available at the meetings. Mr. Miller stated that he does not have a computer, doesn't want one doesn't need one. As far as he is concerned half of the stuff on there doesn't need to be and it would suit him to do away with the website. Cindy mentioned that she has not been able to attend the meetings and went to the website to read the past minutes and they were only available to March 20. Mr. Miller said that that is the other problem. Cindy asked that they maintain the website. Mr. Acord said that he will let Mr. Cooper know. After further discussion, Mr. Miller made a motion to accept the fees with the only two amendments of Zoning Commission \$235 and Zoning Appeals \$200. Mr. Acord seconded the motion. Roll call: Acord, yes; Miller, yes.

Mr. Acord mentioned that they will be paving Avon Place and Ridgley Tract Road with the motorpave next week.

Mr. Miller read the April 12, 2006 letter from Assistant Prosecutor, Eric Eox. The letter was given to Robert Snedden, Sr. A copy of the letter is on file with the fiscal officer. Mr. Snedden mentioned that it is his land and that it was never dedicated. After a heated discussion, Mr. Miller gave Mr. Snedden 30 days to remove the objects. Cindy Fields said that she was ashamed of the tactics the Trustees have used. A discussion followed. Cindy asked why the letter wasn't sent back in April and mentioned that no notice was given when the Commissioners or the Engineer came out. Mr. Miller said that they didn't have to give notice. Cindy also asked how they determined that the land belongs to the road and Mr. Miller replied 'no comment.' Cindy stated that she was told in previous meetings that Mr. Snedden owned the ground to the road.

Mr. Miller said that he received a few calls regarding some trees, which have been taken care of. The steal post on Maple Avenue will be taken care of. The mower was fixed.

Julie Sheets mentioned that the Commissions, the Engineers and Mr. Acord were out for the viewing of Hebron Avenue. The Commissioners asked Mr. Acord how a zoning permit was issued in the first place. She mentioned that the several people are looking into that along with the Ohio State Board of Building Code Standards. She mentioned that she has an existing garage and is putting on new siding and doors and was quite offended when Mr. Acord said 'how did that happen' when right behind them sits a 100 foot long building in the middle of Hebron Avenue. Mr. Acord mentioned that he thought it was a new project. Mr. Miller mentioned that he had attended several meetings and that at the time the information given to Mr. Walker and the Board was legal. A discussion took place. Mr. Walker received a call from Ms. Sheets surveyor, Mr. Harmon, who left a message stating that the original map showing Hebron Avenue was wrong. Mr. Walker used the map from the engineers' office and was told that the issuing of the permit was his call. Mr. Walker thanked the Trustees for their support.

Steve Trickle asked that prior to Joe Cooper manipulating the vote to his outcome it was his understanding the Joe Walkers vote counted before. Mr. Acord agreed. So, if there is a revote and there should be, Joe Walkers vote should count with this vote since Joe Cooper can't change the rules as he goes. Steve also stated that if the Trustees want to change the way that the decision is made that it should be done after this. He also stated that the first part of the word Trustees is trust and Mr. Cooper does not have that with him anymore. Mr. Acord said that it is now in the past and will go on with the Trustees voting in the future. Steve said again that Joe Walkers vote should count on this since it was before the change. Mr. Acord said that they already made the motion to have Jerry Brems fill the position. Steve mentioned that it was by lies and deceit.

Joe Hart mentioned that he does not like to talk about this subject with Mr. Cooper not being at the meeting but based on some of the comments made he wanted to present a few things. He thanked Mr. Cooper, Mr. Miller and Mr. Acord for having the courage to go back and at least attempt to reassess or attempt to discuss the issue. Joe Hart mentioned to Steve Trickle that he is not reading what he is feeling from the Trustees. At the Board of Zoning Appeals meeting Mr. Cooper went through his letter and Joe Hart said to the Board of Zoning Appeals, when Mr. Cooper said to Mr. Hoermle and Mr. Brems that they were going to reassess the decision, that unless Mr. Hart took legal proceeding to invalidate the initial meeting because it wasn't properly publicly noticed, which he is not going to do, the Trustees have made a subsequent appointment and the individual is seated so there are five members on the board. Unless Mr. Brems resigns there is no opening for the Trustees to consider their original vote. Mr. Hart mentioned that the Trustees didn't say tonight that if he resigned that they would not consider the original vote. Mr. Hart also mentioned that it was him who used the word manipulate and that Mr. Cooper used the word misunderstanding. Mr. Hart strongly and firmly believes it was manipulated. Mr. Hart mentioned that Mr. Acord made the comment earlier in the meeting that the in the future decisions will be made by the highest score of the trustees. Mr. Acord agreed with the comment. Mr. Hart said that since that statement was made and before the Trustees finalize the future procedure he wants them to be aware of a few things and consider them. He gave the Trustees his analyzation of the results he came up with after receiving the public documents as to how the Trustees came up with the results. Mr. Hart went over his results, which indicated that three of the four evaluators picked him for the position (not including the score). Mr. Hart mentioned that discussion and deliberation should take place and not just by the score since, in this case, two out of three Trustees voted for him. Mr. Hart mentioned that the procedure with three Trustees going by the high score still has the potential for one person to control the outcome. Mr. Hart said that we will not hear from him on this appointment again but may run an editorial. Mr. Hart believes he should have been appointed but understands the situation the Trustees are in and is not going to challenge it legally. Mr. Hart mentioned that the appointment has been made for the remainder of this year and to the end of

next year and that the Trustees may want to consider him before reappointing Mr. Brems.

Ed Brosie mentioned that the integrity of the board is in question to him. He said that two to three weeks ago he shared some information with Mr. Cooper that was for the ears of the Trustees only and that one of the moles within the organization got a hold of it and now he is in civil litigation. Mr. Miller said that he did not know what he was talking about. Mr. Brosie said that his daughter, Julie Sheets, has property in Avondale and is having problems with her neighbor, Mr. Guyer. Mr. Guyer informed the Commissioners and everyone else that an older couple owned the property, lived in Florida and could not be contacted. Thanks to the computer, Julie Sheets found out that they live east of Zanesville. Julie Sheets went and informed them that Mr. Guyer was running a drain plow threw their property without permission. The couple informed Ms. Sheet that they were thinking of selling the property and asked her if she would be interested in buying it. Ms. Sheets decided to buy it and went with a sales agreement and a check. Mr. Brosie gave the information to the tile company to run a title search and had a closing set for June 6. In this period of time Mr. Brosie let Mr. Cooper know that he bought the property. Mr. Guyer found out and went and met with the couple on the Sunday prior the closing date. Mr. Guyer had the couple sign over the deed to him and on Tuesday morning, three hours before their closing, and filed the deed. Mr. Miller and Mr. Acord were both unaware of this. Mr. Brosie apologized for questioning the integrity because he assumed that they knew about it.

Doug Hoermle, a candidate for the Zoning Appeals Board member, stated that the future decisions should be made by the Trustees. Mr. Hoermle mentioned that you can spend years dissecting the scores and dissecting the situation and that it is important to move on. It is critical that the township be represented well by its volunteers. In dlscusslon that he has had with Mr. Hart, he belleves that

all three would have been well appointed. Mr. Hoermle also welcomed Mr. Hart to serve as the other alternate. He also thinks that everyone involved in that selection process has tremendous integrity and wishes to move on and help the county in a positive manner.

Charlie Davis stated that all the stuff going on, to remember election time.

A discussion took place regarding mosquito control.

Larry Gerlach believes that Mr. Cooper is controlling the township and calls the new zoning proposal the Cooper/Mercer Zoning Proposal. Mr. Miller would like to see line item veto on the zoning proposal.

Mr. Miller mentioned that he was accused at another meeting of not giving Mr. Snedden a letter. He did give Mr. Snedden the original letter and read it word for word so that there would not be any misunderstanding of the Board or any members present. He mentioned that the 30 days start today.

Richard Cash mentioned that Mr. Cooper has taken a lot of comments tonight, but you can't blame him for getting information out if you do not know. In his observation, you cannot allow one person to manipulate or run the township. It all reflects on the Trustees not on an individual even though one is to blame. It also affects the townships' respect of the office. For Mr. Snedden to get up and yell and scream, he has lost confidence. Mr. Cash also stated that Mr. Acord and Mr. Miller need to put some confidence back in the township and take some leadership and it needs to be done now. Mr. Cash also said that they are going to have to stop and think things through and not just take it on blank faith and make decisions. As far as the fees, they can always be changed and not to jump them up to where people can't afford to do things. Be fair and treat people the way they should be treated and they will treat you the same way. Unfortunately, he believes that the Trustees have hit rock bottom. Stop and think of what is best for the community and if that is done maybe some of the problems will go away. Mr. Acord said that Mr. Cash made a lot of good comments.

Mr. Acord made a motion to adjourn the meeting. Mr. Miller seconded the motion. Roll call: Acord, yes; Miller, yes.