

Minutes of the Board of Licking Township Trustees, Regular Meeting, held at the Fire Co. Station 3, Jacksontown, OH at 7:00pm on November 5, 2007.

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

Others present: Lloyd Fyffe, Soni Moran, Joseph Hart, Cindy Fields, Robert Snedden Sr., Joseph Walker, Marshall Eubanks, Bill Ours, Mike Payne, Larry Gerlach, Steven Gould, Mike Briggs, Rick Black and Steve Patterson.

The Pledge of Allegiance was recited.

Total expenditures of \$26,448.15 were approved and paid by the signatures of the Trustees.

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

CORRESPONDENCE:

1. Applications for the part time road position. 2. Two cemetery deeds were signed.

Mike Wilson gave the Fire Co. report. There were 75 runs in October. He gave the Trustees information regarding the reason the dispatch center did not call them out properly, which was due to an employee error and that person was disciplined. The survey was done on the property which had a cost around \$700. He asked the trustees to check with the fiscal officer to see if she received a \$5500 check for an EMS Grant. He also mentioned that the haunted house was shut down due to not having a change of occupancy permit. He is in the process of meeting with the Building Department and the Franklin Township Trustees to make sure that they do what they need so that they can have the haunted house next year. He apologized for not being able to help the food pantries. He encouraged everyone to vote for the fire levy.

Joe Walker turned in 3 permits totaling \$795. He checked on a couple of complaints and they have been resolved including the Edgewater Beach Blvd complaint.

Rick Black, candidate for the Licking County Commissioner in 2008, introduced himself to the residents of Licking Township.

Steven Gould, from the Laborers-Employers Cooperation and Education Trust, dropped off information from the Wage and Hour Bureau.

In regards to the purchase of the Rutledge land purchase, Mr. Cooper made a motion to proceed to purchase the 4.3 acres of the Rutledge parcel no: 20510180032978 at \$4000 per acre. Mr. Miller seconded the motion. Roll call: Cooper, yes; Miller, yes.

In regards to the salt purchase, Mr. Miller said that the ball was dropped and that the salt should have been purchased in the spring. He mentioned that there is still salt from last year which will need to be used so only one load will need to be purchased at this time. Mr. Miller made a motion to have Henderson Trucking from Delaware bring the salt at \$65 a ton with hauling for a total of \$72.25 a ton. Mr. Cooper seconded the motion. Roll call: Cooper, yes; Miller, yes.

Mr. Cooper mentioned that the Licking County Planning Commission will hold a public hearing on Licking County Subdivision Regulations on December 17 at the County Administration Building.

Mr. Cooper mentioned that we received six resumes for the part time road worker position. Mr. Cooper asked the trustees go through the resumes and assess a final list for actual interviews and schedule the interviews at the next township meeting. He will ask Mr. Acord to schedule the times for the interviews.

Mr. Cooper mentioned that in discussion with the Fiscal Officer the ad for the parking at The Woods was advertised on October 19 so the discussion on the issue will be at the next township meeting.

Mr. Cooper mentioned that there will be a Township Records Commission meeting on November 20 at 7:00pm at the Licking Township Fire Co., Station 3.

Mike Briggs mentioned that there are two trees by the firehouse that are dying and mentioned that there is a fireman on the department that will assume all liability and will take the trees down for firewood. Mr. Cooper made a motion to have the firefighter take down the trees and remove the stumps. Mr. Miller seconded the motion. Roll call: Cooper, yes; Miller, yes.

Joe Hart mentioned that they are taking out the railroad and was informed that a bike trail was going to be put in. He mentioned to Mr. Cooper if there is no language in the existing zoning regarding a bike trail, it would appear to him that it would take a text change and a zoning change to allow for a bike trail. He mentioned that there are several people in opposition to the bike trail and would like someone to research whether or not there is language change and if there is no language and not able to be put in under the current language then he thinks someone of authority should notify The Evans Foundation that there is opposition of it becoming a paved bike trail from Heath to Lakewood High School. Mr. Miller said that he saw a deed which states that if the train ceases to exist the land reverts back to the center of the track to the property owner on each side. Mr. Miller believes that this is not going to be a cut and dry deal and that it will take a

while. Mr. Cooper said that this is a land use issue which needs to go before the Licking Township Zoning Commission for a rezone and a text change to even allow it. A discussion followed. Mr. Cooper asked Joe Walker to review and offer him an opinion so that he can go ahead and draft a letter to inform the Evans Foundation of the concerns and procedure.

Marshall Eubanks came with concerns from Harbor Hills regarding an application to vacate a part of Amherst. Bill Ours mentioned that the Harbor Hills Civic Association is on top of it. A discussion followed.

Mike Payne asked for a copy of the updated township costs. Joe Walker said that he will give him a copy. Mike asked if it was too late to submit an application for the part time road worker position. Mr. Cooper said that he will check to see how it was advertised and let him know.

Robert Snedden asked about his property situation. Mr. Cooper said that it is his intent to go in to an executive session to discuss the process of how this issue is going to be dealt with and it his intent to make a formal vote tonight.

Mr. Cooper made a motion to adjourn into executive session regarding pending court action with the intent to reconvene into regular session. Mr. Miller seconded the motion. Roll call: Cooper, yes; Miller, yes.

Mr. Miller made a motion to open executive session. Mr. Cooper seconded the motion. Roll call: Cooper, yes; Miller, yes.

Mr. Cooper made a motion to end executive session. Mr. Miller seconded the motion. Roll call: Cooper, yes; Miller, yes.

Mr. Miller made a motion to reconvene into regular session. Mr. Cooper seconded the motion. Roll call: Cooper, yes; Miller, yes.

Mr. Cooper made a motion that the board proceed with the recommended process by our legal counsel by initiating a petition for a true line determination of Somerset Road commencing from U.S. 40 south to the access road to Dogwood Lakes Subdivision. Mr. Miller seconded the motion. Roll call: Cooper, yes; Miller, yes. Mr. Cooper mentioned that this is a legal process petitioning the County Commissioners to make an assessment of that section of roadway to make a true line determination. Joe Walker had correspondence from the prosecutor's office stating the information and action that we need to take to determine a true center line of that road. According to our resolution, Section 13, Set Back Lines - if there is no established right of way on either side of that the township has the right to determine the center of that road and on 30 feet on each side that will be the set back. Robert Snedden asked if his fence was also in the way. Mr. Miller said not necessarily. Mr. Walker said that they will have to determine the center of the road and then measure 30 feet back. Mr. Snedden was asked by Mr.

Walker to move the railroad ties and other objects back 30 feet and then it will be legal, if not, Mr. Walker said that he has been instructed, by the prosecutor's office and by the Board of Township Trustees to start legal action. Robert Snedden asked how Mr. Walker is going to find and determine the middle of the road. Mr. Walker said that he may need some help with that but thought that he would go back to the intersection and measure x number of locations from the center of the blacktop. Robert Snedden said that he has to go from his deed. Mr. Cooper said the Mr. Walker will make the decision. Mr. Walker told Robert that he is going by the information given to him by the prosecutor's office. Mr. Walker informed Robert that at such point he will receive notification that he had x number of days to remove those objects and if not we will start proceedings and get an injunction and have you move them or remove them for you.

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