

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

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

The Pledge of Allegiance was recited.

Others present: Lloyd Fyffe, Joe Hart, Robert Snedden Sr, Michael Cormican, Joe Walker, Larry Gerlach, Bill Ours, Marshall Eubanks, Doug Price, Mike Briggs, Charles Prince.

Total expenditures of \$42022.96 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: None

Mr. Miller asked why they need to go to a meeting regarding the vacating of a part of Amherst Drive when he was under the impression that they withdrew their petition. Mr. Acord said that they are applying to vacate again.

Mr. Miller gave the Fire Co. report. There were 72 runs in November.

Joe Walker issued two zoning permits totaling \$320. He checked out one complaint which has been resolved.

Mr. Miller said that he talked with Tony Stucco and we need to make a list of junk cars or junk building. If we get our list in first they can use us as a test trial case and it would be a good way of getting rid of the junk in Licking Township.

Michael Cormican mentioned his concern with the bike path in which was there is nothing in our current zoning laws pertaining to a bike path. He said that our zoning code stated that railroads and public utilities are exempt from our zoning law and that it is no longer considered a railroad which now falls under the non conforming use of land. Non conforming use of land is a track, parcel or site devoted to or occupied use that does not conform with the provisions of this resolution for the district in which it is located. He also mentioned that the definition regarding to a structure and stated that a piece of concrete, a road, a bike trail is constructed on the ground. He believes that the Evan Foundation would need to file for a conditional use permit. He further went on and gave the definition of subdivisions which he believes that the Evans Foundation is dividing up land since there are deeds which state the owner owns to the center of the track. He further read the conditional use permit definition. He also mentioned

that looking at the future land use map from the comprehensive plan shows areas the township would like to use as parks, agriculture, etc. The Buckeye Scenic Railroad is covered under agriculture on the future land use map. He was also told that when the comprehensive plan was done in 2002 that the majority of residents favored bike trails and that that is not true. He said that no one in Licking Township is in favor of bike trails. Mr. Cooper said that it is only a stated goal in the comprehensive plan. Mike then went over parts of the survey that was done for the comprehensive plan. In light of this information Mr. Miller made a motion to rescind the motion from the November 19th meeting. There was no second. Mr. Cooper stated that he feels that the motion was done with the opinion of our legal council and zoning inspector that it should stand but that the concerns of Michael Cormican need to be looked at. Joe Walker said that it can be opened up again in an emergency. He also said that the property owners may have deeds stating that the land goes back to them but does not feel that it is his job or the trustees' job to take on the legal aspect and that the property owners need to take it up with the Evans Foundation. He stated that a lot of people put down asphalt and we have never issued a permit. He mentioned that we have to be guided by what the prosecutors' office informs us to do and this is the course that we are following at the present time. He also mentioned that Mike Cormican brought up the comprehensive plan in which Joe Walker stated that it was put together for future reference and has nothing to do with the current resolution. Marshall Eubanks thinks that the trustees should rescind the resolution and they need to represent the residents of the township. Joe Hart reminded the trustees that at the last meeting the resolution was to take no further action of any sort. So if they were going to consider studying it more or getting more information then the request of Mr. Miller to rescind the prior motion might put you in a little better position to do a follow up. Joe Hart mentioned that in a previous meeting Mr. Cooper and Joe Walker said that there was no language in the zoning resolution for a bike path but both thought that it was a use issue and that their opinions changed after they researched information from the prosecutors' office. Joe Hart mentioned that he hopes they have something in writing from the prosecutors' office that says there is nothing needed. Mr. Cooper said that it is forth coming. Joe Hart doesn't believe that it should fall under a conditional use but it should fall under non allowable use. Mr. Miller said that the opinion from the prosecutor prompted his vote at the last meeting but the new information from Mike Cormican prompted him to rescind the previous motion. Joe Walker wanted to make it clear that Mike Cormicans' comments were also just an opinion. Joe Walker, in referring to the comment from Joe Hart stating that it is the zoning inspectors' responsibility for the decision on this, will be guided by what Judy Edwards tells him. John Cormican asked about the safety of the crossroads. Mr. Walker said we do not take the responsibility of it because we don't have a police department within the township and that it is the responsibility of the Licking County Sheriffs' Office. Discussion and opinions continued. Mike Cormican asked the trustees to ask the prosecutor for the definition of a transportation corridor and the definition of a bike trail.

Mr. Acord made a motion to order another load of salt. Mr. Miller seconded the motion. Roll call: Acord, yes; Cooper, yes; Miller, yes.

Mr. Cooper mentioned that the retention schedule was adopted and that the Fiscal Officer was getting the document in final form.

Joe Hart informed the Trustees that there will need to be a resolution for his bond and his insurance.

Mr. Miller mentioned that the road crew ran a mock snow route so that Robert Mills knows the system in case of a snowstorm.

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