

Minutes of the Board of Licking Township Trustees,
Regular Meeting, held at the Fire Co. Station 3,
Jacksontown, OH at 7:00pm on June 15, 2009.

Mr. Hart called the meeting to order with the following
members present: Joseph Hart, David Miller, John Holman
and Jill Linn.

Others present: Marshall Eubanks, Robert Snedden, Joe
Walker, Mike Wilson, Connie Loudermilk, John Loudermilk,
Larry Gerlach, Jack Creiglow, Bill Ours, Will Kerns, Earl
Bolander, Andy Taylor, Charles Prince and Steve Patterson.

The Pledge of Allegiance was recited.

The financial reports were given to the Trustees.

Mr. Miller made a motion to approve the expenditures
totaling \$22,048.68. Mr. Holman seconded the motion. Roll
call: Hart, yes; Miller, yes; Holman, yes.

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

CORRESPONDENCE: None

Mike Wilson gave the Fire Co. report. They are working on
grants including a new construction of firehouses grant but
they estimate that only 100 grants will be issued out of a
possible 5,000 to 10,000 applications. He mentioned that
the starter went out on the medic and was repaired for a
cost of \$1101.93.

Mr. Miller made a motion to pay the \$1101.93. Mr.
Holman seconded the motion. Roll call: Hart, yes;
Miller, yes; Holman, yes.

Mike Wilson mentioned that the EMS reimbursement grant
money and reporting grant money was received.

Mr. Hart mentioned that the replacement levy would be best
for the township. Mr. Miller read the resolution.

Mr. Miller moved the following resolution: A resolution
determining that it is necessary to levy a tax outside

the ten-mill limitation for fire protection and requesting the Licking County Auditor to certify the total current tax valuation of the township and the dollar amount of revenue that would be generated by a one mill replacement levy.

Mr. Hart seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes. The resolution is on file with the Fiscal Officer.

Joe Walker turned in three permits totaling \$200.00. The property on Marklan Drive has been mowed. Mr. Walker received two complaints on Crestline Drive. One resident is raising pigs for a 4-H project for the Hartford Fair and that resident said that they will keep the pen clean and that the pigs should be gone in August. The other is a house that is in foreclosure which needs to be maintained and Mr. Walker is trying to contact the bank.

Mr. Miller will have the road repaving list at the next meeting. He also mentioned that the mowing will be done by July 4th.

Mr. Hart prepared a letter to Mr. Snedden thanking him for complying with the request from the June 1st resolution.

Mr. Hart moved that the Licking Township Trustees forward the letter to Robert Snedden, Sr. Mr. Hart read the letter. Mr. Holman seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

The Trustees signed the letter. Mr. Snedden refused to accept the letter at the meeting so the letter will be mailed.

Earl Bolander brought pictures regarding the house with the pigs. Mr. Walker mentioned that the resident said that they had contacted animal control who said that they have no problem with it since it is a 4-H project. He also mentioned that the house with the tall grass has multiple cats living there. Earl mentioned that he did contact the health department and was told by them to contact Joe Walker. Again, Mr. Walker mentioned that he is trying to contact the bank. Andy Taylor has the same complaints.

Connie Loudermilk wanted to know what the Trustees position is on the properties on the corners of Somerset Road. Mr.

Hart said that it is not our position but that it's a recorded position of the property owner. Mr. Hart said that the issue of the safety and the nuisance on the road is the issue that was addressed and that the issue Robert Snedden has on the property will have to be addressed by him and his lawyer. Mr. Hart said that this is our position: That Mr. Snedden owns to the center of Somerset Road which was determined and the centerline is marked, as do most of us. That centerline is farther west on the paved portion of the road and that does not alleviate our responsibility of maintaining a public road. That road is where it was when Mr. Snedden acquired the property in 2001. Mr. Hart mentioned that if Mr. Snedden feels that there is something that he needs to do with regard to him wanting us to not maintain that road then he needs to see his personal attorney and pursue from there. Connie agreed that the mess Mr. Snedden had was a nuisance and a public hazard but it seems that the Trustees have purposely gone on Mr. Sneddens side of the road when they could go on her side of the road and that there is a big hole on her side which no one seems concerned about. She feels that the issue is not being addressed and making him get an attorney is unfair. She believes that once his property is cleaned up that the township will go over further and that the Trustees are not representing the people but are taking advantage of one old guy. Also, if it's a public safety concern why hasn't the hole at the end of Somerset Road and St. Rt. 40 been addressed. Mr. Hart said that he has tried to resolve this issue to no avail and that this was not an easy decision. Mr. Hart asked Connie what she thinks should be done. She said that they should take the pavement off the road. Mr. Hart said that the township has no intention of removing any of the road. The Trustees have worked with the County Engineer and the Assistant Prosecutor and they have never said that they were going to remove the road.

Will Kern mentioned that there is an O.R.C. process to move the road and to do an improvement which needs to have public discussion and be documented. He asked the Trustees if they documented the fact that they widened the road and paved it. Mr. Hart said that he was not going to try and address things that have happened over 25 years. Will Kern asked about the specific data and results that were obtained from Tim Lollo when he was out in the spring and what happened with the petition 5553.18 to determine the centerline of the road. Mr. Hart said that the petition

needed to be signed before Tim Lollo would do the centerline and that it is a county process. Will Kern said that he told Robert Snedden that the worst mistake he did was to allow the township to fill in the ditch. Mr. Acord said that there is no right of way from Robert Sneddens property to St. Rt. 40 and that it has always been from ditch line to ditch line. Mr. Miller mentioned that the county stated that the county controls ditch to ditch and the Robert Snedden wanted the ditch filled in so the township hauled material, tapered and seeded it. The ditch is still there and it has not been paved over and there were marking pins placed so that it would not be encroached upon. Mr. Hart mentioned that Tim Lollo did what the County Commissioners commissioned him to do. The Trustees asked him to redefine where the centerline is and he has. Will Kern asked if there was a report and Mr. Hart said that we don't need that report since the centerline is marked and he can ask Tim Lollo for a report.

Robert Snedden mentioned that he bought the property in 1963. The road was first widened when they put in Dogwood Lakes and dug the bank off and put in a ditch and then after 6 or 7 years chip and seal was put down. Robert said that in 2004 Mr. Cooper came to him one evening and asked him to remove a timber and he did. The next day asphalt was put on the road and the road was widened because an edger was not used. In 2005 the Shelly Co. was to pave 18' but paved at 21' 6" by his home.

John Loudermilk said that he has mentioned to the Trustees that if they need to go on their bank, which is a nuisance, to fix the road that everyone would be happy. He mentioned that the Trustees probably haven't told the assistant prosecuting attorney their thoughts on this because if he knows about fixing the road by fixing their bank he might wonder why this is not being done. Mr. Miller asked him what he thinks they should do. John mentioned that the ditch is so deep by St. Rt. 40 and Somerset that people are driving around it and going on Robert Sneddens property. Mr. Miller said that the state owns it and John said that he needs to contact the state. John also mentioned that there is 3' more pavement on Roberts side then their side. Mr. Hart said that no one is intentionally trying to do anything to Robert. Mr. Hart said that a question came up a couple years ago, before he was a Trustee, as to how far back Roberts' things need to be moved and the Trustees would not give him a definition and Mr. Hart stood up and

asked him to move them back 2' so that there is not a hazard and Robert never moved them. Mr. Hart said that when you have an obstinate irresponsible attitude then the Trustees must do something to protect the township from being sued. Robert has responded to that and as long as he keeps the property cleared there will be no further action from the Trustees. He also mentioned that both Connie and John Loudermilk has asked what the Trustees are going to do, and he has been very clear that they will not move the road but that they will not widen the road any farther on either side of the road and if that does not satisfy Robert then he has legal recourse that he can take. The road is where the road is and that is where it will be maintained right now.

Marshall Eubanks gave pictures of the railroad cars to the Trustees. He also mentioned using H.B. 50 to remove them.

Robert Snedden mentioned that the Dogwood Additon was to have 2 sewer plants and not septic tanks. The septic tanks are running into the lake. Mr. Hart, again, mentioned that the Trustees do not have any jurisdiction over a 1964 plat of that housing addition. Mr. Hart directed him to the Licking County Planning Commission and or the Health Department.

Mr. Miller made a motion to adjourn the meeting at 8:28pm. Mr. Hart seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Meeting of June 15, 2009

Attest