

Minutes of the Board of Licking Township Trustees, Regular Meeting held at the Fire Co., Station 3, Jacksontown, OH at 7:00pm on February 1, 2010.

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

Others Present: John Holman, Charles Krumm Jr., Joe Walker, Bill Ours, Robert Snedden, Jon Lynch, Charles Prince, Mike Wilson, Mike Harris, Max Tharp, Mike Briggs and Steve Patterson.

The Pledge of Allegiance was recited.

Minutes of the January 4, 2010 meeting were read and approved.

Minutes of the January 19, 2010 meeting were read and approved.

Mr. Snedden received a signed copy of the minutes along with a copy of Resolution 11910-SR.

Mr. Hart made a motion to approve the expenditures totaling \$4168.59 dated December 31, 2009. Mr. Miller seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, abstain.

Mr. Miller made a motion to approve the previously paid expenditures dated January 15, 2010 totaling \$10,249.51. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Miller made a motion to approve the expenditures totaling \$27,051.45. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

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

Correspondence:

1. Received two confidential emails from the prosecutors office.

Mike Wilson gave the Fire Co. report. He gave the Trustees information regarding the total runs for the year, information of accomplishments for 2009, information regarding raising the pay rates by \$.50 once the budget is reviewed and the expenses by year. In January the Fire Co. made 102 runs. He also mentioned that there are 3 hand held radios and 2 mobile radios which need to be repaired.

Mr. Hart authorized an expenditure up to \$1600 to repair the radios. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Hart mentioned that Jeff Baucher was at the last meeting regarding the Dependents Board and that it is up to the four members of the board to appoint a member of the community. Mr. Hart mentioned that Robert Hansberger would be willing to sit on the board.

Mr. Hart and Mike both have been in contact with the Zoning Board of Appeals and the Zoning Commission who will change their meeting times in April.

Mr. Hart mentioned that the distribution on the property tax bills where incorrect but that the total bill is correct.

Mr. Miller made a motion to go in executive session at 7:35pm to discuss personnel, specifically to consider compensation of a public employee. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

The Trustees and Fiscal Officer initially went into executive session, Mike Wilson joined the meeting later.

Mr. Hart made a motion to reconvene the meeting at 7:55pm. Mr. Miller seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Hart mentioned that Mike Wilson approached a Trustee with the knowledge that he had been entitled to a benefit

in our policy manual regarding sick days and how unused sick days can be paid at the end of each calendar year.

Mr. Hart moved the following motion: That the Licking Township Trustees authorize our Fiscal Officer, Jill Linn to retroactively pay the Township Fire Chief Mike Wilson for unused sick leave days that would have been available at the end of calendar years 2006, 2007 and 2008. The total amount of the pay is \$7,936.80.

Mr. Miller seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mike Wilson thanked the Trustees.

Joe Walker turned in one permit totaling \$50.

Mr. Miller mentioned that as of 2015 they need to establishment a sign assesment and that all yellow reflective signs will need to be updated.

Mr. Miller mentioned that the case tractor needs a clutch and will bring bids to the next meeting.

Charles Krumm apologized for comments that he made at the last meeting he attended. Mr. Hart accepted his apology. He mentioned that he had been working with Mark Ricketts and Paul and Cindy Ripko regarding the road which runs through the center of his property. His intent is to deed back to Mark Ricketts the minimal amount of land to open up the vacated lane. He asked the Trustees on how he would proceed to open up the previoulusy vacated lane for access. Mr. Miller mentioned that once a road has been vacated it can't be reopened. Charles Krumm would like to vacate a part of Lake Drive. Mr. Miller mentioned that they should meet with the prosecutors office and Tim Lollo to look at what can and cannot be done. Mr. Hart mentioned that they have previously taken the position that they are not going to close a road that has been opened to the public for years. If the township is going to be open to changes then that decision will need to be made before private negotiations over where the Township stands on a public road. Mr. Hart mentioned that there is conflicting information being stated that he would like to clear up. Mr. Hart asked Charles Krumm if Paul and Cindy Ripko were in favor of this and Charles said yes. Mr. Hart said that he had spoke with Paul and Cindy who said that they were not in favor of closing the road. Again, Mr. Miller said

that he will need to talk to the prosecutors office and Tim Lollo before anything is done. The Trustees mentioned that an easement will be needed for fire equipment to turn around. Mr. Hart mentioned that if he didn't due the proper due diligence in acquiring the property that is not the Townships fault and that it is his understanding that it is a township maintained road and there is evidence of a perpetual easement on a recorded deed from 1935. Charles Krumm asked Mr. Hart to talk with Paul & Cindy Ripko. Mr. Hart will talk with them. Mike Briggs mentioned that a road will need to adhere to the fire code unless it's a passthrough road. Mr. Hart said that if we start engaging in private negotiations to create a driveway for a guy and do not protect our rights of public road passage there, where we have said that it is a public road and we have maintained it for years, there are several legal processes that we can place on that road to maintain it as a township road, unless we are willing to forego that his recommendation is to get advice from the prosecutor and the county engineer before we get into third party discussion. Mr. Miller will talk with Tim Lollo and Jim Miller regarding this situation. Mr. Hart confirmed with the other Trustees that their current position is that it is a township road and we are maintaining it. Mr. Hart said that he was approached by Mr. Biggs, a neighbor of Charles Krumm, who gave the impression that he was in negotiations with Charles Krumm to purchase the property. Mr. Biggs asked Mr. Hart what he could do with the property. Mr. Hart told him that the property is currently zoned residential and he could continue to run the marina in a non-conforming use and could not expand the building and could not change the business without going through zoning changes, application changes and going through county planning. He also told him that if he had any intent on closing the road that he would find opposition from the Trustees. He also told him to contact the zoning inspector, in which he did. A discussion took place regarding the zoning of the property in which Mr. Hart stated again, that it was in a residential area and the business is operating as a non-conforming use.

Mr. Hart made a motion to adjourn the meeting at 9:11pm.
Mr. Miller seconded the motion. Roll call: Hart, yes;
Acord, yes; Miller, yes.

Attest

Minutes of February 1, 2010