

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

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

Others Present: Dale Wise, Joe Walker, Steve Trickle, Larry Gerlach, Jeff Baucher, Rob Mills, Charles Prince, Bill Ours, Jack Creiglow, Lee Dougherty, Richard Cash, Robert Hansberger and Steve Patterson.

The Pledge of Allegiance was recited.

A Public Hearing took place at 7:03pm to consider amending the text of the Zoning Resolution. The application was initiated by the Licking Township Zoning Commission. They are proposing a text amendment as follows: To amend the existing Licking Township Zoning Resolution to reorganize the document, to renumber articles within the document, to accommodate a proposed new format, to incorporate previously adopted amendments that were never actually published in the document because they were not in an electronic format where they could be easily added, remove Section 19 which is a section on rules and regulations for plats and subdivisions from the existing document due to the fact that Section 519: Township Zoning of the Ohio Revised Code does not authorize townships to have subdivision authority and to remove Section 4 paragraph 4C and a portion of Section 20 both with references to zoning fees which had previously been removed by the Board of Trustees because the fees are adopted by a separate resolution and are not part of the zoning resolution. Mr. Hart swore in those who will be participating in the hearing.

Mr. Hart mentioned that the Fiscal Officer gave them documentation as to the timing and the confirmation from The Advocate and The Beacon where we met the proper notification requirement.

Dale Wise from the Licking Township Zoning Commission mentioned that the old text had been handwritten in and photocopied. The new document will have a new index with article numbering so things are easy to find, the removal of the subdivision and zoning fee sections and the new document will be in electronic format so that things can be added and removed. They did add section numbers and some are for future use.

Larry Gerlach mentioned that he went through the proposal and mentioned that everything is in the new document from the old document. He mentioned that he does have a problem with the blank pages stating 'Reserved For Future Use'. Mr. Gerlach asked, for example, Article 7 is reserved for future use, if the Board approves the new document will whatever ends up as Article 7 be automatically approved. Mr. Miller said that that is not the way he understands it. Dale Wise said that there is no language for that section. Mr. Hart mentioned that the pages that are blank are where they have left room for an insertion of a new article. The new article would still have to go through the process before it is added to the document. Dale Wise mentioned that there are sections which could be added in the future which go along with the section before it.

Joe Walker, Zoning Inspector, has gone through the proposed document and recommends that it be approved. Mr. Walker mentioned that it will help him clarify a lot of things. He feels that this change is needed.

Mr. Miller said that the old resolution has been revamped to bring it up to date and added room for future use which cannot be inserted unless it goes through the proper channels. This is the way he understands it.

Mr. Acord said that he was concerned about the blank pages but that was explained very well.

Jeff Baucher asked if the format that was used a typical format used by other townships, is it following a state format or one that was done by them. Dale Wise said that the format is just a word document that everyone uses and as far as the article numbering they were taken from other existing townships and items they think may be added. Jeff wanted to find out if the articles coincide with state regulations or township regulations. Mr. Hart said that they don't follow state regulations but he does believe

they follow a similar article progression that is being used and recommended by the Licking County Planning Commission as they assist various townships with upgrading their zoning. Mr. Baucher is not opposed to the new document.

Mr. Hart read the report from the Licking County Planning Commission approving the proposed text amendment. Mr. Hart mentioned that whether we agree with all the context of the language that has been in, proposed or passed it should be recognized that many people over a period of time have worked really hard and very honestly in trying to upgrade our zoning. After reading a portion of the report from the Licking County Planning Commission, Mr. Hart mentioned that the logic being used to reformat the document is very sound.

Mr. Hart mentioned that he went through the document and had some modifications. He mentioned that on the front page of the document or the front 2 and 3 pages there should be an adopted date and an effective date on the bottom. Mr. Hart said that he would like to see the dates on the bottom of all the pages. Mr. Hart asked who had the electronic version and Dale Wise mentioned that Keri Cunningham and himself have a copy. As far as the definitions Mr. Hart mentioned that Agriculture Implement Sales, Farm Implement Sales, Heavy Equipment, Motor Vehicle and Repair of Agriculture and Construction Equipment had insert the date and instrument number which leads Mr. Hart to believe that they haven't been passed and that they are new definitions being added. Dale Wise mentioned that were previously passed but Jill Linn is checking to see if they were recorded. In the definition - Building, Height of: there is a typographic error where a '6' needs to be changed to a 'g'. On page 48 under Appendix A: Definitions, first paragraph, Mr. Hart recommends taking out - unlike other portions of the appendix that are presented in the appendix for reference only. In the next sentence - any amendment to this resolution - take out resolution and insert Appendix A. On page 31 the wording 'The map is hereby established and said map is made a part hereof. No building or premises shall be used and no building shall be erected except in conformity with the regulations prescribed herein for the district in which it is located' should be added to each district. On the Articles page under the articles stating 'Reserved For Future Use' add 'No language as of May 3, 2010'.

Mr. Hart moved the proposed township amendment be modified as follows:

1. Put the adopted date and the effective date at the bottom of each page of the document
2. Under each Article marked for future use add 'no language as of May 3, 2010'
3. Add the paragraph beginning with the words 'The map' and ending in the words 'is located' on page 31 and copy that paragraph to Section 12.00 in Commercial/Business and to Article 10.00 in Residential
4. On page 48 remove the words 'unlike other portions of the appendix that are presented in the appendix for reference only' and replace the word resolution in 'Any amendment to this resolution' to read 'Any amendment to this Appendix A is subject to procedures in Article 5

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

Mr. Miller made a motion to approve the document with modifications and changes. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

The Public Hearing ended at 8:10pm.

The financial reports were given to the Trustees.

Mr. Miller made a motion to approve the expenditures totaling \$33,948.69. Mr. Hart seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

#### CORRESPONDENCE:

1. Email from Kevin Eby to Tom Weisert
2. Resolution from LCPC regarding NPDES

Jeff Baucher gave the Fire Co. report. There were 87 runs for the month of April. He will be working on the Dependency Board. The board members are Jeff Baucher, Ron Acord, Jill Linn and Robert Hansberger. Mr. Hart thanked both Jeff and Robert for their willingness to serve.

Joe Walker had no permits to turn in. Mr. Miller said that he had a few calls which he had passed on to Mr. Walker and they decided that the complaints should be in writing. Mr. Hart asked about the situation regarding Mike Brenneman, Mr. Walker said that he is waiting on information from the prosecutors' office. A discussion followed.

Steve Patterson mentioned that truck no. 1 needs 4 new tires and he received an estimate from Goodyear-Harer, Goodyear-Bowmans and TCI.

Mr. Miller made a motion to buy the four tires through TCI for an estimate of \$1400. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Steve also mentioned that there are two cemetery stones rolled over in Jacksontown Cemetery. He received an estimate from Grand Monuments in the amount of \$1050.00 to tear out the old foundation and reset the stone.

Mr. Hart made a motion to authorize \$1050.00 to correct the stones that have fallen over. Mr. Miller seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Miller mentioned that we need to look at the trees in cemeteries because there are many that need to be cut.

Mr. Miller and Steve are making a list of roads that will need attention this year. He will bring his list to the next meeting.

Mr. Miller made a motion to go into executive session at 8:38pm to discuss personnel, specifically to consider employment and compensation of a public employee. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Acord made a motion to reconvene the regular meeting at 9:10pm. Mr. Miller seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Hart made a motion that the Township Board authorize a fifty cent per hour increase to the road crew employees both temporary and full time retroactive as of April 1. Mr. Miller seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Hart mentioned that the Township will need to pay \$880 for our portion of the National Pollutant Discharge Elimination System Storm Water Program data collection.

Mr. Hart made a motion to authorize additional expenditures for our participation in the MS4 program for \$880 through the County Commissioners. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Richard Cash received a letter from Mr. Oswalt about a sale that the county has to have to get rid of land that does not sell at auctions and some of the locations are adjacent to his property so he bought them. He asked if the township is going to maintain Lacaster Avenue since it is a dead end road and Mr. Miller said yes. Richard mentioned that there is a dedicated road called Green Way Road and was asking for someone else if it can be closed. Mr. Miller said that the county has to vacate it or abandon it. He also mentioned that Avon Place is not where it is supposed to be.

Steve Trickle mentioned that there will be a concert this weekend and Hookaville at the end of the month. He will have his own EMS and sheriff personnel. Mr. Hart asked Mr. Walker if there were any permits that he would need. Mr. Walker will get with Steve to check.

Lee Dougherty asked what is going to happen with Wilshire Drive that has been damaged by the construction and because of the construction they now have drainage problems. Mr. Miller mentioned that he and Steve cleaned out the leaves that were in the culvert and the water is now going through. Lee mentioned that mowing is another problem. Lee mentioned that you can run the ditch so that you can mow it or lay it to grade so that it can be mowed. Mr. Hart asked if that is the responsibility of the township. Mr. Miller said that the owner can put in the pipe and the township can tell them what kind of pipe to use but they will need to take care of it. In regards to the street, Mr. Miller said that Eric Fox wrote Wayne Homes a letter and the township has not received anything from Wayne Homes from the damage that was done. Mr. Miller said that the section of Wilshire will be added to the road repair list. Bill Ours mentioned that when the property was purchased he took pictures and from the pictures you can tell that the lot was too low for a house. He went to the owners and

explained to them that they are going to have a water problem and that the soil needs to be tested and that it will need to be brought up to grade so that they don't push water over on someone else. The house is built and they are responsible for the water coming out of their house and should be responsible for the problem that it is causing for their neighbor. Mr. Miller said the best the township can do is make a ditch. Bill Ours brought a letter from the Harbor Hills Building Committee that they want to send to the owners. Mr. Hart said that they are not going to advise the Harbor Hills Civic Association on how to address the issues with their members. Mr. Miller said that they will go to the engineers' office to see what the township owns and the township will work with tapering it but he does not think that the township will put a in a tile.

Mr. Miller made a motion to adjourn the meeting at 10:08pm. Mr. Hart seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

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