

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

The Pledge of Allegiance was recited.

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

Others Present: Joe Walker, Bill Ours, Charles Prince, Rhonda Carte, Mike Wilson, Mike Briggs and Steve Patterson.

The financial reports were given to the Trustees.

Mr. Miller made a motion to approve the expenditures totaling \$28,447.54 which were paid on May 17th. Mr. Acord seconded the motion. Roll call: Hart, yes; Acord, yes; Miller, yes.

Mr. Acord made a motion to approve the expenditures totaling \$39,308.96. Mr. Miller 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 the ODOT salt bid with a cost of \$60.59 per ton.
2. Received the OPWC Hupp Road Reconstruction approval letter.

Mike Wilson gave the Fire Co. report. There were 71 runs in May for a year to date total of 403 runs. Jamey Sickles and Tyler Collins passed there EMT-B class. The Fire Co. was denied a firehouse grant and the equipment and training grant but were still in the running for a safer grant. They have applied for a 2010 equipment grant in which they have requested funds for a new squad and gear.

Rhonda Carte asked if they have had to use any dive rescue equipment. Mike said that they have been called out and that they will be setting up and prepared for the 4th of July weekend.

Joe Walker turned in 3 permits totaling \$150.00. There were 7 permits issued in May and 1 is pending because it needs a variance. Mr. Walker talked with Mr. Slagle and has this set up for him. Mr. Walker received an irate call from Charles Krumm that he wasn't playing his game and said that he was going to sue him. Mr. Hart mentioned that the issues and conversation that he has had with Mr. Krumm, in which he had been belligerent, he has made sure that Jim Miller, Assistant Prosecutor, is aware of it. Mr. Hart recommended to Mr. Walker that he take notes and do the same.

Mr. Miller said, in regards to the weed problem on Allison Drive, he called the realty company and left his number and Mr. Walkers' number so that it can be taken care of.

Steve Patterson mentioned that the dura patcher was there and that they patched 3 places. Steve said that it does a fantastic job and it's a super machine. Steve said that the work that they did probably saved the township \$500-\$600. Mr. Miller said that it is a good piece of equipment and Mr. Acord was very impressed.

Mr. Miller called a few tree companies and asked for an estimate to remove the trees and/or if they don't need removed just topped off. Mr. Miller will get back with the companies.

Mr. Hart mentioned that on May 3rd there was a zoning hearing for zoning text amendment changes and the Board amended that document. Dale Wise called Mr. Hart to see if he could meet with him to go over the amendments before he gave it to the Fiscal Officer. They met and the changes were made that were requested and one thing did come up. There were several definitions that were listed which had 'insert the date and instrument number'. At the time that six definitions were included in the recommendation from the Planning Commission and they were included in the recommendations from the Zoning Commission but when they were approved two definitions were not included in the document that was approved. Mr. Hart directed Dale Wise to not include those two definitions in the document based on

the information given to Mr. Hart at the time. When Dale Wise checked with Brad Mercer said that we legally could not take those two out unless we go back and do the whole thing over again. Mr. Hart called Jim Miller, Assistant Prosecutor, who, under the circumstances, agreed with Brad Mercer. Mr. Hart read the for Repair of Agricultural and Construction Equipment - the business of repairing, overhauling, removing, adjusting, replacing, assembling or disassembling parts of any motor vehicle for the purpose of this definition said activities are conducted within a completely enclosed all four sides roof and floor structure and not in outdoor areas. Mr. Hart mentioned that farm equipment is very large and cannot fit inside a building but by the fact that the language specifically says that the definitions shall, not may, be used in the interpretation of the zoning document. Mr. Hart mentioned that someone could argue the literacy and common sense needs to be applied.

The Trustees signed the resident letters regarding the Hupp Road OPWC project. Mr. Miller read the letter.

Rhonda Carte mentioned that she is upset that Jason Biggs, owner of Papa Boos, was allowed to expand his stage without a variance. Rhonda Carte called Mr. Hart regarding this and Mr. Hart responded. Mr. Hart said that in a conversation he had with Mr. Walker was that the stage was put in the same place and it did not require a permit and/or variance. Mr. Hart mentioned that Rhonda asked him why they didn't make him get a variance and Mr. Hart explained to Rhonda that as a board they do not give direction to Mr. Walker on what he can make his decision on and what he can't, that is vested with him under the Ohio Revised Code and told Rhonda that she would need to call Mr. Walker. Mr. Walker didn't realize that Jason Biggs was expanding his stage until he received a call from Rhonda and the following day he went and took a look at it and issued him a permit after all of the information was turned in.

Mr. Hart mentioned that Rhonda had also told him that she thought that there was a zoning violation with Cindy Ripko's property regarding parking. Mr. Walker said that she hasn't contacted him. Rhonda said that there is an understanding that they are allowed to park there but then she heard from Mr. Ricketts (Cindy's brother) that they didn't have permission. Rhonda mentioned that she has complained about the area over and over and nobody does

anything about it and it just upsets her and that there is no point in bringing it up anymore. Mr. Hart said that can't just go whatever you want to do because you have to follow laws. Rhonda said you can allow people not to expand. Mr. Walker said you can't stop that. Mr. Hart said that if she does not like the decision that Mr. Walker made on this that she can challenge it legally - Rhonda left the meeting before Mr. Hart could tell her that it needs to be done through the Board of Zoning Appeals. Mr. Hart asked to Mr. Acord to check with the Fire Co. and the Licking County Health Department to see about establishing a safe occupancy in buildings. Mike Briggs mentioned that the occupancy deals with the people in the building not outside.

Bill Ours mentioned that the state at Papa Boos is one third bigger than it was. A discussion took place regarding signs having a city ordinance which is incorrect. He also asked if the township will dig the ditch on Wilshire and Mr. Miller said that they will next week.

Minutes of the March 1, 2010 meeting were approved as read.

Minutes of the April 5, 2010 meeting were approved as read.

Minutes of the April 19, 2010 meeting were approved as read.

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

Attest