

Minutes of the Board of Licking Township Trustees, Regular Meeting held at the Fire Co., Station 3, Jacksontown, OH at 7:30pm on February 7, 2011.

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: Tom Winderl, Charlie Prince, Ed Monroe, Joe Walker, Bill Ours, Jon Lynch, Mike Briggs and Steve Patterson.

The Pledge of Allegiance was recited.

Mr. Miller made a motion to approve the expenditures totaling \$38,063.29. Mr. Acord seconded the motion. Roll call: Hart, yes; Miller, yes; Acord, yes.

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

CORRESPONDENCE: None

Mr. Acord gave the Fire Co. report. There have been 72 runs for 2011. The trucks have all been undergoing standard maintenance.

Joe Walker had nothing to report. A discussion took place regarding a few properties.

Steve Patterson mentioned that truck #1 went to Zanesville for the plow. Truck #2 and #4 are running. Steve will check and order salt if needed.

Mr. Hart went over the annexation meeting that he attended on January 19. He mentioned that there has been a common belief in Licking County that when a property is annexed from a township into either a village or city that it is automatically conformed in the new entity. Research has disclosed that this is not the case. When the boundaries are not conformed there are requirements that cause the

taxpayers who live in those areas a dual jurisdiction right as far as voting and taxes. Mr. Hart went over the handout that was given at the meeting regarding the different annexations. Changing the boundaries fall on the municipality which is doing the annexation. In order for the boundary to be conformed on an expedited II annexation there needs to be an annexation agreement between the township and the municipality. In an expedited II, if it is properly documented, the township residents vote for township officers and all voted millage and they also vote for those in the municipality and this is referred to as a dual jurisdiction. This creates a problem if it is not documented correctly so that they can vote in both places and the taxes are being received in both places. If you do an annexation agreement sometimes there is a pre-agreement of which the township and the municipality agree on the amount of inside millage that is to be divided. Ken Oswalt wants to make sure everything is cleaned up by September. Mr. Hart said that he had gone and reviewed the entire annexation file that the County Commissioners have of behalf of Licking Township. Mr. Hart mentioned that there was a regular annexation of 822 acres on May 25, 1972 from Licking Township to Heath. Heath had not conformed the boundary and Mr. Hart took the information he found to the prosecutors' office and they will contact the City of Heath. Mr. Hart said that O.R.C. 709.19 may allow the Township to receive tax money but he is not sure if the law will be applicable. Mr. Hart thinks that the right thing for us to do as a Board, if there is a legal requirement for them to give us tax dollars, would be to tell the prosecutor that we would waive the money. He believes it wouldn't be right to receive tax dollars that haven't been a part of the township since 1972. Mr. Miller and Mr. Acord agree. Mr. Hart said that there are five more annexations but they are Expedited II and they have been properly recorded and the dual jurisdiction has been properly done. Mr. Hart went through each of those five. The first being 15.4 acres of South Fork Road to the City of Heath on August 17, 1998. Heath tax is exempt and we receive no tax revenue and it may require a boundary agreement. The second annexation was on March 29, 2004 on 32.6 acres to the City of Heath. We receive only .7 of a mill from the general fund and the two 1 mill voted millage for a total of 2.7 mills. Mr. Hart estimated the real estate value from the 44 condo units and came up with amounts of revenue of \$6000 from the fire levy and \$2000 from the .7 mill to the general fund. Mr. Hart mentioned

that if those who live in the condo units knew that they were paying taxes to a jurisdiction that did not service them they may not vote for our fire levies and we need to decide if the \$6000 revenue is worth risking having an estimated 66 people vote down our fire levies. Mr. Hart asked Mr. Acord to talk to the fire chief for his opinion. Mr. Hart said that you have to ask yourself if it is fair to collect the money when they don't use the services. The third annexation was for 8.9 to the City of Heath which borders the 15.4 acres in August 2004. Heath since then sold 2.8 acres. We receive no taxes from Heath but we do receive around \$107 from the 2.8 acres. The fourth annexation was done in 2006 for 117 acres to the City of Heath. Currently no one lives on the property so no one is voting in the dual jurisdiction. We receive \$67 off of the 117 acres. The fifth annexation was 2.2 acres in to the Village of Buckeye Lake on December 2006. We receive \$490 in revenue, however the owners are in that arrears \$9000 and are in bankruptcy so we probably won't be receiving the money. Mr. Hart mentioned that he is almost to the opinion that it might be cleaner on these five expedited II annexations to enter in to an agreement with City of Heath and let them re-conform the areas.

Mr. Hart mentioned that they did not receive any letters of interest for the Board of Zoning Appeals.

Ed Monroe brought information from Union Township regarding their trash hauling. Mr. Hart did speak with the prosecutors' office and we do not have to form a trash district but if we proceed we would have to decide as a Board to proceed for the entire township. He raised the question that if they did would Harbor Hills Homeowners Association be obligated to change and Jim Miller said that he didn't think they would for the period of time that they are under another contract. The Trustees will get more information.

Tom Winderl mentioned that the savings on having just one trash hauler would benefit many people. He asked if there was anything that can be done with the vacant house on Overdrive. Mr. Walker said that it is tied up with the bank. Mr. Hart said we don't have the authority to do anything.

Mr. Miller made a motion to adjourn the meeting at 9:00pm.  
Mr. Acord seconded the motion. Roll call: Hart, yes;  
Acord, yes; Miller, yes.

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