

Minutes of Regular Meeting March 26, 2008

Present: Trustees Fred Abraham and Bill Habig, Fiscal Officer Kennedy

Absent: Trustee Wes Sargent

Guests: Travis Binckley
Jeff Hussey
Brian Miller, Sentinel
David Brenner, 32 Hampden Dr
Steve Contini, 210 Sunrise ST
Kitty Consolo, 18 Samson Pl
Lyle King, 1412 Welsh Hills Rd
Tim Dennison, 102 Miller Av
Tim Hughes, 630 Newark Granville Rd

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote, the minutes of the March 12, 2008 were approved as submitted.

Trustee Abraham stated that he met with Bruce Cramer (Executive Director of the Bryn Du Commission) and Don Holycross (Village Manager) to discuss the use of the front 16 acres of the Mansion front lawn which was purchased with Open Space Levy money. The County Prosecutor has issued an opinion to the Trustees that the use of the front lawn for "organized" recreational activities is illegal based upon the wording of the law permitting the Open Space Levy. Therefore he told Cramer and Holycross that organized recreation events must be limited to the north half of the lawn which is owned by the Village of Granville. Trustee Sargent initiated legislation thru Representative Jay Hottinger which became HB385 that has passed the House by a wide margin. This legislation would permit the use of property purchased with Open Space Funds for scheduled recreational activities as long as permanent facilities (ie; lights, bleachers, paved parking etc) were not constructed. The matter is now pending committee assignment in the Senate. Until the present law is clarified by this new legislation the township is apparently breaking the law by permitting scheduled recreational use. There is the probability that the township will be sued by a local resident.

David Brenner was present to speak to the field hockey team that is using the field. Field hockey is now a varsity sport at the high school and also has a program at the middle school. He is a board member of an Ohio corporation that was established to support field hockey. He believes that the action the Trustees are contemplating by closing down the front field to organized sports is not in the best interests of the community for the following reasons [quoted directly from his presentation]:

1) A debate is ongoing about whether the current green space language is consistent with the intent of the law. Action tonight pre-supposes the outcome of that debate. HB385 which clarifies the language has passed the Ohio House by a very wide margin

and a similar result is expected in the Senate. Though this bill has moved remarkably fast, like all legislation it takes time. 2) A move to halt play on the Township property will jeopardize the season and practices these female athletes enjoy. We have 12 returning seniors (one being my daughter) and several plan to play in college. Tonight's action could sound the death knell of this opportunity. 3) Fields of sufficient size are difficult to locate for field hockey and the makings are unique to the sport. The field is 60 x 100 yards and it takes 6-8 hours to set it up properly. I know, I set them up for the past 3 years. 4) Sadly, lawsuits and the threat thereof are a part of community life – yet we cannot sit quietly by and allow a person with a personal agenda [to] jeopardize programs of benefit to the community – especially our youngest members. Intimidation should not be the basis of action. 5) We elected you to make decisions based upon the Community good. Please consider this as you decide tonight.”

Steve Contini stated he believed that this was an incidental use and one that is enriching for the community. The field markings are unique. It has been suggested that the polo club be moved to an east west field on the northern half of the lawn. The remaining users would be relegated to the north end. Polo ponies create divots with their hoofs. They also leave behind manure. There is also the problem of conflicting schedules. Game dates are set by the league.

Trustee Abraham said that the trustees' hands are tied. People have been using the field for organized sports and should not have been. Perhaps we could do away with the polo. I don't want to but that might be necessary.

David Brenner said there is already a contract with the Columbus Polo Club and their games start in June.

Trustee Habig said we have a specific legal opinion regarding the use of the Open Space funded field use.

Tim Dennison, Granville School Activities Director, said there is also the use by Lacrosse team. It is also a varsity team with 100+ participants. The school district would like to have its teams playing on its own property but it just is not possible. The district has approached Denison University but its first obligation is to its own athletic programs. What is the status of changing the law?

Trustee Habig – The Senate must assign the bill to a committee and schedule hearings. That could happen by April 1 or might not. If it's passed with no changes then it goes to the governor for signature. If there are changes in the Senate version then it must go to conference committee to resolve those differences. The procedure could take two to three months. You cannot predict when a piece of legislation will pass.

Tim Dennison – Is there going to be a question of pre-existing use?

Trustee Abraham – No we have been advised that this legislation clarifies the intent of the existing legislation and does not change it.

That this point the Trustees decided to hold this matter until the next meeting when all the Trustees will be present and bring the matter up for a vote.

Mr. Dennison asked if the township road employees were going to work on removing winter time road debris from Miller Avenue. Superintendent Binckley indicated that at the end of the winter season he prepares a list of repairs and cleanup that must be done at various places throughout the township. The employees work on the list as time permits during the spring before road paving would be started.

Trustee Habig discussed Governor Strickland's plan for using the proceeds of a \$1.7 billion bond issue for funding to provide an economic stimulus for the State. After a period of discussion he proposed the following Resolution of Support:

RESOLUTION SUPPORTING GOVERNOR'S "BUILDING OHIO JOBS PROGRAM"

WHEREAS, Governor Strickland has proposed a \$1.7 billion jobs package that would create more than 80,000 jobs in Ohio, and

WHEREAS, the plan could position Ohio as an economic leader in key industries for decades to come, and

WHEREAS, the plan would fund roads, bridges, rails, biomedicine, bioproducts and advanced energy products that could benefit Granville Township, and

WHEREAS, the plan would support investment in the following categories:

- *Main St. Renewal* (\$200 million) – Economic development in downtowns
- *Clean Ohio Fund* (\$400 million) – Brownfield redevelopment, farmland preservation, trails and green space
- *Public Works Commission* (\$400 million) – Roads, bridges & water systems
- *Advanced Energy* (\$250 million) – Economic development in solar manufacturing, advanced coal technologies, biofuels as well as energy conservation and efficiency
- *Bioproducts* (\$100 million) – New products from our crops
- *Biomedical Industry* (\$200 million) – Innovation, development and commercialization of biomedical and biotechnological products
- *Logistics and Distribution Infrastructure* (\$150 million) – Movement of freight using rails, roads, waterways and airports

NOW THEREFORE BE IT RESOLVED, on a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote:

Section 1. That the Board of Granville Township Trustees hereby supports the Governor's "Building Ohio Jobs Program."

Section 2. That the Township Fiscal Officer transmit this resolution to the governors' office and to our legislators.

_____/_____/_____
William C. Habig, Vice Chair
GRANVILLE TOWNSHIP BOARD OF TRUSTEES

_____/_____/_____
Norman S. Kennedy
Granville Township Fiscal Officer

Trustee Abraham reported that he attended a meeting of the Union Cemetery Board. During the meeting the Board adopted a Public Records Policy and a Records Retention Schedule which will be sent to the Ohio Historical Society. The Fannin's preservation group will have a work day on June 28th.

Trustee Abraham also reported that he attended a meeting of the County Health Advisory Board. The members discussed the Health Department's Board. Trustee Habig inquired and was advised that the City of Newark had representatives in attendance.

Trustee Habig reported that he met with both Bill Hoffman and Bill Lozier and then the Village and Hoffman and Lozier to discuss the matter of community paths. Don Holycross indicated that the Village could be interested in developing a joint trail plan for the entire community.

Trustee Habig also reported that the Comprehensive Plan is about to be published in completed form now that the final revisions and information have been incorporated. F.O. Kennedy indicated that he would put the Plan or a link thereto on the township's website once it becomes available.

Trustee Habig further reported that he asked Zoning Inspector May to rescind the letter that was previously sent to Mrs. Coombs ordering that her field be cut. Habig plans to look at the situation later in the Spring once growth has begun and see if an acceptable solution can be found.

The following matters were discussed with respect to the roads department:

1. Superintendent Binckley reported that the employees have completed repairs to four trucks so they are again in service after the last heavy snow. They are working on repairing the roadside berms, mailboxes and yards where snowplows caused damage during the winter. Potholes are an on going task. He and Trustee Abraham met with Jean Coombs to discuss water issues. They also met with a property owner regarding a collapsed driveway. Five dead pine trees located in the road right of way have been cut down.

2. Trustee Habig reported that they had received notification from the County Prosecutor that the Ohio Attorney General has issued a second opinion with respect to the ownership of a garage by Trustee Abraham that is being leased by the township. The opinion indicates he believes Trustee Abraham still would have an illegal interest in a public contract even though he has leased the garage to the township for seven or eight years prior to his election as a township trustee. F.O. Kennedy reported that upon receipt of this latest opinion he began to look at possible suitable temporary locations for use while a new garage is being constructed. To date he has located a building in the east end of the Village. The owner is attempting to sell the building but is willing to lease the garage for six months with subsequent 30 day options. There is a second building in the south end of the township. This is also a property that is for sale but the owner is willing to work with the township. There is a third building located near the lumberyard but the owner is out of town until next week. Each location has its advantages and disadvantages. Neither location one or two has suitable heating. This is not a problem during the spring and summer but could become a problem if the new garage is not completed by next winter. Locations two and three are also too small to house all of the township's equipment in the one location which would require some of the equipment to be housed on River Road in the old garage. He has several other possibilities but still needs to make contact with the appropriate people. Trustee Habig stated that it was his intention now that this opinion has been provided that the township should move from Abraham's building as quickly as possible.

Kitty Consolo stated that she read the attorney general's opinion and wanted to know why the Abraham ran for office with this conflict and why the township was still in the building. She thinks he should resign from his Trustee position. Trustee Abraham responded that he had attempted to clarify this issue at the time he decided to run for Trustee. He talked with the Ohio Ethics Commission and from information it provided it appeared that he did not have a conflict. It was not until after he was elected that the Attorney General agreed to render an opinion which at the end of December said there was an illegal interest in a public contract. Trustee Habig indicated that the trustees relied upon the advice of legal counsel in terms of establishing a third party lease relationship for the garage which began January 1. Now that the Attorney General has indicated this is still a problem Habig stated the trustees will move from the garage as quickly as possible.

Consolo said that the township was incurring expense because Abraham became a trustee. She also wanted to know why the township didn't work with the Village to build or acquire some type of joint facility. Trustee Habig indicated that both he and Abraham are new in office but it was his understanding that the township had discussed this proposal with the Village and they were not very interested.

Bob Rutherford said that if the township planned to vacate Abraham's garage as soon as possible he didn't see a problem but that whatever was built the garage should have an adequate meeting room in the building.

Trustee Abraham reported that County Engineer Tim Lollo has now located the pins for the boundary turns of the former Quisenbery property purchased with General Fund money. Abraham said he hopes to have a proposal from local architect Greg Gabor for services to be provided in constructing the new garage to present at the next meeting.

3. Superintendent Binckley presented a proposal to lease uniforms from Cintas Corporation for the roads and cemetery departments. This would be in lieu of providing an annual uniform allowance to the each employee and having them purchase similar but not necessarily consistent clothing to wear at work. On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote it was agreed to enter into a one year contract with Cintas to provide uniforms for the full and part-time employees of the roads and cemetery departments in the amount of approximately \$2,500.

4. Trustee Abraham indicated that he and Superintendent Binckley met with County Engineer Tim Lollo to look at the driveway extension of Joy Lane that some of the property owners want to make into a public road and have maintained by the township. He discussed the various things that Lollo recommended needed to be done in order to make the driveway suitable for public maintenance. Among the requirements were to obtain dedicated right of way from the property owners, widen a turn, remove a tree and create a cul-de-sac at the end to enable vehicles to turn around. It was decided that Abraham would prepare a letter to the property owners explaining what needed to be done and that it would be done at their cost.

The following matters were discussed with respect to cemeteries:

1. Superintendent Binckley reported there was one funeral since the last meeting.
2. He also reported that Carter Polk is willing to come back to work part-time in the next few weeks. Binckley and Trustee Abraham will be interviewing people for the previously approved \$10 per hour full-time cemetery position.

The following matter was discussed with respect to parks:

1. Trustee Abraham reported that the new windows have been completed at the Spring Valley rental property and the new doors work should be completed by April 1st. He made the motion to approve \$4,500 to paint the house which was seconded by Trustee Habig and unanimously approved. He indicated he is obtaining prices for carpeting and to power wash the exterior of the building.
2. Superintendent Binckley reported that the employees completed cleaning out the garage at the Spring Valley rental property so it is available for rent.
3. Superintendent Binckley reported that there has been additional erosion at Raccoon Valley Park but it has been too wet for the employees to work on the initial stages of the bank stabilization project.

The following matters were discussed with respect to the fire department:

1. Chief Hussey reported that the wild lands firefighting skid unit has been delivered and installed in Tr201 just in time for grass fire season. The unit not only has a larger water tank and pump capacity but it also has the capability of delivering Class A foam on a fire.

2. Chief Hussey presented purchase order requests for \$5,720 of new Positive Pressure Ventilation fans and \$6,458 of hi-band Motorola Minitor Pages. F.O. Kennedy indicated that the money for these purchases was included in the capital items portion of the budget adopted earlier in the year. On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote both of the requested purchases were approved.

3. Chief Hussey reported that he has received a letter of resignation from Intermittent Employee Jackie McDonald and that Volunteer Joe Warner, whose probationary period was extended on January 1st, has successfully completed his EMT testing and is now being recommended for full volunteer employee status. On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was agreed to accept the resignation of Jackie McDonald and put Joseph Warner on full volunteer employee status.

4. Chief Hussey indicated that the specifications have been prepared for the proposed new Rescue Truck which ultimately will replace a 1986 Mack Engine. He requested authorization to seek bids for the purchase of this Truck. On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote it was agreed to seek bids for the purchase of a new Rescue vehicle. Hussey also noted that bids will be received for the Compressor System and SCBA equipment at the next meeting. However, as there will be no second meeting in April the next time that the bids could be actually be awarded will be May 14th. One of the possible vendors has indicated that they are expecting a price increase from the manufacturer on May 1st and wanted to know if they could expect the award to be made prior to that date which will permit them to give the lower price. After a short period of discussion on a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was agreed that F.O. Kennedy, in conjunction with Chief Hussey, could issue a contract for to the lowest and most responsive bidder for both of these items. The Trustees will then ratify that action at the May 14th meeting which will enable the township to obtain a pre-price increase price, assuming that company is the successful bidder.

F.O. Kennedy presented a new Amended Certificate of Estimated Resources that had been requested from the County Auditor. The new certificate reflects the additional \$1,200 grant from Energy Roundup for the fire department and now that the figures can be estimated the projected \$451,000 of TIF taxes to be received from Kendal for 2008. He also presented the appropriations to be established for expenditure of these additional funds. On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote, it was agreed to accept the new Amended Certificate and post the amounts to the following revenue accounts:

2191-805-0000	Fire Department Grant	\$ 1,200
2901-199-0000	Misc Rev – Kendal TIF taxes	451,000

and the following appropriation accounts:

2191-760-740-0005	Fire Dept – Capital Expend	1,200
2901-760-314-0000	TIF tax collection fees	6,500
2901-760-700-0000	TIF Capital Outlay	444,500

On a motion by Trustee and a second by Trustee, by a unanimous affirmative vote the following appropriation transfer was approved:

From 2031-330-599-0000 R&B – Misc	1,500.00
To 2031-330-599-0001 R&B -	1,500.00
From 2193-110-599-0000 Opera House – Misc	9,000.00
To 2193-760-720-0000 Opera House – Buildings	9,000.00
From 2191-220-599-0004 Fire Dept	1,000.00
To 2191-220-341-0000 Fire Dept – Telephone	1,000.00
From 2191-220-599-0004 Fire Dept	1,000.00
To 2191-220-430-0001 Fire Dept	1,000.00

On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote the following warrants, debit memos, EFT's and if applicable, then and now purchase order certificates were approved for payment and processing:

E1251	Barnhill	288.06	E1252	Baucher	108.42
E1253	Binckley	2500.60	E1254	Borden	1279.79
E1255	Bowman	1540.18	E11256	Butt	1104.44
E1257	Coyle	269.53	E1258	Curtis	1690.68
E1259	DuBeck	206.29	E1260	Duncan	357.72
E1261	Engle	72.55	E1262	Essick	213.25
E1263	Giles	948.36	E1264	Gottfried, B	128.78
n/a	Habig	.00	E1265	Hall	1385.82
E1266	Hill	102.77	E1267	Huhn	1192.16
E1268	Hussey	2371.57	E1269	Jones, A	238.56
E1270	Jones, B	104.49	n/a	Kennedy	.00
E1271	Lynn	336.68	n/a	May	.00
n/a	McDonald	.00	E1272	Meisenhelder	564.84
n/a	Polk	.00	E1273	Principe	109.13
E1274	Reece	1319.83	E1275	Riley	607.22
n/a	Sargent	.00	E1277	Thomas	235.70
E1278	Thompson	1553.12	n/a	Westall	.00
E1279	Ufert	569.16	4960	PNB – IRS	4087.92
4961	Anthem BC/BS	7455.92	4962	Frank Gates Company	40.00
4963	Nextel Communications	591.06	4964	USPO	123.50
4965	ED Stone Ins Agency	1061.00	4966	Granville American Legion	25.00
4967	Standard Ins Company	168.00	4968	Wendy Lewis	60.00
4969	Old Colony Burying Grd	10000.00	4970	Shelly Materials	1411.61
4971	VOID	.00	4972	Enviro Kleen	157.41
4973	Ace Truck Equipment	786.84	4974	TCI	185.00
4975	Waste Management	187.61	4976	Morton Salt	4619.90
4977	Central Ohio Tech Coll	800.00	4978	C. Michael Duncan	32.40
4979	Jan's in Stitches	247.50	4980	Fire House	148.00
4981	Steve Riley	60.79	4982	Ohio Health	132.60
4983	Work Health	439.00	4984	Claggett & Son Inc	3400.00
4985	Verizon Wireless	44.50	4986	Newspaper News Network	26.86
4987	Casey Curtis	74.00	4988	K&M Spray on Liners	399.00
4989	Granville Rec Comm	115000.00	4990	AEP	13.26

4991	Josh Hardbarger	4275.00	4992	Micro	230.00
4993	Doug Wagner	39.60	4994	Homestead Farm Inc	65959.00
4995	Raccoon Valley Cons Cl	18600.00	4996	James Kennedy	2450.00
4997	Ben Rader	2450.00	4998	Joseph White	4230.00
4999	GEVSD	134550.00	5000	Kendal at Granville	60450.00
5001	OIT	1857.33	5002	SDIT	90.18
5003	GIT	626.32	5004	Deferred Comp	655.00
5005	AFLAC	400.12	5006	Granville Township	2064.00
5007	NIT	86.07	5008	HIT	144.58
5009	VOID	.00	5010	CLIA Laboratory Program	150.00

I hereby certify that the funds were on hand or in process of collection and properly appropriated for payment of the aforementioned warrants.

Norman S. Kennedy, Fiscal Officer

F.O. Kennedy reported that he has been sworn in for his term in office which takes effect April 1st and presented a copy of his bond for the benefit of Granville Township in the amount of \$220,000. The bond has been filed with the County Treasurer, as required by the Ohio Revised Code. On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was agreed to accept this bond.

The meeting was adjourned at 9:40 PM.