

Minutes of Regular Meeting September 9, 2009

Present: Trustees Abraham, Habig and Mason, F.O. Norman Kennedy

Guests: Jeff Hussey
Travis Binckley
Paul Jenks, Pinehurst Dr, G
Ron Howard, 41 Clover Ct, G
Leonard Hubert
Scot Prebles
Doug Wagner
Bill Wernet

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

Approval of the Minutes

On a motion by Trustee Abraham and a second by Trustee Mason, by a unanimous affirmative vote the minutes of the August 26, 2009 meeting was approved as previously submitted.

Correspondence Received

1. Paperwork from the Village of Granville to participate in the Permission for Bow Hunting on Private Land. On a motion by Trustee Habig and a second by Trustee Mason, by a unanimous affirmative vote it was agreed to again participate in the Village deer hunting program for the four acre parcel owned by the Township south of the bike path, instead of the cemetery.

2. F.O. Kennedy indicated that based upon a letter received from the Kiwanis Club of Granville he had submitted a question to the County Prosecutor for which he had received a response. In 1991, the local Kiwanis Foundation [ultimately the Kiwanis Club of Granville] acquired the site of its storage building on Old River Road through a generous donation by Lucille Chilcote. The Kiwanis agreed they would use the land solely for public, educational, and charitable purposes for the betterment of the community of Granville, and that they would use the facility to support the Kiwanis Club of Granville's charitable and community betterment projects. The Chilcote deed contained the following provision:

“In the event that at any time in the future, this property ceases to be actively used by the Grantee for such purposes, title to the property will then pass to and vest in the Granville Township Trustees, Granville Township, Licking County, Ohio.” [Note, scribe comment: The Township Officials were unaware of this clause until the matter was raised in this letter from Kiwanis]. This provision has been deemed to be a possible future interest in the property by the Township. The property in question is located east of the pedestrian footbridge being constructed along S. Main St between Old River Rd and Raccoon Creek. It is located in an area which is being discussed for annexation into the Village of Granville. The current Kiwanis president, David Getreu, wrote that the Kiwanis organization “would like to take steps to insure that our ownership of this

property is unquestioned. To do that, we would like to remove the title questions that enforcement of Ms. Chilcote's covenant may cause us in the future. We believe that this future estate has little or no value, because the right of the Trustees to possess and occupy the property is conditioned upon a future event that may never occur. And while we have no intention at this time to stop using the property to support our projects, we would like to insure that the property and its value will be available to us as other people work on annexation and development projects in this area."

"We would ask that the Granville Township Trustees similarly consent to the termination of this restriction and convey to us, by quit-claim deed, any interest they may have or come to have in this property as a result of the Chilcote deed covenant. Even though your rights in the property may be a "future" interest, we believe you can terminate this restriction by quit-claim deed. (See Ohio Rev. Code §2131.04).

Because we believe your future interest has no market value, we do not believe a payment to the Trustees should be required. We do intend, however, to continue to use the property and its value to support the many charitable and community activities that the Kiwanis Club of Granville provides to the local community. And, as with our 50 year commitment for the sugar bush at Salt Run Park, we expect to join with the Trustees to continue to work for the betterment of Granville Township and its residents over the very long term."

Kennedy indicated that the County Prosecutor has opined that the question is basically a policy determination for the Township Board of Trustees. "If the Board wishes to guarantee the property be used for charitable purposes, then it should not dispose of its future interest. If the Board does not find it necessary to guarantee that usage, then it can act accordingly by disposing of its future interest in any way that it deems fit." This would be done in accordance with ORC 505.10(A)(6)"

Trustee Abraham indicated he has not been a member of the Kiwanis organization since taking office in 2008 but believes that the Kiwanis club will continue to perform its charitable and community functions as it has for so many years in the past. He thanked F.O. Kennedy for having provided copies of these documents to the Trustees prior to the meeting so that they might individually consider the matter. Trustee Habig asked if the Township Trustees had ever considered this to be a possible asset of the Township. F.O. Kennedy indicated no. Trustee Abraham said he thought if the property were sold the Kiwanis group would use any money raised from sale of the property to acquire a different property in another location. The group has a number of items to store, conducts its chicken dinner and Christmas tree sales from the building and didn't know how they would get along without another property. On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote it was agreed to pursue whatever steps would be necessary to determine if this possible future interest in the property should be transferred to the Kiwanis.

3. F.O. Kennedy presented paperwork from the Village to have the lower portion of Maple Grove Cemetery along the bike path placed in the deer bow hunting program as it was last year. There was discussion about several facets of the hunting in the cemetery that were a problem because of locked gates and restricted access. It was also discussed about the Village assisting the Township by helping to coordinate bow hunting in the Township. On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was

agreed to again place a small, non-public portion of Maple Grove Cemetery in the Village's bow hunting program, subject to Superintendent Binckley and Fiscal Officer Kennedy working out some minor details.

4. A notice was just received from the County Planning Commission that the terms of the present Granville Township Licking County Tax Incentive Review Council representatives expire December 31, 2009 and that the Trustees need to appoint representatives for the next term. As Mr. Hubert was in the audience he was asked about continuing in this position and he indicated he would be interested. Andy Hughes is the other representative. On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was agreed to reappoint both Leonard Hubert and Andy Hughes (if it is verified that he is still willing to participate) as the Township's representatives to the LC TIRC.

Mr. Jenks indicated that there is going to be a meeting at Village Hall on September 23 at 9:00AM to evaluate the present Community Emergency Notification company finalists. The Trustees are invited to attend.

Elected Official Report

Trustee Mason reported that since the last Township meeting he has attended meetings of the County Planning Commission and the Granville Recreation Commission. He is working with the township supervisors in formalizing the Township's employee evaluation system. In addition he has been following up with the owners of two properties in the township that have what appear to be junk vehicles in the yard.

Roads department

1. Trustee Abraham reported that he and Superintendent Binckley, along with Fiscal Officer Kennedy, reviewed the three bids opened at the last meeting for the Issue 1 project paving of Granview Rd. Shelly Company was selected as the lowest and most responsible bidder. As authorized at that meeting in behalf of the Township he entered into a contract with Shelly Company for the work to be performed. He recommended that this action be ratified at this meeting. On a motion by Trustee Abraham and a second by Trustee Mason it was agreed to pass a Resolution ratifying the actions of Trustee Abraham, entering into a contract for a maximum of \$33,979.75 with Shelly Company, for the paving of Granview Rd in conjunction with an Issue 1 project.
2. Superintendent Binckley indicated that he had been looking at James Rd and determined there were several segments of the road that should no longer be patched but which needed to be paved. He obtained prices from Shelly using the same per ton figures as the company had been for Granview Rd. F.O. Kennedy stated that one portion was shared equally with Union Township and he had talked with Union Township Trustee Jack Justice about sharing in the cost. The Union Township Trustees approved sharing 50% of the cost of that portion of the paving, at their meeting last Monday. F.O. Kennedy indicated that there was also a portion of the road now located in the Village as a result of the 514 acre annexation in 2007 but from which the Township is still receiving outside levy road and bridge taxes. He has talked with Village Manager Don Holycross and recommends to the Trustees that a portion of this road be paved. In

accordance with ORC 5575.01(A) on a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote, a Resolution was passed to enter into an additional contract with Shelly Company, at the same per ton price of asphalt as they bid for Granview Road as follows: 1) a section of James Road, west of Canyon Road with Union Township, Granville Township's 50% share to be a maximum of \$18,842.37 and 2) a section of James Road within the Village with the Township paying \$10,329.75. The total cost of these two portions of James Road to be a maximum of \$29,172.12. 3. Superintendent Binckley reported that the employees have repaired some driveway approaches and removed two dead trees in the right of way along Carmarthen Way.

Cemetery Department

1. Superintendent Binckley reported that the water had been shut off in Maple Grove because of a leak. The employees repaired or replaced several hydrants and 100 feet of water line. The water has been turned back on.
2. There were two funerals and one grave sold.

Parks Department

1. Trustee Mason asked Paul Jenks to comment on the work being performed by CTL engineering at BiCentennial Park. A total of 10 wells were drilled from which samples were taken. Five of these wells may be used as monitor wells if necessitated by the sample results. More should be known by the next meeting.

Fire Department:

1. Chief Hussey reported that the department provided mutual aid to St. Albans Township Fire Department providing personnel and extrication equipment, at a serious MVA west of the Village of Alexandria.
2. Last Saturday the Fire Department had a total of ten fire or emergency runs.
3. The employees have been doing annual hose testing and the equipment is undergoing its annual certified fleet inspection at Ours Garage.
4. In conjunction with Fire Prevention Week the department will hold its annual Open House on Saturday October 3rd from 1 to 3:00PM. The public will be invited to attend.
5. The department will be participating in an annual first year student orientation program at Denison this coming Friday. The program is designed to provide them with information as to what should be done during a fire emergency.

F.O. Kennedy reported that Board of Zoning Appeals Chair James Larimer recommended that Andy Crawford be appointed to fill the 2nd alternate position on the Board. On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote, it was agreed to appoint Andy Crawford to fill the 2nd alternate board position on the BZA.

F.O. Kennedy presented the 8/31/09 bank reconciliation for the trustees review and approval.

F.O. Kennedy explained that when a public entity becomes aware that estimated receipts for the year will be lower than originally estimated then a new Amended Certificate of Estimated Sources should be obtained from the County Auditor. There should also be a corresponding reduction in current year appropriations. As certain account receipts are now projected to be lower than originally estimated or planned, he requested and obtained a new Amended Certificate with the following changes:

General Fund (interest)	1000-701	(\$ 18,000)
MVL Fund (interest)	2011-701	(450)
Gas Fund (interest)	2021-701	(775)
R&B Fund (sale of notes)	2031-929	(150,000)
Cemetery Fund (fees)	2041-302	(11,000)
Fire Fund (interest)	2191-701	(5,800)
Open Sp Fund (interest)	2195-701	(15,000)
Fire Equip Res (interest)	4902-701	(7,500)

To offset the reduced estimated revenues he recommended the following appropriation reductions:

General Fund (misc)	1000-110-599-0000	(\$ 18,000)
MVL (Oper Supplies)	2011-330-420-0000	(450)
Gas (Oper Supplies)	2021-330-420-0000	(775)
R&B (Building)	2031-760-720-0000	(150,000)
Cemetery (land)	2041-760-740-0000	(11,000)
Fire (other)	2191-220-599-0004	(5,800)
Open Space (land)	2195-760-710-0000	(15,000)
Fire Eq Res (Equip)	4902-760-740-0001	(7,500)

On a motion by Trustee Habig and a second by Trustee Abraham, by a unanimous affirmative vote it was agreed to accept the Amended Certificate received from the County Auditor and approve both the revenue budget reductions and the appropriation adjustments as proposed by F.O. Kennedy.

On a motion by Trustee Abraham and a second by Trustee Habig, by a unanimous affirmative vote the following appropriation transfers were approved:

From	2195-760-710-0000	Open Space Land Purch	10,000.00
To	2195-110-311-0000	Open Space Legal & Acc't	10,000.00
From	1000-110-599-0000	General – Other	400.00
To	1000-130-211-0000	General, zoning – PERS	400.00
From	1000-110-599-0000	General - Other	1,000.00
To	1000-610-190-0000	General, parks – wages	1,000.00

From	2031-330-360-0000	R&B – contracts	4,000.00
To	2031-330-211-0000	R&B – PERS	4,000.00
From	2031-330-599-0000	R&B – Other	600.00
To	2031-330-213-0000	R&B – Medicare	600.00
From	2041-760-710-0000	Cemetery – Land	10,000.00
To	2041-410-190-0000	Cemetery – wages	10,000.00
From	2041-760-710-0000	Cemetery – Land	2,000.00
To	2041-410-190-0001	Cemetery – wags, OT	2,000.00
From	2041-760-710-0000	Cemetery – Land	4,000.00
To	2041-410-211-0000	Cemetery – PERS	4,000.00
From	2041-760-710-0000	Cemetery – Land	200.00
To	2041-410-213-0000	Cemetery – Medicare	200.00
From	2041-760-710-0000	Cemetery – Land	600.00
To	2041-410-314-0000	Cemetery – Auditor Coll Fees	600.00
From	2191-220-599-0004	Fire – Other, C/O	10,000.00
To	2191-220-190-0000	Fire – wages, FT	10,000.00
From	2191-220-599-0004	Fire – Other, C/O	5,000.00
To	2191-220-190-0000	Fire – Wages, intermittent	5,000.00
From	2191-220-599-0004	Fire – Other, C/O	2,000.00
To	2191-220-212-0005	Fire - SS, intermittent	2,000.00
From	2191-220-599-0004	Fire – Other, C/O	1,000.00
To	2191-220-213-0000	Fire – Medicare	1,000.00
From	2191-220-599-0004	Fire – Other, C/O	1,000.00
To	2191-220-213-0005	Fire – Medicare, intermittent	1,000.00
From	2191-220-599-0004	Fire – Other, C/O	5,000.00
To	2191-220-215-0000	Fire – OP&FPP	5,000.00
From	1000-110-599-0001	General – Other	6,000.00
To	1000-760-720-0001	General – Twp garage	6,000.00
From	1000-610-316-0000	General – Parks Engineering	9,000.00
To	1000-760-720-0001	General – Twp garage	9,000.00

From 1000-760-740-0002 General – Tools & Equip 2,500.00
 To 1000-760-720-0001 General – twp garage 2,500.00

From 1000-760-740-0004 General – Tools & Equip 7,500.00
 To 1000-760-720-0001 General – twp garage 7,500.00

From 1000-760-730-0003 General – Site improvement 4,000.00
 To 1000-760-720-0001 General – twp garage 4,000.00

From 1000-760-710-0002 General – cemetery land purch 750.00
 To 1000-760-720-0001 General – twp garage 750.00

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:

n/a	Abraham	.00	n/a	Barnhill	.00
E2458	Binckley	1485.49	E2459	Borden	1422.72
E2460	Bowman	2595.91	E2461	Bryan	948.00
E2462	Butt	744.55	E2463	Clemens	1174.97
E2464	Coyle	269.68	E2465	Curtis	1811.76
E2466	DuBeck	335.87	E2467	Duncan	530.95
n/a	Engle	.00	E2468	Essick	729.87
E2469	Gottfried, N.B.	265.65	n/a	Habig	.00
E2470	Hall	1533.94	E2471	Harrison	254.49
E2472	Henry	662.41	E2473	Hill, J	74.16
E2474	Hill, B	1495.43	n/a		.00
E2475	Huhn	751.09	E2476	Hussey	2483.41
E2477	Jones, A	490.87	n/a	Jones, B	.00
n/a	Kennedy	.00	E2478	Lynn	467.56
E2479	Mack	345.15	n/a	Mason	.00
E2480	May	812.65	E2481	Meisenhelder	580.63
E2482	Monroe	1250.43	n/a	Moore	.00
E2483	Pack	219.75	E2484	Principe	314.63
E2485	Reece	913.79	E2486	Riley	267.58
E2487	Schott	130.57	n/a	Smith, D.	.00
n/a	Thomas	.00	E2488	Thompson	1612.04
6403	PNB – IRS	4378.50	6404-6	VOID	.00
6407	Deferred Comp	1150.00	6408	VOID	.00
6409	PNB – OPERS	8067.00	6410	OP&FPP	22595.00
6411	AFLAC	504.72	6412	OIT	2200.21
6413	SDIT	179.62	6414	GIT	812.29
6415	Ohio Insurance Services	3691.07	6416	MT Business Technologies	26.39
6417	Mid Ohio Properties	130.00	6418	Newspaper Network	117.70
6419	Drew Bracken	1000.00	6420	Curb Appeal Lawns	800.00
6421	KPS/NAPA	836.01	6422	AEP	173.50
6423	Kokosing Construction	291692.73	6424	Plaza Hardware	46.23
6425	Granville Milling Co	29.95	6426	Granville Village Market	73.64
6427	Granville Lumber	608.78	6428	Cintas Corporation	460.00
6429	Certified Oil	2579.19	6430	Newark Winnelson	346.00
6431	ICI Dulux Paint	708.98	6432	Wright Brothers Power	596.16
6433	Windstream	76.07	6434	Wendy Lewis	60.00

6435	Stypula Brothers	21.00	6436	Ohio Fire Academy	50.00
6437	ZEP Sales & Service	439.37	6438	Ohio Health/Behavior H	127.50
6439	Finley Fire	907.25	6440	Generator Systems	297.00
6441	Ours Garage	2974.14	6442	Ohio Fire & Emer Services	75.00
6443	Fire Safety Media	744.00	6444	NEPM-ASI (Fire Safety Mat	261.00
6445	Elan Financial Services	1268.99			

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

On a motion by Trustee Abraham and a second by Trustee Mason, with Abraham yes, Habig yes, and Mason yes the meeting was moved into executive session under ORC 121.22(G)(2) with respect to possible property acquisition.

After a period of discussion on a motion by Trustee Mason and a second by Trustee Habig with Abraham yes, Habig yes and Mason yes the meeting was returned to regular session.

The meeting was adjourned at 8:55 PM.