

Minutes of Regular Meeting September 13, 2006

Present: Trustees James Havens, Lyle King and Wes Sargent, Fiscal Officer Kennedy

Guests: Dave Gaul, 2355 James Rd  
Jeff Ventura, 2380 James Rd  
Craig McDonald, 211 Sunrise St  
Joe White, 2551 Loudon St  
Jim Gibboney, 2420 James Rd  
Norma & James Eggenschwiler, 2307 James Rd  
Michelle Murphy, 2122 Burg ST  
Michael Whitehead, 36 N. 2<sup>nd</sup> ST  
Daniel Curry, 2122 Burg St  
Heather Whitehead, 121 Wildwood Dr  
Mary Fitch, 4181 Goose Ln  
Michael Crommes, 2630 James Rd  
Haley Miller, Denison University  
Grace Gordon, 2100 Lancaster Rd  
Ken Karst, 2513 James Rd  
Jay Knudsen, 2459 James Rd  
Don Andrews, 197 Louise Dr  
Frank Annarino

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

Trustee Sargent indicated that the township's BZA held its hearing regarding the Murphy request for variances and decided it could not approve any of the variances until the Trustees rezoned the property. The discussion was that the LCPC should not have conditioned its approval upon these variances and the township's zoning commission also should not have conditioned its recommendation to the Trustees based on these same variances. The township's zoning inspector should be involved in enforcing these requirements. F.O. Kennedy reported that he has received the approval from ODOT for the rezoning of this property which is located on SR16. On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote it was decided to approve the request by Michelle Murphy to rezoning the property at 1805 Columbus Rd from Residential to General Business. Michael Whitehead indicated that his client would still follow through with the BZA to obtain the requested variances. F.O. Kennedy stated that this approval will take effect thirty days from today.

Mary Fitch was present representing the Licking Land Trust to discuss an application that has been prepared for submission to the Clean Ohio Conservation Fund administered by the Ohio Public Works Commission for the purchase of the 45+/- acre Spring Valley Property along SR16 in Granville Township. Granville Township is to be the applicant requesting a total of \$558,500 from COCF, with \$250,000 being provided from Private Contributors and \$250,000 from the township's Open Space Levy Fund for a total project cost of \$1,058,500. Ms. Fitch reviewed the discussions with the owners of the Spring Valley Company and preparation of the grant application. It was discussed that the township trustees would provide an easement to the Licking Land Trust for the

management of the property. On a motion by Trustee Havens and a second by Trustee Sargent it was agreed to apply to OPCW for a \$558,500 grant to assist with the purchase of the Spring Valley Property. In addition, the Trustees will commit \$250,000 from Open Space Funds toward the purchase of the property and agree to grant an easement to the Licking Land Trust for management of the property.

Grace Gordon and Craig McDonald (the Middle School Adventure Club Advisor) were present to talk about the possibility of opening existing trails and adding new trails throughout Salt Run Park. This program worked for the Columbus Metro Park system and increased the usage of its parks. Mr. Reding plans to work with GIS to do point citing in the park. Trustee Havens suggested that he could also work with the Licking County GIS department. The issue of township liability for student and worker injuries was raised. Mr. McDonald indicated that the parents of students in the Adventure Club had already signed releases for such efforts. Ms. Gordon indicated that she would work on obtaining a waiver form for adult participants and send it to Trustee Havens for his review. On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote, it was agreed that Ms. Gordon and Mr. McDonald could continue work on this program once the matter of liability waivers as been resolved.

Residents from the James Road area were in attendance at the township meeting to express concern about their perceived idea of the intrusion of the City of Newark into their area. Several people stated that they or their neighbors were approached by Newark representatives about selling property to Newark so it could build a water tower on the property and install a waterline to provide water to the Park Trails and Park Ridge properties. They were told by the representatives that a municipality has a condemning authority and their first approach was friendly in an attempt to find a willing seller, but then they could take the property. The township residents stated that they don't want to be gobbled up by Newark. They don't know what to do. The Trustees stated that the City of Newark has not approached them on this subject. It was noted that both the Village and the City of Newark had included the southeast quadrant of Granville Township in their proposed 201 plans as to who will provide water and sewer. The Ohio EPA is the arbitrator of the installation of utilities lines.

Mr. Crommes wanted to know why the City can't put this water tower in the City on property it has already annexed and what is its ultimate goal. It would seem that this water tower could be put on property already in Newark. The question was why Rockford Homes wasn't asked to provide the land for the water tower and now the City was having to provide the land and wanted to buy it outside the present City boundaries. Trustee Havens explained to them that the only way to stay in the Granville community is to be annexed to the Village of Granville. As long as a property is in a township it is subject to annexation by a municipality. Once a property is annexed to a municipality it cannot be annexed by another municipality. He further explained that this was a decision that the landowners needed to make. The township owns property from Maple Grove Cemetery on the north all the way south to River Road and would be willing to annex this property to the Village, but only if the property owners further to the south

did what was necessary to annex their properties. The property owners need to meet, talk with representatives of the Village and decide what they wanted to do.

There was discussion that there needs to be a professional surveyor hired to survey the Kraner property and prepare a legal description of the property. On a motion by Trustee King and a second by Trustee Sargent, with King and Sargent yes and Havens abstaining it was agreed to hire Vance Surveying to perform this work.

On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote the minutes of the August 23, 2006 meeting were approved as previously submitted.

F.O. Kennedy presented a liquor license request from the Wine Cache LLC, 925 River Rd, Granville (the Seven Pines building) for new C1, C2, D1 and D2 licenses. The principal of the company is James Housteau, 337 N. Pearl St, Granville OH. Kennedy reminded the Trustees that in order to request a hearing on the permit request they had to have concerns about one of the specific criteria established by the Ohio Department of Commerce. As there were no such concerns, on a motion by Trustee Sargent and a second by Trustee Havens, by a unanimous affirmative vote it was agreed to not request a hearing on the liquor application presented by Wine Cache LLC.

F. O. Kennedy presented a retainer agreement from the law firm of Peck, Shaffer & Williams LLP for work to be performed in conjunction with the Purchase of Real Estate from William Kraner. On a motion by Trustee Sargent and a second by Trustee King, with Sargent and King yes, and Havens abstaining it was agreed to engage the firm of Peck Shaffer to perform the work assignment as outlined in its proposal of September 11, 2006.

F.O. Kennedy indicated that he received a levy language "proof" from the Board of Elections for the upcoming one mill Open Space Replacement Levy. The language is okay with the possible exception of describing 2007 as the "tax year" which was in the language prepared by the Licking County Prosecutor. He will send this back to the Board of Elections.

Trustee Sargent reported that the Common Pleas Court hearing on the Benson property was held August 25<sup>th</sup>. At that time the judge ruled that in order to abate a public health nuisance now existing on the property located at 1161 River Rd the Licking County Health Department can tear down the structure at this location. The Licking County Health Department has asked the Board of Granville Township Trustees to perform this work and will then place the township's costs of demolition on the tax duplicate. After a further period of discussion, on a motion by Trustee Havens and a second by Trustee King, by a unanimous affirmative vote the following Resolution was passed:  
Let it be known that the residence at 1161 River Rd is a public hazard, structurally defective, and unfit for human habitation. Also, it has been approved by Common Pleas Judge Jon Spahr and the Licking County Health Department to have the house demolished, the lot cleared of debris and the basement excavated and filled in. In

addition, the Granville Volunteer Fire Department Inc. wrote a letter to the Granville Township Trustees and that it has determined that the house “is not structurally stable” and that the house “poses a risk to citizens and our firefighters should there be a fire or someone trespasses on this property.”

The Township Trustees have, by this resolution, agreed to contract with the Licking County Health department to abate this health nuisance. Therefore, the Trustees will contract with the Dingess and Sons Demolition Company to have this residence demolished and pay no more than \$18,550 of total cost for this project. The township further agrees to supply the fill dirt to fill in the basement at the same cost that the Dingess Company would have charged. The trustees will cause to be forwarded an itemized invoice to the Licking County Board of Health to have said amount placed on the tax duplicate of the landowners of this property to ultimately pay for this service.

F.O. Kennedy reported that the matter of the Muskingum Watershed Conservancy District over assessment of the 40 acre Raccoon Valley Park property has been resolved. The District’s GIS Specialist agreed and recommended to the Conservancy Judge that the township’s appeal be upheld and therefore the proposed annual assessment of \$684 should be reduced to \$48. This change will save the township \$13,000+ over the twenty year life of the assessment.

F.O. Kennedy further reported that he met with a representative of Working Partners to begin establishing a Drug Free Workplace program for Granville Township. He also presented information regarding the preparation of a transitional work program paid for by a grant from the Bureau of Worker’s Compensation. Frank Gates Company has recommended that the township work with VocWorks in development of this program. On a motion by Trustee Sargent and a second by Trustee Havens it was agreed to participate in a transitional work program, hire the firm VocWorks to develop the program and apply to BWC for a grant to cover the cost.

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

1. F.O. Kennedy reported that he talked with the County Engineer and determined that if the Trustees passed a resolution requesting to assume responsibility for issuance of driveway culvert permits the Engineer’s Office would pass off the responsibility to the township. On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote it was agreed to send a letter to the County Engineer requesting that the responsibility for issuance of driveway culvert permits on township roads. Superintendent Annarino will assume responsibility for issuance driveway culvert permits in the township. A copy of the letter should be sent to the township’s zoning inspector.
2. F.O. Kennedy represented the 2006-07 Morton Salt quotation sheet at per ton. He requested that the Trustees submit a request for 450 tons. On a motion by Trustee King and a second by Trustee Sargent, by a unanimous affirmative vote it was agreed to submit a Morton Salt projected usage form for 450 tons to be used in 2006-07.
3. Trustee Havens reported that he and F.O. Kennedy were called to the Belt property at 170 Rose Dr because of neighbor concerns about the installation of

the Belt's driveway. The issue is that the Rose Drive is a platted 50' wide road, on which there is only 15' of asphalt surface, all of which is located on the north side of the road. Due to the topography of his lot Belt had previously requested being able to bring his driveway out to the hard surface across what was previously considered by his neighbors to the west to be their property. It was pointed out that the lot owners only owned to the edge of the road and not the road surface. A post was driven into the ground to designate the south side of his driveway and its terminus point with the hard surface. Mr. Belt called after the post was installed and agreed he would use it as the end of his driveway.

4. Superintendent Annarino reported that Kokosing has completed the paving work on Jones Road. The Kokosing supervisor indicated to Mr. Annarino that they could go the berming work as specified in the bid but he feels that the 411 material would merely wash away and be a waste of money. He offered to provide a credit of \$11,235 for the berming work. F.O.Kennedy and Annarino looked at the situation and believe that the township employees can do the work using #2 limestone in the deep ditch and hillside ditch areas and 211 materials in the flat area for approximately the same cost. After a short period of discussion on a motion by Trustee Sargent and a second by Trustee King, by a unanimous affirmative vote it was agreed to remove the berming work from the Kokosing contract and perform the work using force account labor and materials purchased by the township.
5. Superintendent Annarino further reported that work has been completed on the drainage swale servicing Brecon Circle.

The following matter was discussed with respect to the parks department:

1. Trustee King reported that he received a Notice of Commencement from Gaber & Associates for the work being done at Raccoon Valley Park for the Rec Commission.

The following matter was discussed with respect to the fire department:

1. F.O. Kennedy reported that the fire department has been working on specifications for the order of two replacement emergency squad vehicles since February of this year. There had been an issue regarding bidding for equipment by the private corporation in 2006 and subsequent payment in 2007 by the township. This matter has been resolved as the emergency squads are under the State Bid Program and as such may be ordered by the township without subsequent bidding. He indicated that he was in the process of reconciling the "optional" features with the state contract items and hoped to have that completed in the near future. On a motion by Trustee King and a second by Trustee Sargent, by a unanimous affirmative vote the trustees agreed to the following:
  - a. To reduce the 2006 annual contract amount with the GVFD Inc by \$265,000 to \$830,000.
  - b. To give Trustee Havens the authority to authorize the purchase of two Road Rescue Emergency Squad Vehicles, under the State Bid Program once F.O. Kennedy has been able to reconcile the options, for an amount not to exceed a total of \$265,000.

- c. Once approved by Trustee Havens, to authorize F.O. Kennedy to sign the contract with Road Rescue for two new emergency squad vehicles as specified by the fire department squad committee for a total amount not to exceed \$265,000.

Fiscal Officer Kennedy presented the August 31, 2006 bank reconciliation for review and approval by the Trustees.

F.O. Kennedy reported that he received an Amended Certificate of Estimated Resources from the County Auditor as of September 13, 2006 for the following funds and amounts:

**Additional Revenues**

General Fund: Estate tax	+\$81,000		
Interest	<u>10,000</u>	\$ 91,000	
Road & Bridge Interest		5,000	
Opera House Interest	7,800		
Other N.O.	<u>64,800</u>	72,600	
Open Space Other		<u>87,800</u>	
Total		\$256,400	

He presented the following recommendation for appropriation of these additional estimated resources:

**Additional Appropriations**

<b>General Fund</b>		
1000-110-599-0002	Community Survey	\$50,000
1000-110-599-0000	Other	37,000
1000-110-599-0003	Newsletter	2,000
1000-110-599-0004		2,000
<b>Road &amp; Bridge</b>		
2031-330-360-0000	Contract Services	5,000
<b>Opera House</b>		
2193-110-599-0000	Other	47,600
2193-760-720-0000	Buildings	25,000
<b>Open Space</b>		
2195-760-710-0000	Land	87,800

On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote it was agreed to record the additional revenue amounts in the new Amended Certificate of Estimated Resources and the new appropriations as presented by F.O. Kennedy.

On a motion by Trustee Havens and a second by Trustee Sargent, by a unanimous affirmative vote the following warrants, debit memos and EFT's for 9/13/06 were approved for payment:

3496	Betty Montgomery AOS	25.44	3497	PNB – Visa	309.98
3498	Poggemeyer Design Gp	5216.63	3499	Working Partners	1950.00

3500	Stacey Engle	169.58	3501	Newspaper Network	126.20
3502	Granville Milling	89.96	3503	Laura Main	19.50
3504	Robert Xarlock	19.20	3505	Kokosing Materials	1060.29
3506	Fackler Country Gardens	230.34	3507	Jae's Towing & Recovery	107.25
3508	Mt. Vernon Tractor	1084.14	3509	Wright Bros Power	108.37
3510	KPS/NAPA	422.05	3511	Enviro-Flow	159.00
3512	Fred Abraham	4100.00	3513	ICI Dulux Paint	8221.22
3514	Travis Binckley	45.45	3515	Granville Lumber	7.35
3516	Maybold's Shoes	165.70	3517	Cintas Corporation	321.068
3518	Certified Oil	2281.82	3519	Downes, Hurst & Fishel	585.90
3520	PNB – IRS	3202.91	3521	Deferred Comp	602.00
E177	Annarino	2210.00	E178	Travis Binckley	1654.83
E179	Butt	953.29	E180	Giles	1413.21
E181	Havens	291.79	E182	Huhn	953.29
E183	Kennedy	548.70	E184	King	371.75
E185	Main	307.33	E186	May	633.09
E187	Meisenhelder	886.68	E188	Polk	664.33
E189	Sargent	70.58	E190	Westall	44.02
DM	AEP	221.68	DM	Alltel	198.44
DM	Village Granville	102.00	DM	Columbia Gas	19.71

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

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Norman S. Kennedy, Fiscal Officer

On a motion by Trustee Havens and a second by Trustee King, with King yes and Sargent yes, it was agreed to move into executive session to discuss possible property acquisition.

After a period of discussion the meeting was returned to regular session and adjourned at 9:25 PM.