

Minutes of the Board of Licking Township Trustees,  
Regular Meeting, held at the Fire Co. Station 3,  
Jacksontown, OH at 7:00pm on August 17, 2009.

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

Others present: Bill Ours, Will Kern, John Neal, Robert  
Snedden, Robert Hickman, Barbara Humrichouse, Cindy Fields,  
Robin McKee, Joe Walker, Mike Wilson, Jack Creiglow, Don  
Nethers, Rebecca Nethers, Marshall Eubanks, Sharon Tinney,  
Charlie Prince and Steve Patterson.

The Pledge of Allegiance was recited.

The financial reports were given to the Trustees.

Mr. Holman made a motion to approve the expenditures  
totaling \$15,285.19. Mr. Miller seconded the motion. Roll  
call: Hart, yes; Miller, yes; Holman, yes.

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

CORRESPONDENCE:

1. We will be receiving estate tax from Ivadel Bebout in  
the amount of \$3,831.20.
2. Received information regarding District 17 OPWC  
Application Training.
3. Received information from S & S Volvo & GMC Truck.
4. Received information from ISO.

Mike Wilson gave the Fire Co. report. He requested that we  
send Jamie Sickles to EMT school with a cost around \$1000.

Mr. Miller made a motion to send Jamie Sickles to EMT  
class. Mr. Hart seconded the motion. Roll call: Hart,  
yes; Miller, yes; Holman, yes.

In regards to the letter from ISO, Mr. Wilson mentioned that the Fire Co. asked for an audit for a department rating. ISO checks records, maintenance on trucks, hose testing, air pack testing, ladder testing, pump testing etc.

Joe Walker had nothing to report. Mr. Miller asked about the pigs. Mr. Walker said that he was there Saturday and did not see the pigs. Mr. Hart said the same.

Mr. Miller mentioned that the salt barn is almost full and we have not received word on when we can get new salt and he would also like to order cinders by late September.

Mr. Hart made a motion to authorize Mr. Miller to enter into a contract to get cinders up to \$1500. Mr. Holman seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Mr. Miller thanked the road crew for the mowing. He will also be attending the OPWC application training and mentioned that he has not received an answer regarding the last OPWC application that was submitted on Hupp Road and Amherst.

The road bids were opened and read as follows:

Smalls Asphalt Paving, Inc. for \$138,756.63  
The Shelly Company for \$152,425.25

The Trustees compared each road line by line. Mr. Hart ranked the roads and went through his list. Mr. Holman found no fault with the ranking. Mr. Miller mentioned that all the projects should be done if we can afford it. The fiscal officer went over the money that we have in the funds. It was decided that the Davis Road be eliminated from the bid. That would bring Smalls Asphalt Paving, Inc. to \$108,996.63 and The Shelly Company to \$124,487.25 which is a \$15,490.62 between the two bids.

Mr. Miller suggested having Smalls Asphalt do the chip & seal on Ridgley Tract Road (west of Lake Drive to Union Twp) so that we can see what kind of job they do. Mr. Miller said that Hanover Twp has used Smalls Asphalt and that they were satisfied. Mr. Miller also said that he would not have a problem awarding part of the bid to one company and part of the bid to the other. Mr. Hart said

that the difference of \$15,490.62 is a big difference and they should take the lower bid. A discussion took place regarding the difference in the bid prices. Both bids included a performance bond.

Mr. Hart mentioned that a motion should be made on a non petition road improvement and an unanimous vote is needed.

Mr. Hart moved to declare by resolution the necessity to reconstruct and resurface Ridgley Tract Road, Licking Trails Road and Cormican Way. Mr. Miller seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Mr. Holman mentioned that Smalls Asphalt did not have a starting or completion date for the project. Robin McKee mentioned that there was not a request for a date. She stepped outside and called to see about the starting and completion dates. The fiscal officer informed the Trustees that the starting and completion dates were in the bid package. Robin McKee mentioned that they can start on September 1 and would be completed by September 30 and mentioned that the bid needs to be awarded as a whole or it will need to be bid again. Mr. Hart had Robin McKee put in the starting date and completion date along with her signature on the bid.

THE MEETING RECONVENED AT 8:18PM AFTER CHANGING THE DISK.

Mr. Miller expressed his concern with Smalls Asphalt hauling the asphalt from Gambier. Mr. Miller asked for Steve Pattersons' opinion since he has worked on the township roads for 15 years. After a discussion regarding the material being used, Steve said that the Smalls bid looks good. Mr. Holman pointed out that Smalls Asphalt was allowed to alter their bid by adding the starting and completion dates. Robin McKee asked to see The Shelly Companys' bid and mentioned that they did not use the same bid sheet. Mr. Hart read an excerpt from the Instruction To Bidders which reads, 'The Licking Township Board of Trustees reserves the right to accept or reject any or all bids and to waive technicality' and since the same information was completed they would waive that technicality. Robin mentioned that their bid was opened and accepted without the starting and completion dates. Mr. Hart said that yes they did but they were not going to waive that technicality because it was incomplete. Mr.

Hart mentioned that he did ask her to see about the dates and that she is partially liable too. He also mentioned that either party has a right to challenge their decision. Mr. Miller mentioned that he has worked The Shelly Company and knows the kind of job that they do. Mr. Hart mentioned that Smalls Asphalts' bid is \$15,490.62 lower and should have the opportunity to do the work for Licking Township. He also mentioned that they have a performance bond to protect the township. Mr. Holman mentioned the concerns of the distance of transporting the asphalt, they thought that they could pick and choose projects and now they can't and the altering of the bid which Mr. Holman does not think was fair to The Shelly Company. Mr. Holman understands Mr. Harts reason for wanting to give the bid to Smalls Asphalt but mentioned that cheaper is not always better and that we have a track record with The Shelly Co. Robin McKee mentioned that they have done work for Bowling Green Township, Franklin Township and St Albans Township and they have never had a problem with the mix. The trustees will consider the bids and make a decision at the next meeting. The completion date will be extended. Mr. Hart asked the fiscal officer to contact The Shelly Company and Smalls Asphalt and let them know that a new starting and completion date will be needed and that the answer could impact the decision.

Sharon Tinney, on behalf of her sister Barbara Humrichouse, mentioned that her parents are buried in Jacksontown Cemetery and that upon Barbara passing she will be cremated and placed in a urn that they would like to have buried on top of their mothers grave. Mr. Hart will check with the prosecutor. Mr. Hart asked that they have a notarized paper showing that the sibilings agree.

Robert Snedden mentioned that the Trustees asked for a proposal from him for putting asphalt on his ground and Robert proposed \$36,000.00. Mr. Hart said that they asked him for a proposal that would resolve his problem with the Board, and if he has a proposal or if his attorney has a written proposal for the Board to consider then they will accept any proposal he has that will resolve this issue and the Trustees will look at it and then have the prosecutor review it. Mr. Hart told John Neal, Attorney for Robert Snedden, that the issue with Robert is that he owns to the center of the road and the request was for the Trustees to remove the asphalt and move the road and we are not going to do that. Mr. Hart mentioned that they have a statutory

obligation to protect the safety and the traveling public of the residents who travel that road. John Neal will send the proposal to the prosecutor.

Will Kern commended Mr. Hart on the meeting and commended Mr. Holman on catching completion dates missing from the road bids. He also mentioned that no one told Robert Snedden that the proposal had to be written and that he gave a verbal proposal. Mr. Hart said that Robert has an attorney and he will not discuss Roberts' situation with him.

Bill Ours asked about Amherst. Mr. Miller said that it is on hold until we find out if we will get OPWC money and if we do not receive any money we will be applying for the OPWC money again. Bill also mentioned that Kenyon needs to be finished.

Mr. Miller said that they have not received any bids regarding Wilshire. The repairs may have to wait until next year.

Mr. Miller made a motion to adjourn the meeting at 9:10pm. Mr. Holman seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

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Attest

Meeting of August 17, 2009