

Minutes of the Board of Licking Township Trustees,
Regular Meeting, held at the Fire Co. Station 3,
Jacksontown, OH at 7:00pm on September 8, 2009.

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

Others present: Bill Ours, Will Kern, Robert Snedden, Cindy
Fields, Robin McKee, Bobby Small, Joe Walker, Mike Briggs,
Marshall Eubanks, Sharon Tinney, Larry Gerlach, Mike
Harris, Charlie Prince, Ron Acord, Rob Mills and Steve
Patterson.

The Pledge of Allegiance was recited.

The financial reports were given to the Trustees.

Mr. Miller made a motion to approve the expenditures
totaling \$33,089.98. Mr. Holman 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. Information from the prosecutors' office along with a
letter from John Neal and Robert Snedden.
2. Received an email from Brien Moore regarding 8333
Somerset Road.

Mr. Hart received information from the prosecutors' office.
As a result of a mistake that Mr. Hart made at the last
meeting authorizing John Neal attorney representing Robert
Snedden to submit a proposal directly to the prosecutors'
office instead of the Board, Mr. Hart told Mr. Snedden that
if he has any communication with the Board that it will
need to be presented to the Board and not the prosecutors'
office. Mr. Hart mentioned that John Neal is no longer
representing Robert Snedden.

Mike Briggs gave the Fire Co. report. There were 83 runs
in August with a year to date total of 693 runs.

Mr. Hart made a motion to hire Tyler Collins and Drew Dixon to the fire company. Mr. Miller seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Joe Walker turned in three permits totaling \$225.00. In regards to the complaint on Cristland Hills Road, Mr. Walker has talked to the owner who informed him that he is not mowing the weeds. Mr. Walker said that they weren't bad but that the neighbors are fighting. Mr. Hart mentioned that Sean Guyer owns the vacated alley. On the complaint regarding 8333 Somerset Road, Mr. Walker has talked with Brien Moore and mentioned that the house is not that bad and that the neighbors have been mowing. There are two signs on the door stating that the house has been winterized and the other regarding property maintenance that has been done since it has been in foreclosure. Regarding the property at 5841 Jacksontown Road, Mr. Walker said that it has been cleaned up. Mr. Miller received a complaint of a business being run in a residential area on Cristland Hills Road. He will give the information to Mr. Walker. Mr. Walker said that he has talked with the residents and he believed he took care of it.

Mr. Miller thanked Steve, Rob and Mr. Hart for cleaning up the mess on Fairmont Road.

Mike Briggs mentioned that the concert and fireworks at Dawes went well and thanked the township for the use of the road closed signs.

In regards to the request from Barbara Humrichouse, in which she would like to be cremated and buried on top of her mothers grave, Mr. Hart mentioned that there is nothing in the O.R.C. preventing the Trustees from allowing it. Sharon Tinney, the sister of Barbara Humrichouse, brought in notarized letters from the siblings stating that they have no problem with Barbara and her husband being buried in a joint urn on top of her mother. Sharon was asked by Mr. Hart to turn in the original notarized letters from the siblings when the time comes to bury Barbara and her husband.

Mr. Hart made a motion that the Licking Township Trustees authorize the burial of Barbara and Walter Humrichouse in a joint crematory urn at the location of her parents Lowell F. Walters and Irene Walters with the

understanding that the only fee will be the opening and closing of a crematory urn based on residential cost. Mr. Holman seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

The Fiscal Officer will send Sharon a copy of the minutes.

Mr. Miller mentioned that we missed receiving OPWC money. Mr. Miller is in the process of reapplying for the money for Amherst Road and Hupp Road.

Mr. Miller mentioned that we need to crack seal LeMar Heights. He will get an estimate for the next meeting.

In regards to the road bid, Mr. Hart mentioned at the last meeting the Trustees decided not to issue a contract. Mr. Hart mentioned that there could be several outcomes. Mr. Hart mentioned that at the last meeting Smalls Asphalt did not have a completion date and they told the Board that it was not requested but the bid showed that it was. Mr. Hart allowed them to enter a completion date. Mr. Hart said that the bid can be, still can be and probably should have been deemed an incomplete bid. Option one is to deem Smalls Asphalt Pavings bid incomplete. Option two would be under the O.R.C is to declare or deny all bids and re-bid the projects and include the appropriate language in the bid so that the bid can be awarded by section or as a group. Option three is if it was deemed appropriate by the Board we could determine the lowest and best bid and issue a contract based on that language. Mr. Miller, after talking to the engineers' office and the prosecutors' office, suggested throwing both bids out and re-bidding. Mr. Miller said that he is not in favor of bidding in sections. Mr. Hart mentioned that the language for bidding in sections should be in the bid and they can exercise it if they want. Mr. Miller agreed and Mr. Holman said that if it in the O.R.C. we should include it in our bid.

Mr. Miller made a motion to reject both bids, one from The Shelly Company and one from Smalls Asphalt, and will re-bid using the new form as soon as possible. The bid will be placed in The Advocate and in The Beacon with the bids being in by September 18 and being opened and awarded at the next regular meeting on September 21. Mr. Hart seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Mr. Holman received an email from Rhonda Carte. She mentioned that the township computer is having hardware problems.

After changing the CD the meeting resumed at 8:17pm.

Robert Snedden submitted his proposal to the Board. Mr. Hart read the proposal. The proposal is on file with the Fiscal Officer. Mr. Hart mentioned that based on the knowledge that he has, the Board did not do anything illegal. This is a long standing dispute that Mr. Snedden has with the Board. It is Mr. Harts' understanding that this issue was previously resolved with Mr. Cooper, Mr. Acord and Mr. Miller with the understanding that we would fill in a ditch that we are required to maintain on a non-descript road. It appears to him that Mr. Snedden wants some unreasonable financial numeration and to him it is not a reasonable proposal. It is Mr. Harts' recommendation that they tell him right now, as a Board, that they are not interested in his proposal. If Robert Snedden intends to try to receive that kind of financial reward from this Township he is going to have to file with the courts. Mr. Hart is in favor of no further discussion with Mr. Snedden on that type of request. Mr. Miller agreed that it is not a reasonable request. Mr. Snedden asked them to make a proposal. Mr. Hart said that he would never put himself in the position of negotiating with himself. Mr. Hart, in his opinion, told Mr. Snedden that if he feels that he has a legal issue with the township that it needs to be pursued in court. Mr. Snedden asked why they asked for a proposal. Mr. Hart said that his proposal is not reasonable. Mr. Snedden said that the ground is not cheap. He said that he was told that they would not smear the asphalt until they found out where the road was. Mr. Holman concurred with the other two Trustees. He mentioned that we are talking about 2' that run the depth of Robert Sneddens' lot and if that is worth \$36,000 he will sell his farm tomorrow. Mr. Holman said that there is a value to that portion of real estate but to say that it is worth \$36,000 is totally out of the question and he thinks that Robert can arrive at a figure based on the appraised value of his property and take that portion and do the math. Mr. Snedden asked if they will have it appraised. Mr. Hart said that they have an obligation to maintain the road and they have never contested the fact that Robert owns beyond the center of it and according to the county records it is a non-descript road and we need to maintain it ditch to ditch and there is

no pavement over to the ditch. Mr. Hart said that if there is a violation of any law or violation of statute it will be up to the court to decide. Mr. Hart, collectively as a Board, said that Robert Sneddens' proposal is not a reasonable request and if he intends to pursue a financial settlement from the Board then he will need to go with his attorney or legal representative through the appropriate court process.

Will Kern mentioned said that they asked for a written proposal in which Robert gave them and he would expect the same back to Robert. Will Kern mentioned that the road was widened illegally and there are documents that can prove it. Will Kern said that he is not sure where the issue is going now and are they just going to blow him off and make him go to court. Mr. Hart said that he will not discuss Robert Sneddens' issue with him, a resident and a member of the public from Bowling Green Township unless someone tells him that he is Roberts' legal representative. Mr. Miller said that the county informed them that the township controls ditch to ditch and that pins were placed at the edge of the asphalt so that they would not pave pass them. Mr. Snedden said he pulled them out. Mr. Holman said that the issue is between the Board and Mr. Snedden and that Mr. Kern obviously has the right to express himself but that is the extent of his involvement as a friend or resident but that he has continued to agitate and irritate the situation. Mr. Holman mentioned that a proposal was made and as a Board they refused the proposal because they felt that it was unreasonable and he thinks it goes without saying that it is unreasonable because of the financial amount. Mr. Holman said that if Robert Snedden is willing to submit another proposal that he would look at it but if does not then he will need to proceed with legal recourse. Mr. Snedden asked him to give him an amount. Mr. Holman said that they are not in that business. Mr. Miller said that if mistakes were made, whether he was part of it he does not know. The information given to him was that it is a non-descript road and he is done discussing it for the evening but if he had to make a proposal he would offer him \$1.

Minutes of the June 15, 2009 meeting were read and approved as corrected.

Minutes of the August 3, 2009 meeting were read and approved as corrected.

Minutes of the August 17, 2009 meeting were read and approved as correct.

Mr. Holman made a motion to adjourn the meeting at 9:16pm. Mr. Miller seconded the motion. Roll call: Hart, yes; Miller, yes; Holman, yes.

Attest