

BOARD OF TRUSTEES OF HARRISON TOWNSHIP
LICKING COUNTY, OHIO
MINUTES OF REGULAR MEETING MARCH 2, 2009

The Harrison Township Trustees met in regular session on March 2, 2009 at the Township Administration Building. The meeting was called to order at 6:00 p.m. by the Chairman, Larry Kretzmann and he led those present in the Pledge of Allegiance. The Fiscal Officer called the roll, and the following members and guests were present:

| | |
|----------------|-------------------------------------------------------|
| Chairman | Larry Kretzmann |
| Trustee | Ray Foor |
| Trustee | Eric Smith |
| Fiscal Officer | Carolyn Elder |
| Road Dept. | Ben Patterson |
| Guest | Mark Hazel, 6594 Watkins Road, 927-6671 |
| Guest | Don Rector, Southwest Licking Community Water & Sewer |
| Guest | Ron McCarty, A-1 Demolition, 614-989-0396 |

From the Floor – Mark Hazel

Mark Hazel presented plans for the proposed project. The youth football league plans to build two football fields and a dry retention pond close to Refugee Road. They plan to cross Refugee Road with a storm sewer pipe and take it north along the Ritchie Farm property and outlet at the creek that runs through the ball park at the property line. They would like to know if the Trustees would allow them to cut Refugee Road. The Trustees would require \$10,000.00 cash which they would hold for one year.

From the Floor – Donald Rector, P.E. – General Manager, Southwest Licking Community Water and Sewer District

Mr. Rector gave the Trustees new maps to post at the Township Administration Building along with the 2009 rate increase information. He reported that the housing market is influencing their financials. Cost is up and they are down three employees. The district was awarded Issue II money to update the York and Refugee Road Pump Station. They are still working on getting Flying J water service and the Pataskala Job Ready Site is going forward.

From the Floor – Ron McCarty – A-1 Demolition

Mr. McCarty presented an estimate for demolition of the house at 6780 Outville Road which includes a Lepi abatement package. The estimate was \$8,170.00. He mentioned that the Trustees would have to cap the well, cap the sewer and obtain a demolition permit. The Trustees are going to wait on a bid package from the Prosecuting Attorney.

7:15 p.m. – Asphalt material bids were opened.

Shelly Materials, Inc.

#404 Asphalt \$66.00 per ton

#402 Asphalt \$59.00 per ton

#301 Asphalt \$53.00 per ton

Ray Foor moved a motion to accept bids submitted by Shelly Materials, Inc. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Stone material bids were opened from the following companies.

Redskin Transport, 6657 Dutch Lane Road, Johnstown, Ohio

Hutchinson Material, LLC, 2699 Johnstown-Alexandria Road, Alexandria, Ohio

United Aggregates, Inc., 14220 Parrott Street Ext., Mount Vernon, Ohio 43050

The Olen Corporation, 4755 South High Street, Columbus, Ohio 43207-4080

Eric Smith moved a motion to accept bids submitted by Hutchinson Materials, LLC. The bid was as follows with all prices including delivery:

#4 Stone \$13.70 per ton

#2 Stone \$13.70 per ton

Rip Rap \$24.20 per ton

#304 & #411 \$12.30 per ton

#57 & #8 \$16.90 per ton

#8 Washed \$11.35 per ton

#9 Washed \$ 9.50 per ton

#57 Washed \$13.70 per ton

#9 Rounds W/Brine Water \$10.50 per ton

Ray Foor seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith Yes. Motion passed.

Zoning Report – Trustee Eric Smith

Eric Smith moved a motion to allow the Zoning Inspector to file a zoning violation with the Licking County Prosecutor against Linda Held concerning her property on York Road. Ray Foor seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Eric Smith moved a motion to allow the Zoning Inspector to file a zoning violation with the Licking County Prosecutor against John Corum at 6637 Outville Road for a junk car on his property. Ray Foor seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Ray Foor moved a motion to advertise for bids for the project known as “Refugee Road Embankment Restoration” project. The Fiscal Officer will add a contact sheet to the bid packet and run the ad in The Advocate two days the week of March 2 and two days the week of March 9. The bids will be opened April 6, 2009 at 7:00 p.m. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Road Department – Ben Patterson

Ben has 600 ton of road salt spoke for the 2009/2010 winter through the State of Ohio road salt bid. We will not participate in the SWOPG4 this year.

Ben presented 5 bid packets for trucks bids to the Trustees.

10' Model 6 to 8 cubic yard dump body

9' Model 2.5 to 3 cubic yard utility dump body

10' Model 3 to 3.5 cubic yard utility dump body

Single axle cab and chassis 33,000 GVW

Single axle cab and chassis 17,500 GVW

Snow plows and salt spreaders will be added to the appropriate packages.

Eric Smith moved to advertise the 5 truck bid packages in The Advocate for two days. The bids will be opened on April 6, 2009 at 8:00 p.m. Ray Foor seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Ben reported that the excavator and the flatbed 7000 lb. GVW trailer have been placed on Govdeals.com for sale. **Eric Smith moved a motion stating if the excavator with buckets hits \$37,000.00 and/or the trailer hits \$700.00 that they will sell. Ray Foor seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.**

Ben inquired about a line of credit at Applied Technology. The Trustees did not want to open a line of credit. **Ray Foor moved a motion to allow the Road Superintendent to attend a State of Ohio Dept. of Transportation meeting in Dublin on March 12, 2009 and pay any associated cost including registration of \$65.00. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.** Ben will be attending a Working Partners meeting on March 4, 2009. **Ray Foor moved a motion to allow the Road Superintendent to attend the Bureau of Workers Compensation Safety Convention on March 31 through April 2, 2009. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.** Ben will call Engineer Tim Lollo and see if the Township can get in on the County paving bid.

New Business:

Ray Foor moved a motion to approve cost for the Fiscal Officer to attend the 2009 Local Government Officials' Conference on April 23 and 24, 2009. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Ray Foor moved to adopt Resolution 2009 03 02 01 which states:

That Harrison Township supports and seeks to advance the goals of open government and will notify The Advocate of all regular, special and emergency meetings (Resolution attached). Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith Yes. The resolution was adopted.

The Trustees reviewed a boundary corrections map from Pataskala City which was turned into the U.S. Census Bureau. The Trustees do not agree with the map and would like more details.

Trustee Eric Smith

Paul Boshart has suggested walkways through the cemetery at no additional cost to the survey.

Trustee Ray Foor

Ray Foor moved a motion to pay Health, Dental, Vision, Life and Secondary insurance (Medicare Part B and Part C) for Harrison Township Trustees, Fiscal Officer and Employees. Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Trustee Larry Kretzmann – Representative to the SWL Fire Board

The Fire Boards 2006/2007 audit was presented at the last meeting. April 11th will be firefighter's appreciation and April 17th is Chief Weber's last official day.

Ray Foor moved a motion to approve the February 2, 2009 meeting minutes with no additions or corrections and to pay mid month bills and payroll as well as warrants 9130 through 9184. Larry Kretzmann seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

Eric Smith moved a motion to pay the first half real estate taxes on the property at 6780 Outville Road in the amount of \$1,591.61. Larry Kretzmann seconded the motion. Roll call: Kretzmann YES, Foor YES and Smith YES. Motion passed.

The Fiscal Officer passed out various pieces of correspondence and the Financial Reports for the Trustees to review.

Ray Foor moved a motion to adopt Resolution 2009 03 02 02 which states: An Resolution establishing a video service provider fee to be paid by any video service provider offering video service in Harrison Township (Licking County); authorizing the Fiscal Officer to give notice to the video service provider of the video service provider fee; and declaring an emergency (Resolution attached). Eric Smith seconded the motion. Roll call: Kretzmann YES, Foor Yes and Smith YES. The Resolution was adopted.

Being no further business, Chairman Larry Kretzmann adjourned the meeting at 10:45 p.m.

Minutes are unofficial until approved by the Trustees.

Respectively Submitted,

Carolyn I. Elder
Harrison Township Fiscal Officer

Resolution 2009 03 02 01

Resolution 2009 03 02 02 are included in the March 2, 2009 minutes.

**RESOLUTION TO PROVIDE NOTIFICATION OF PUBLIC
MEETINGS TO THE NEWARK ADVOCATE
RESOLUTION 2009 03 02 01**

The Board of Township Trustees of Harrison Township, Licking County, Ohio, met in regular session on the 2nd day of March, 2009, with the following members present:

Larry Kretzmann, Ray Foor and Eric Smith

Ray Foor moved for the adoption of the following:

RESOLUTION

WHEREAS, Ohio Revised Code Section 121.22(F) provides that the Township shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification; and,

WHEREAS, Ohio Revised Code Section 121.22(F) provides that in the event of an emergency requiring immediate official action, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting; and,

WHEREAS, the Newark Advocate has requested schedules of the Township's public meetings and notification of any special or emergency meetings; and,

WHEREAS, Harrison Township supports and seeks to advance the goals of open government.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees that the Township Fiscal Officer shall provide a schedule of all regular public meetings of the Board and/or any of its committees to the Newark Advocate; and,

Certificate

State of Ohio, Licking County

I the undersigned Fiscal Officer of Harrison Township, Licking County, Ohio, certify that the foregoing Resolution No. 2009 03 02 01 is taken and copied from the record of proceedings of the township and that it has been compared by me with the resolution on the record and it is a true copy.

Dated this 2nd day of March, 2009.

Carolyn I. Elder
Harrison Township Fiscal Officer

DRAFT RESOLUTION NO. 2009 03 02 02

AN RESOLUTION ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN HARRISON TOWNSHIP (LICKING CO.); AUTHORIZING THE FISCAL OFFICER TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide “uniform regulatory framework” for the provision of cable television and/or other video service (the “Video Law”); and

WHEREAS, under the Video Law a video service provider that is providing video service to subscribers in the Township pursuant to a state-issued video service authorization must pay the Township a video service provider fee (“VSP Fee”) based on a percentage of the provider’s gross revenues received from providing video service in the Township, not to exceed five percent (5%) of such gross revenues; and

WHEREAS, the Video Law requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the Township (the VSP Fee Percentage”) or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee percentage shall be zero percent (0%) of gross revenues unless the Township determines by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and

WHEREAS, the Video Law further requires the Township to provide a video service provider with written notice of the VSP Fee Percentage within ten (10) days of receiving notice from the video service provider, pursuant to R.C. 1332.27(A), that it will begin offering service in the Township; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee Percentage, it is necessary for the Board (i) to establish the VSP Fee Percentage; and (ii) to authorize the Fiscal Officer to provide the appropriate notice of the VSP Fee Percentage to a video service provider within ten (10) days of the Township receiving notice that a video service provider will begin providing service in the Township.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF HARRISON TOWNSHIP, STATE OF OHIO:

Section 1. That the Board of Trustees of Harrison Township hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of **three**

percent (**3**%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. All video service providers and cable television operators providing video service in the Township shall apply the VSP Fee Percentage against gross revenues as defined in the Video Law.

Section 2. That the VSP Fee shall be paid by each video service provider providing service in the Township on a quarterly basis but not sooner than forty-five (45) days nor later than sixty (60) days after the end of the each calendar quarter. R.C. §1332.32(A)

Section 3. That the Fiscal Officer is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage as determined by this Board above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the Township pursuant to a state-issued video service authorization.

Section 4. That it is found and determined that all formal actions of the Board of Trustees concerning and relating to the adoption of the Resolution were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of Harrison Township, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to the Board, otherwise from and after the earliest period allowed by law.

March 2, 2009

PASSED: _____

Ray Foor, Trustee

ATTEST: _____

Carolyn Elder, Fiscal Officer

Larry Kretzmann, Trustee

Eric Smith, Trustee