

**Granville Township**  
Minutes of Regular Meeting, February 10, 2016

Present: Granville Township and Granville Roads District Trustees\* Melanie Schott, Dan VanNess, Kevin Bennett, Fiscal Officer Jerry Miller and Recording Secretary Maggie Barno  
Department Heads: Superintendent Travis Binckley, Fire Captain Casey Curtis

Absent: Fire Chief Jeff Hussey

Guests: Lyn Robertson, 342 Granger Street, Granville

Jerry Griffin, 4 Sheppard Place, Granville

Steve and Rhonda Saunders, 3400 Lancaster Road, SW, Granville

Richard Rubenstein, Columbus

Trustee Schott called the meeting to order at 7 PM followed by the Pledge of Allegiance.

Agenda Approval

Trustee Bennett made a motion to approve the agenda. Trustee VanNess seconded the motion and the motion passed by unanimous vote.

Approval of Meeting Minutes

Trustee VanNess moved to table the approval of the minutes of the January 27, 2016, regular meeting of the Granville Trustees as he wishes to review the recordings. Trustee Bennett seconded the motion and the motion passed by unanimous vote.

Public Comment

Jerry Griffin, Lyn Robertson and Richard Rubenstein, all representing Granville Cohousing LLC, a proposed condominium/cohousing community containing up to 36 residence units, spoke to the Trustees to seek their support regarding their proposed annexation into the Village. The property (18.972 acres) is located along the south side of Newark-Granville Road (parcel No. 190-41946-00.000) and is owned by S.R. Larsen. The annexation is being requested to the Village of Granville for the purpose of obtaining water and sewer for the condominium community.

Mr. Rubenstein spoke regarding the legal issues for the Granville Cohousing LLC. Mr. Rubenstein stated the LLC desires this to be a type 2 annexation: the land remaining in the Township (tax base of the Township) and in the Village for municipal purposes.

Mr. Rubenstein asked for the Trustee's support for the annexation, either as a resolution supporting the annexation or as joining as a part of the agreement.

Discussion was held with the following highlights:

Trustee VanNess asked if a TIF would be involved, to which Mr. Rubenstein replied the agreement does not say anything about agreeing to a TIF. Trustee VanNess commented on the Township's position ("stop me if I'm getting out of line") saying our (Trustees) concern with a TIF would be losing tax revenue.

FO Miller asked, regarding property tax, if each unit would be separately taxed. Mr. Rubenstein replied condominiums are taxed separately.

Mr. Rubenstein asked what the Trustees would need to do to consider an action of creating a resolution (in favor of the annexation). Trustee Bennett commented the Trustees would need time to discuss the proposal. After further discussion, Trustee Schott stated the request would be put on the agenda for discussion at the February 24, 2016, general meeting of the Trustees.

Trustee Schott then made a motion to modify the agenda to move from New Business, the Saunders' request for property easement to Public Comment. Trustee VanNess seconded the motion and the motion passed by unanimous vote.

Trustee Schott stated that all of the Saunders requests to modify their property, which they purchased knowing it was on Open Space, were forwarded to APA Austin Lecklider. Regarding the Saunders' requests, the Trustees determined to follow the advice of APA Austin Lecklider and provided the Saunders the following written response.

February 10, 2016

Steven T. Saunders  
Ronda H. Saunders  
3400 Lancaster Road  
Granville, Ohio 43023

Re: Request for Changes to Existing Easement

During the January 27, 2016 meeting of the Granville Township Trustees you jointly presented a number of requests concerning a 45 acre parcel of land, Auditor's Tax Parcel #019-043200-00.000, which you currently own and is located within the township. You specifically sought a number of changes to the currently existing conservation easement which was contracted upon between the Trustees and previous owners in 2010.

After consulting with the Licking County Prosecutor's Office and due consideration, the Trustees have reached the following decision on your multiple requests:

**1) Would the Township dispute your request to County authorities to alter the tax value of the parcel property, especially the marshy portion.**

As previously indicated, our Fiscal Officer has looked into this matter and indicated that your devaluation request would not create a significant negative upon impact the Township. The Township does not intend on contesting your request.

**2) Can four ponds be created and placed on the property for managing cattle?**

While it is not disputed that ponds for cattle, managing cattle, and even farming prawns all meet the definition of "agriculture.", the clear terms of the conservation easement limits the property to the existing agricultural use at the time of execution (Paragraph 2). Accordingly, the restrictions of the easement were intended to limit the use of the property to its then-current 'agricultural' use. As the cattle ponds and/or prawn ponds did not exist or were considered when the easement was executed, then creating them at this point violates the terms of the easement and is not permissible.

Further, it appears that the digging of the four ponds would run afoul of the easement's prohibition on excavating on the property (Paragraph 2(c)).

**3) Can Aquaculture (shallow ponds that can be drained) be used for the ponds?**

For the same reasons more fully described above, the current easement does not allow for the creation of a pond for the purpose of aquaculture on the property in question.

**4) Can windmill aerators be placed on the property? You indicated this is not a permanently placed structure, and is staked to the property with no cement foundation and would not be considered a “structure for taxation purposes.**

The Trustees have been advised that any proposed structures to include the windmills, temporary or otherwise, would run afoul of the easement (Paragraph 2(b)). Whether or not the windmills are considered “structures” for tax purposes is of no consequence as the prohibition in the easement is rather broad and quite straightforward.

In summary, the Trustees will not actively contest any application for a downward revision of the tax valuation of the parcel in question. Having been advised that your proposed changes as to excavating and installing ponds along with aerators are clearly inconsistent with the terms of the conservation easement, the Trustees do not agree to your proposals.

\_\_\_\_\_  
Chair, Granville Township Trustees

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

The Saunders argued in favor of their requested changes to the existing conservation easement and asked the Trustees to negotiate on their requests.

Trustee Schott asked the Saunders if, when they considered purchasing the open space property, did they consider coming to the Trustees at that time, since they knew what they wanted to do with the property? Mrs. Saunders stated they had no time to come before the Trustees because the previous owner (Donna Smith) contacted Mrs. Saunders on Friday and wanted to close on the property the following Friday.

Trustee VanNess commented the Trustees would be violating the terms of the conservation easement and noted the Trustees submitted the Saunders’ requests to the Township’s legal counsel and got his recommendation back and further noted the Trustees couldn’t go against the recommendation of counsel.

Trustees VanNess suggested a procedure would need to be developed for making deviations to open space conservation easements. This process could take a long time to develop.

Trustee Schott commented she remembered a previous time when people who wanted to purchase the orchard property had made a request to the Trustees wanting to make changes to the property. Trustee Schott reported when the Trustees looked over the easement, it was clear the

restrictions did not allow the changes the people proposed. FO Miller noted that buyer chose not to purchase the property because the restrictions were too great.

Trustee Bennett commented the Trustees needed to set up an internal procedure for future requests from persons wanting to change the terms of Open/Green Space conservation easements.

Trustee VanNess commented to the Saunders that he wondered what would have happened if the Saunders had asked the previous owner (Mrs. Smith) for 30 days to check out some contingencies before purchasing the property.

After more discussion, Trustee Schott closed Public Comment at 7:55 PM.

#### Correspondence Received or Sent

FO Miller reported he:

- Received a notice from the Public Utilities Commission of Ohio that Granville Township is certified as a Competitive Retail Electric Service Provider to provide governmental aggregation services within the State of Ohio until February 12, 2018.
- Received notice from the Village that there would be a 15-minute power outage on Saturday, February 13, 2016.
- Received a public records request from a company in Florida. FO Miller asked APA Lecklider for clarification and received language from Lecklider with which to respond to the Florida Company.
- Received numerous zoning notices from the Village. FO Miller asked for a motion on how the Trustees wanted him to handle distribution of Village zoning notices to the Trustees. FO Miller noted many are for minor variances (i.e. signage, fencing and setbacks).

Trustee Schott made a motion to allow FO Miller to use his discretion to handle distribution of zoning notices from the Village to the Township Trustees. Trustee VanNess seconded the motion and the motion carried by unanimous vote.

#### Elected Official Reports

FO Miller reported:

- Additional checks needing to be signed:
  - HRA and FSA for Ohio Public Entity Consortium
  - MORPC 2016 dues
- FO Miller noted he would send the agreement with Meeder Investments to APA Lecklider to review. Discussion followed regarding if three bids were needed to select an investment company. FO Miller stated he would ask APA Lecklider for clarification on the matter.
- Attended the OTA conference on January 28-29 at the Convention Center in Columbus.
- May attend the upcoming 17th Annual Ohio Government Officials Conference
  
- There were no appropriation transfers.
  
- FO Miller provided a list of the warrants and payroll checks issued. FO Miller requested approval for the warrants, withholding vouchers, debit memos, and EFT's which were issued.

On a motion by Trustee Schott and a second by Trustee VanNess, by a unanimous affirmative vote the following warrants, withholding vouchers, debit memos, EFT's, and if applicable, then and now purchase order certificates were approved for payment and processing:

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount
42-2016	01/29/2016	01/19/2016	CH	Medical Mutual of Ohio	\$17,835.04
43-2016	01/29/2016	01/26/2016	EP	Joseph C Asselin	\$1,029.95
44-2016	01/29/2016	01/26/2016	EP	Susan A Bain	\$345.50
45-2016	01/29/2016	01/26/2016	EP	Margaret H Barno	\$281.76
46-2016	01/29/2016	01/26/2016	EP	Christopher M Bassetti	\$152.80
47-2016	01/29/2016	01/26/2016	EP	Andrew R Baughman	\$1,638.09
48-2016	01/29/2016	01/26/2016	EP	Brynn Kevin Bennett	\$1,552.05
49-2016	01/29/2016	01/26/2016	EP	B. Travis Binckley	\$2,217.45
50-2016	01/29/2016	01/26/2016	EP	Charles D. Borden	\$840.45
51-2016	01/29/2016	01/26/2016	EP	Thomas A. Bowman	\$1,686.58
52-2016	01/29/2016	01/26/2016	EP	Tyler J. Bryan	\$1,259.65
53-2016	01/29/2016	01/26/2016	EP	Joshua M Butt	\$999.96
54-2016	01/29/2016	01/26/2016	EP	Derwin R Clemens	\$1,587.18
55-2016	01/29/2016	01/26/2016	EP	Casey R. Curtis	\$1,706.79
56-2016	01/29/2016	01/26/2016	EP	Alexander J Daniels	\$826.85
57-2016	01/29/2016	01/26/2016	EP	Paul J. DuBeck III	\$114.11
58-2016	01/29/2016	01/26/2016	EP	C. Michael Duncan	\$251.78
59-2016	01/29/2016	01/26/2016	EP	Troy A Elmore	\$109.00
60-2016	01/29/2016	01/26/2016	EP	Bradley D Essick	\$1,391.82
61-2016	01/29/2016	01/26/2016	EP	Adam C Gottfried	\$306.68
62-2016	01/29/2016	01/26/2016	EP	John R Guegold	\$697.17
63-2016	01/29/2016	01/26/2016	EP	Kevin M Henry	\$643.26
64-2016	01/29/2016	01/26/2016	EP	Brianne M Hill	\$1,486.97
65-2016	01/29/2016	01/26/2016	EP	Jeff A Hussey	\$2,653.00
66-2016	01/29/2016	01/26/2016	EP	Jeremiah C Irwin	\$399.48
67-2016	01/29/2016	01/26/2016	EP	Aaron C. Jones	\$515.06
68-2016	01/29/2016	01/26/2016	EP	Brian P. Jones	\$141.44
69-2016	01/29/2016	01/26/2016	EP	Bradley A. Leckrone	\$281.29
70-2016	01/29/2016	01/26/2016	EP	Terry L. Lynn Jr	\$639.59
71-2016	01/29/2016	01/26/2016	EP	Nicholas J Marcum	\$875.11
72-2016	01/29/2016	01/26/2016	EP	Ralph R Meisenhelder	\$648.17
73-2016	01/29/2016	01/26/2016	EP	Troy A Melick	\$493.05
74-2016	01/29/2016	01/26/2016	EP	Daniel J Meroer	\$383.18
75-2016	01/29/2016	01/26/2016	EP	Jerry A Miller	\$1,647.25
76-2016	01/29/2016	01/26/2016	EP	Maxwell F Newton	\$257.20
77-2016	01/29/2016	01/26/2016	EP	Tyler S Poe	\$153.03
78-2016	01/29/2016	01/26/2016	EP	Brandon T. Reece	\$1,501.12
79-2016	01/29/2016	01/26/2016	EP	Andrew T. Saunders	\$1,538.47
80-2016	01/29/2016	01/26/2016	EP	Melanie J Schott	\$1,087.01
81-2016	01/29/2016	01/26/2016	EP	Caleb A Scott	\$504.17
82-2016	01/29/2016	01/26/2016	EP	Douglas W. Smith	\$530.28
83-2016	01/29/2016	01/26/2016	EP	Scott M Smith	\$428.42
84-2016	01/29/2016	01/26/2016	EP	Seth W Teagle	\$861.69
85-2016	01/29/2016	01/26/2016	EP	Daniel D VanNess	\$1,359.81
87-2016	01/29/2016	01/26/2016	EW	Park National Bank-IRS (Fed, Med & SS w/h)	\$7,180.63
88-2016	01/29/2016	01/26/2016	EW	Ohio Public Employees Deferred Comp.	\$1,527.00



Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount
89-2016	01/29/2016	01/26/2016	EW	OCS Pay Center-Knox Cty 7085726383	\$682.62
90-2016	01/29/2016	01/27/2016	EW	AFLAC	\$1,260.34
91-2016	01/29/2016	01/27/2016	EW	Ohio Department of Taxation	\$2,240.41
92-2016	01/29/2016	01/27/2016	EW	School District Income Tax	\$259.52
93-2016	01/29/2016	01/27/2016	EW	Village of Granville - Income Tax Dept	\$1,206.49
94-2016	01/29/2016	01/27/2016	EW	Park National Bank - for OPERS ACH Dr	\$6,816.85
95-2016	01/29/2016	01/27/2016	EW	Park National Bank - OP&FPP	\$20,361.14
96-2016	01/31/2016	02/01/2016	CH	Windstream	\$379.43
97-2016	01/31/2016	02/01/2016	CH	American Electric Power	\$605.82
98-2016	01/31/2016	02/01/2016	CH	Village of Granville	\$181.85
156	02/10/2016	02/09/2016	AW	R Kevin Bennett	\$162.20
157	02/10/2016	02/09/2016	AW	Daniel VanNess	\$16.00
158	02/10/2016	02/09/2016	AW	Ace Truck Equipment	\$54.12
159	02/10/2016	02/09/2016	AW	Bound Tree Medical LLC	\$610.95
160	02/10/2016	02/09/2016	AW	Cardmember Service	\$1,161.42
161	02/10/2016	02/09/2016	AW	Cintas Corporation	\$573.63
162	02/10/2016	02/09/2016	AW	CVS Pharmacy	\$32.16
163	02/10/2016	02/09/2016	AW	Granville Lumber	\$415.76
164	02/10/2016	02/09/2016	AW	Janet L. Packard	\$10.00
165	02/10/2016	02/09/2016	AW	KE-WA-PA Inc.	\$346.14
166	02/10/2016	02/09/2016	AW	Licking County Treasurer	\$19,702.82
167	02/10/2016	02/09/2016	AW	Mercer Door Sales	\$135.00
168	02/10/2016	02/09/2016	AW	Newspaper Network of Central Ohio	\$64.72
169	02/10/2016	02/09/2016	AW	Ross' Granville Market	\$148.88
170	02/10/2016	02/09/2016	AW	Super Duty Truck Parts	\$53.00
171	02/10/2016	02/09/2016	AW	Suzanne Neumeyer	\$75.00
172	02/10/2016	02/09/2016	AW	Washington Auto Parts Inc	\$984.70
172	02/10/2016	02/10/2016	AW	Washington Auto Parts Inc	-\$984.70
177	02/10/2016	02/10/2016	AW	Ohio Public Entity Consortium	\$8,199.36
178	02/10/2016	02/10/2016	AW	Ohio Public Entity Consortium	\$8,251.77

I hereby certify the funds were on hand or in process of collection and property appropriates for payment of the aforementioned warrants.

\_\_\_\_\_  
Jerry A. Miller, Fiscal Officer

Trustee Schott

Trustee Schott reported the following:

- Attended OTA Conference
- Attended the Joint Communication Meeting

Trustee Bennett

Trustee Bennett reported the following:

- Attended OTA Conference
- Chief Hussey and Trustee Bennett attended a brief session with Village Council to discuss the Fire Station and to determine ways the Township and Village could work together. Council members Johnson and Finkleman will work to determine Village priorities on the Fire Station and will report back to the Trustees.

### Trustee VanNess

Trustee VanNess reported the following:

- Trustee VanNess worked with a resident who had a problem with a pipe from his aeration drain which had fallen off.
- Attended the OTA Conference
- Attended the MS4 meeting in Newark and the Annual Report will be due, which Superintendent Binckley and Trustee VanNess will prepare. The MS4 fees will remain the same as last year.
- Received a complaint from a resident regarding an old truck located on a property located at 274 Knoll Drive.

### Granville Township Road District

Superintendent Binckley reported crews:

- Have been out on salt runs to clear snow
- Trimmed trees on Old Columbus Road and Goose Lane
- Put up new street signs; 95% of the signs have been installed
- Completed the annual culvert inventory

There was lengthy discussion on how to give notice to residents regarding road paving.

### Cemetery Department

Superintendent Binckley reported some dead tree limbs at the Cemetery were cleaned up.

### Parks/Granville Recreation District(GRD)/Bryn Du Commission

Superintendent Binckley reported his crew placed 30 tons of asphalt grindings at the muddy Platform Tennis parking area.

### Fire Department

Fire Captain Casey Curtis presented the Chief's report:

- **INCIDENT ACTIVITY:** Emergency calls continue to be behind last year's pace with 180 calls YTD. Granville Township Fire Department assisted Newark and Monroe Township Fire Departments with several structure fires in the past two weeks. The Monroe Township fires occurred in McKean Township just outside our contract area.
- **MEETINGS AND EVENTS:** Chief Hussey attended the Ohio Township conference for two half days. Chief Hussey met with Village officials regarding fire safety issues related to a proposed housing development. Chief Hussey met with the Trustees and Fiscal Officer on two occasions regarding 2016 budget preparation
- **GRANTS:** Chief Hussey completed and submitted the 2016 Ohio EMS grant application. Work is in progress on the new \$100,000 Ohio Safety Grant. This is a new grant which State Representative Scott Ryan has worked on, and applications will begin in late February. Chief Hussey is preparing an application for a replacement brush truck to replace Grass 201, which is due for replacement in the next two years.
- **COMMUNITY OUTREACH:** Three unit personnel spent most of the day of February 3 at Granville High School teaching emergency medical treatment of sports injuries to several sports medicine classes. A note of appreciation was received from the school staff.

- **SCHOOL MARCS RADIOS:** Fire Department staff assisted Granville Schools with reprogramming the emergency MARCS in Schools radios located in each building and at the Granville Police Department (GPD). These radios function as panic radios in the case of an extreme emergency. During some testing, staff realized the radios needed reprogrammed to send a clearer emergency message, so Lt. Bowman worked with school staff to accomplish the upgrade. Superintendent Brown expressed his appreciation for the assistance.
- **TRAINING HOUSE:** Captain Curtis has been working with Terra Nova Homes to secure a training house on Lancaster Road. This house was to be demolished for development, and Bryon Reed extended the offer for the house to be used for training. Captain Curtis has managed the State's permitting process and coordinated preparation of the house. Personnel have been training in the house for the past two weeks. The structure will be burned within the next month, depending on weather and permits. Several neighboring fire departments will be invited to participate in the live fire training.
- **VOLUNTEER PERSONNEL:** Volunteer Ashley Ebel provided a resignation letter to Chief Hussey. Ashley started with the Department while still attending Granville High School as an explorer. She was an active member for several years and has recently obtained a fulltime firefighter paramedic position with the City of Newark.  
Trustee VanNess moved to accept the resignation of Ashley Ebel. Trustee Bennett seconded the motion and the motion passed by unanimous vote.
- **NEW MEDIC:** The new EMS vehicle is currently in production. Chief Hussey and Captain Curtis will be travelling to Van Wert for a pre-paint inspection on February 22. The vehicle is still scheduled to be displayed at the national FDIC conference in Indianapolis in April. Delivery is expected following the conference.

#### Land Management/Open Space

Trustee VanNess reported he contacted Doug Wagner, Chair of the Open Space Committee, to notify him the Trustees were considering putting an Open Space Levy on the ballot.

Land Management Committee member Judy Preston contacted Trustee Schott regarding the committee's willingness to help if there is a request to change any conservation easements.

#### Zoning

Inspector Binckley noted he issued one permit at 925 River Road.

#### Zoning Commission

Trustee Schott commented that Zoning Commission Chair, Rob Schaadt reported he had received solar panel language from Brad Mercer at the Licking County Planning Commission. The Zoning Commission plans to meet in March to consider Mr. Mercer's feedback.

FO Miller reported the referendum period for the Township's new Zoning Resolution ends February 26, 2016. FO Miller noted he has not heard any negative feedback regarding the resolution.

#### Board of Zoning Appeals (BZA)

No report



Old Business

## Shooting Range:

Trustee Bennett reported 22 Denison students were at McPeck Lodge last Wednesday working on the Environmental Study. The Public Affairs Office at Denison and The Advocate are interested in the class's participation in the Environmental Study.

## SR 37/James Road Property Listing

Trustee Schott commented the property would be held and taken off of the market.

New Business

## Long Range Planning:

Long Range Planning will be kept on the agenda.

At 8:43 PM, Trustee Bennett made a motion to move into Executive Session to discuss a potential property purchase under ORC 121.22 (G) (2). Trustee VanNess seconded the motion. FO Miller called the roll: Trustee Schott-yes, Trustee Bennett-yes, Trustee VanNess-yes

Adjournment

The Trustees moved back into Regular Session and having no further business, Trustee Bennett made a motion to adjourn the meeting at 9:20 PM. Trustee Schott seconded the motion and the motion passed with no objection.

Calendar Reminder

Regular Board meeting 2/24/2016 at 7:00 PM at the Township Service Complex.

\*The Board of Township Trustees of Granville Township, Licking County, Ohio, meets in their dual capacity as the Board of Township Trustees of Granville Township and the Board of Granville Township Road District Trustees.