

COMMISSIONERS MEETING DECEMBER 1, 2009

The Board of Hocking County Commissioners met in regular session this 1st day December 2009 with the following members present Sandy Ogle and Greg Green. John Walker was excused.

MEETING: The meeting was called to order by Vice President Greg Green.

MINUTES: Motion by Sandy Ogle and seconded by Greg Green to accept the minutes. Vote: Ogle, yea, Green, yea.

AGENDA: Motion by Sandy Ogle and seconded by Greg Green to approve the agenda. Vote: Ogle, yea, Green, yea.

BILL KAEPFNER: Bill Kaepfner addressed the Commissioners about the Feathers Road Hearing. He asked if the Prosecutor had given an opinion concerning the public road being vacated and the access road to the properties. The Commissioners did not know if the Prosecutor had been asked for an opinion.

APPROPRIATION TRANSFER: Motion by Sandy Ogle and seconded by Greg Green to approve the following Appropriation Transfer:

1) Commissioners - \$7,580.25 from A15A17A/Contingencies to A02G03/Municipal Ct Supplies

Vote: Ogle, yea, Green, yea.

CONTRACT-MFCD: Motion by Sandy Ogle and seconded by Greg Green to approve the contract with MacDonald, Friedberg, Carr and Dixon for continuing software support and related services, effective January 1, 2010 through December 31, 2010. Vote: Ogle, yea, Green, yea.

BILL ACTION: Motion by Sandy Ogle and seconded by Greg Green to approve the Job & Family Services bills dated November 25, 2009 totaling \$7,434.06. Vote: Ogle, yea, Green, yea.

TRAVEL: Motion by Sandy Ogle and seconded by Greg Green to approve the following requests for travel:

- 1) J&FS - Bob Smith, Donna Sanders, Theresa Wahl and Rick Moore to attend an Area 14 Coordinator, Fiscal & Directors meeting in The Plains, Ohio on December 3, 2009.
- 2) J&FS - Bob Smith to attend the OJFSDA General Session in Columbus, Ohio on December 8 and 9, 2009.
- 3) J&FS - Renee Harden to attend the Re-Entry Day meeting in Nelsonville, Ohio on December 9, 2009.
- 4) J&FS - Bob Smith, Cindi Garrelts, Theresa Wahl, Amy Guda and Rick Moore to attend the Area 14 WIB meeting in Athens, Ohio on December 18, 2009.
- 5) J& FS - Erin Beal & Leslie Brown to attend policy meeting in Columbus, Ohio on December 9, 10, 14, 15, 16, 21, 22, 28 & 30, 2009.

Vote: Ogle, yea, Green, yea.

AEP EASEMENT FOR SMITH CHAPEL FOOD PANTRY: The Commissioners received paperwork to sign for an easement to allow AEP to install a pole to service Smith Chapel Food Pantry. The Commissioners would like the Prosecutor to review and advise because the documents were left blank.

LETTER FROM FEMA-FLOOD RISK INFORMATION OPEN HOUSE: The Commissioners received a letter from FEMA informing them of the Hocking County Community Official's Meeting and the Open House scheduled for December 17, 2009 to discuss flood risk in Hocking County.

RECESS: The meeting recessed at 10:04 am.

RECONVENE: The meeting reconvened at 10:20 am.

AUDITOR KEN WILSON: Auditor Ken Wilson discussed the Dog & Kennel fund with the Commissioners. He gave the Commissioners a breakdown of what has been appropriated in the Dog & Kennel fund this year. He suggests making it easier to figure the PERS and Benefits for his employee by just appropriating \$10,000 in B05-01 to cover registration tags, blanks, records, and clerk hire. The amount appropriated in 2009 was \$5,900.00. He also said that more funds needed to be transferred or appropriated to cover the remaining expenses in the PERS and Hospital/Medicare line items. He said that the Commissioners must not have figured for the part time employee that was hired this year. Greg said that he did figure for a part time position, but he did not know what the auditor's employee was being paid, so was not able to appropriate the funds for that. Ken also spoke about the Law Library and their budget. He said that this coming year will be different and suggested that the Commissioners have Charles Weed come in to discuss the budget for 2010. He also mentioned that he has still not received the Coroners Budget and asked if the Commissioners had received it. The Commissioners have not received the Coroners budget either.

FINAL PERFORMANCE REPORTS-C-07-034-1, B-C-07-034-1 AND B-C-07-034-2: Motion by Sandy Ogle and seconded by Greg Green to authorize Vice President Greg Green to sign the Final Performance reports for grants C-07-034-1, B-C-07-034-1 and B-C-07-034-2. Vote: Ogle, yea, Green, yea.

FEATHERS ROAD HEARING: A public hearing was held at 11:00 am for the vacation of a part of Feathers Road, T-301, Starr Township, Hocking County, Ohio. Starr Township Trustees petitioned the road to be vacated. The following public comments were made:

Starr Township Trustee Larry Carter said that he was under the understanding that the entire portion of Feathers Road was vacated, but that was not the case. He doesn't know what they can do with it, or what to do with it. Scott Vermillion, Starr Township Trustee, also stated that he thought the road was completely vacated through Starr Township and just became aware in the past few months, that it wasn't. Starr Township Fiscal Officer Gary Chesser spoke about his concern about potential liability if anything were to happen on the road. Aspen Ridge property owner Mike Nihiser stated that he, along with other property owners Dannie Devol and Vicki Devol oppose the proposed vacation. He wrote a letter and wife Vicki Devol read the letter. The letter stated that unwritten policy is to not vacate when the property owners are opposed to the

COMMISSIONERS MEETING DECEMBER 1, 2009

vacation request. The letter cited several reasons why he and the other property owners were opposed to the vacation, including Lots G and F are served by the Feathers Road right-of-way, not private easements as the trustees stated in their resolution. The letter also said that there has already been electric run along Feathers Road to lot F and if vacated, the electric service will have to be relocated or extended, the letter also expressed concern that the vacation would devalue seven of the eight Aspen Ridge lots. The letter states that the letter from Engineer William Shaw to Starr Township Trustees contains erroneous information, including incorrect property line maps. The letter concluded that the existing situation with Feathers Road does not cost the Starr Township Trustees any money, and that if brought up to standard, would likely be turned over to Washington Township for maintenance. Larry Dicken, Washington Township Trustee, clarified that Feathers Road in Washington Township is non-maintained from Anderson Road on. Regional Planner Audie Wykle stated that this has not be discussed by the Planning Commission, can only comment from his personal standpoint. He said he is concerned with the creating of lots that have easement access on the road. Personally he would like to see the road relocated to allow the frontages to be subject to the driveway review and approval. Planning Commission member Bill Kaepner said there are no easement roads since White Tail Division, so if road is vacated, it would be a de facto easement road which is against easement policy. Audie said there has been a few cases when easements were allowed, but those cases were dealing with land locked property that already existed. Maggi Shaqra from the Engineers Office said that this decision will not make any difference on the driveway requests because the things that have been requested will still remain. She continued to say that it would be in the benefit for the Devol/Nihiser property to vacate the road so they can do what they want with the driveway.

POSTPONE FEATHERS ROAD DECISION UNTIL DECEMBER 15: Motion by Sandy Ogle and seconded by Greg Green to postpone a decision on Feathers Road until December 15, 2009 for further review. Vote: Ogle, yea, Green, yea.

ADJOURNMENT: Motion by Sandy Ogle to adjourn the meeting. Motion died due to lack of second.

FEATHERS ROAD DISCUSSION: Regional Planner Audie Wykle and Planning Commission member Bill Kaepner explained the Feathers Road vacation to the newspaper reporter.

ADJOURNMENT: Vice President Greg Green adjourned the meeting.

Kalena Ogg, Clerk

Board of Hocking County Commissioners

This is to certify that the above is the true action taken by this Board of Hocking County Commissioners at a regular meeting of the Board held on December 1, 2009.

Kalena Ogg, Clerk

John Walker, President