

**Minutes of Regular Trustee Meeting & Two Public Hearings**  
**Liberty Township, Licking County, Ohio**  
**November 13, 2023 6:30 p.m.**

## Opening

The regular monthly meeting of the Liberty Township Trustees was held on Monday, November 13, 2023 in the Township Hall. Vice Chairperson, Bill Bogantz called the meeting to order at 6:30 p.m. He led the Pledge of Allegiance and stated that the meeting is being recorded.

- Bill Bogantz stated that Bill Siegel generally runs the meetings, but because of a fire at his residence, Bill Siegel asked Bill Bogantz to run the meeting.
- Bill Siegel praised the St. Albans fire department and their response to the fire at his home.
- Roll call was taken with the following answering as present: Bill Siegel, Bill Bogantz and Doug Strait.
- Bill Bogantz stated that the minutes for the Regular Meeting on October 9, 2023 were available in the back of the room.
- **Bill Siegel made a motion to approve the minutes from the October 9, 2023 Regular Trustee Meeting. Doug Strait seconded the motion. The motion passed with all YES votes.**

## Open Bids for New Administration Building

- Tuttle Construction - \$696,750.00 (Westerville)
- Slabaugh Construction - \$494,700 (Alexandria)
- No award decision was made. The trustees will review the bids and seek legal counsel to make sure they are complete.

## Resident/Public Input

- Chris Simons of 7148 Harmony Church Road expressed concern about the concrete business across the street from his home. Woody Fox, zoning inspector, stated that he has issued a violation letter and has talked with legal counsel. Legal counsel suggested sending a second notice of violation before seeking legal action.

## Public Hearing for Small Solar Facilities

- Bill Bogantz explained the purpose of the public hearing was to review the proposed update to the zoning resolution, 2023-03, which would add a new section to the zoning resolution to address small solar facilities.
- Bill Bogantz explained the meeting procedures.
- No one wished to be sworn in to testify.
- Bill Bogantz read the proposed text: Section 939: Small Solar Facility
- This public hearing was advertised in the Newark Advocate on 11/2/2023.
- The LCPC gave a non-binding recommendation of conditional approval.

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November 13, 2023 6:30 p.m.

- The Zoning Commission's recommendation is to not add the proposed text change because ground mounted solar is not addressed and they would like to do more research before recommending a change for small solar.
- There was discussion on what is meant by "small solar" and that it is not referring to solar panels for producing electricity for personal use, but for utility use.
- Bill Bogantz does not want to hold up this proposed change while we try to figure out how to address ground-mounted solar for personal use. He stated that there is a variance process to address anyone who wants to install ground-mounted solar in the meantime.
- It was stated that if the trustees approve this change, the zoning commission can still come back and change the text to allow residential ground-mounted solar.

### Decision by Trustees on Small Solar Facilities

- **Bill Bogantz made a motion to deny the zoning commission's recommendation and adopt the text as written in update 2023-03 to exclude small solar facilities (See Section 939: Small Solar Facility). Doug Strait seconded the motion. The motion passed with all YES votes.**
- Bill Bogantz stressed that he values the zoning commission and their input, but legal counsel has advised us that the township needs to close this gap and address ground mounted residential solar in future revisions.

### Public Hearing for Heavy Industrial + Unanimous Vote

- Bill Bogantz explained the purpose of the public hearing was to review the proposed update to the zoning resolution, 2023-02, which would add a text to create a Heavy Industrial District.
- Bill Bogantz explain the meeting procedures.
- Those wishing to testify were sworn in.
- This public hearing was advertised in the Newark Advocate on 10/31/2023.
- The LCPC gave a non-binding recommendation of denial mostly based on the fact that the Heavy Industrial District is not in our Comprehensive Plan.
- We are in the process of updating our Comprehensive Plan.
- Bill Bogantz read a section of the proposed text.
- R.C. Wise, 5985 Nichols Lane Road, asked if we had identified a location for the Heavy Industrial. Bill Bogantz answered saying that setting a location would be part of the comprehensive plan. Mr. Wise also asked if we had any applications for heavy industrial activity in the works. Bill Bogantz, said that the trustees don't know of any; We are being proactive by taking this action. Woody Fox said that with the way our zoning resolution is currently, a company could come in and request to do a Heavy Industrial activity in an Agriculture District, which is most of our township.
- The Zoning Commission recommended approval of this change.

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- Bill Bogantz explained the Unanimous Vote change, which says that if the trustees do not accept the zoning commissions recommendation, or makes changes to it, the trustees must have a unanimous vote. The Ohio Revised Code changed this to a majority vote 10 years ago, so this change is to put us in sync with the Ohio Revised Code.
- Gary VanDeusen, 6264 Castle Road, was sworn in and asked why the regulations have to match. Bill Bogantz gave the answer that legal counsel says that our regulations cannot be more restrictive than the Ohio Revised Code.

Decision by Trustees on Heavy Industrial + Unanimous Vote

- **Bill Bogantz made a motion adopt Zoning Resolution Update 2023-02. Doug Strait seconded the motion. The motion passed with all YES votes.**

Zoning

- Woody Fox, the Zoning Inspector, read the October Zoning Report: 5 permits totaling \$825.00.

2023-P-036 Jim & Nicole Jones                      \$75.00  
128 Dutch Ridge Way  
Pool

2023-P-037 Kevin & Kylie Noble                      \$75.00  
129 Liberty Ridge Ct.  
Pool

2023-P-038 Thomas Garrabrant                      \$150.00  
5662 Sportsman Club Rd.  
Porch Addition

2023-P-039 Long & Inalee Tan                      \$300.00  
4863 Sportsman Club Rd.  
Accessory Building

2023-P-040 Northridge School District              \$225.00  
6097 Johnstown Utica Rd.  
Concessions Building

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- Zoning Issues
  - Update on Appeal 2023-A-001 for billboard. Their appeal was denied by the BZA.
  - 3634 Sportsman Club Road – cars are not being moved as requested. Woody will issue a violation.
  - 4328 Hardscrabble Road – sent out violation notice today – 8 violations listed. There is a mailbox at the address.
  - 7041 Harmony Church Road (concrete business) – woody is Issuing another violation letter. If no response, we will proceed with legal counsel to common pleas court.
- Woody stated that he would like input from the trustees, as requested by the zoning commission, to know if the trustees are willing to adjust or waive the rezoning fee for 6252 Johnstown-Utica Road from AG to LB for storage units, since they paid the fee to rezone from AG to GB, which was denied. In the meantime, the zoning commission has made a change to the zoning resolution to conditionally allow storage units in LB. The property is in an area in the comprehensive plan that aligns with LB instead of GB.
- **Doug Strait made a motion to waive the rezoning fee for the Hamilton's for 6252 Johnstown-Utica Road. Bill Siegel seconded the motion. The motion passed with all YES votes.**
- Woody mentioned that he is in the process of getting the final documentation necessary for a conditional use permit for the airport on Harmony Church Road.
- Zoning positions –
  - Bill Bogantz mentioned that there is one vacancy on the Zoning Commission and there are 3 vacancies on the Board of Zoning Appeals (BZA).
  - There are 3 volunteers for the BZA: Susan Broehl, Tyler McNutt, and Todd McKee.
  - There is one volunteer for the Zoning Commission: Anne Duffus.
  - Bill Bogantz said that he would connect with Anne Duffus.
  - **Bill Bogantz made a motion to appoint Susan Broehl for the open position on the BZA. Bill Siegel seconded the motion. The motion passed with all YES votes.**
  - **Bill Bogantz made a motion to appoint Tyler McNutt as an alternate to the BZA. Bill Siegel seconded the motion. The motion passed with all YES votes.**

## Old Business

- Large Solar update – Bill Bogantz spoke to this issue. It is in the hands of the County Commissioners. The township trustees requested that Liberty township be an exclusionary zone for large solar on September 11<sup>th</sup> and sent that request to the county commissioners. The county commissioners passed a resolution on September 28 saying they will take it into consideration. The County Commissioners had their public hearing

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November 8<sup>th</sup>. They have 90 days to make their decision. Thanks to those who attended the public hearing!

- Memorandum of Understanding (MOU) for water & sewer – We have been engaged in the conversation, we are not pursuing water and sewer; we are at the table to learn. There is supposed to be an updated MOU coming out soon. Bill Bogantz has been involved in meetings
- Miles Estate – Bill Siegel said that the case is going to a jury trial. The issue is the electric company taking 4 acres via eminent domain. The board for the estate has hired an attorney that specializes in eminent domain. The state attorney general has established a value for the land, but we don't have that information.
- Roads
  - Doug Strait explained that the state of Ohio has a contract for truck prices that they bid out to dealerships to get prices that are preapproved for government purchases. This contract expired in October. They are currently rebidding for truck prices and adding to the list daily, but they haven't made it to the type of truck the township is looking for.
  - Worked on a repair on Concord & a ditch work on Nichols
  - Someone asked about the bridge on Concord – Bill Siegel said that it is county responsibility. Suggested that the residents call the county engineer's office.
  - There is also a bridge on Stone Quarry that the county needs to repair.

### New Business

- Key Properties Rental Management of 7111 Northridge Rd – this property is owned by the township. Key Properties, who has been managing this rental, is now under Keller Williams of Columbus. We need to move the rental contract to someone else. Melodie stated that we also need to make sure we get the security deposit back that Key is holding. Doug Strait agreed to look around for a new local management company.
- Melodie will move ahead with A Quality for the yearly fire extinguisher inspection.
- We have two Consumer Gas permits that need to be signed. They are for 7704 Nichols Land and 9374 A & B Nichols Lane. The trustees will sign the permits.
- Website conversion – Bill Bogantz maintains the township's website. GoDaddy has a new platform with better tools. Upgrading will cost approximately \$2500. GoDaddy also has an email marketing package that is a subscription for around \$200 per year.
- **Bill Bogantz made a motion to approve the cost of the website conversion and email marketing subscription. Doug Strait seconded the motion. The motion passed with all YES votes.**
- Comprehensive Plan – We approved the proposal for Planning Next to update our Comprehensive Plan which would start after Framework was completed. We need to approve and sign the contract.

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- **Bill Bogantz made a motion to approve the Planning Next Contract. Doug Strait seconded the motion. The motion passed with all YES votes.**
- Melodie said that we are almost out of appropriated funds for our legal counsel. She suggested an additional \$10,000 be appropriated in Resolution 2023-12.
- **Bill Siegel made a motion to approve Resolution 2023-12 and appropriate another \$10,000 for our legal counsel. Doug Strait seconded the motion. The motion passed with all YES votes.**
- Outdoor lighting at the township hall needs to be improved. The motion lights outside the doors don't always work. Doug Strait will look into upgrading the lighting. Bill Siegel mentioned that it is a commercial building, so there are special requirements.
- Bill Bogantz offered to help with the paperwork for using MORE Grant money to help pay for the lighting improvements.
- Organizational Meeting for 2024. Doug and Bill Bogantz set a tentative date for the Organizational meeting for Thursday, January 4<sup>th</sup> at 6:30 pm.

Correspondence & Financials

- October credit card charges were read totaling \$692.57
- October Correspondences were read.
- October Payments were read totaling \$385,418.02
- October Receipts were read. The receipts totaled \$71,620.54


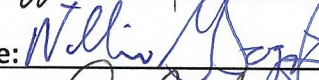

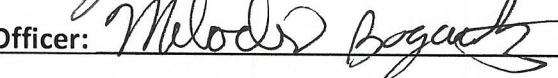
Credit Card Summary, bank reconciliation, minutes, permits, and warrants were signed.

Closing

- **Doug Strait made a motion to adjourn the November 11, meeting. Bill Siegel seconded the motion. The motion passed with all YES votes.**
- The meeting ended at 8:15 pm

Approval

Approval of the minutes for meeting November 13, 2023:

Trustee: 	Date: 12-11-23
Trustee: 	Date: 12/11/2023
Trustee: 	Date: 12/11/2023
Fiscal Officer: 	Date: 12/11/23