

# MINUTES OF BOARD OF TRUSTEES, JACKSON TOWNSHIP, FRANKLIN COUNTY

December 8, 2008

## **OPENING**

Mr. Burris, Chairman, called the re-scheduled, regular meeting of the Jackson Township Board of Trustees to order at 7:00 p.m. on Monday, December 8, 2008, at the Jackson Township Administration Building, 3756 Hoover Road, Grove City, Ohio. The Jackson Township Fire Department Honor Guard posted colors and led the assembly in the Pledge of Allegiance. Mr. Burris gave the opening prayer.

## **ROLL CALL**

David Burris	Present
William Lotz	Present
Stephen Bowshier	Present
Bill Forrester	Present

## **PUBLIC INFORMATION MEETING**

Mr. Burris introduced the discussion regarding proposed expansion of the topsoil business located on Jackson Pike (SR 104) to include removal of sand and gravel for land located on Jackson Pike. Mr. Burris also recognized representatives of Grove City including Mayor Ike Stage.

David Jones and father Richard of Jones Fuel Company along with attorney Rob Rishel explained proposal for land located on the east side State Route 104 immediately south of I-270. Currently they have a Conditional Use Permit to remove topsoil and have trucks moving in and out of the area. They are proposing to apply for an additional Conditional Use permit to remove gravel. It is a wet operation, and Mr. Jones stated there would be no dust generated from this use and no increase in truck traffic. He spoke that they originally purchased the property in 1981 when it was zoned PQ or HQ for heavy industrial for quarrying. Then Jackson Township adopted a Zoning Resolution and changed it to rural residential at which time Jones got the Conditional Use permit to dig topsoil. Area across the street is Planned Industrial. He does not feel the use they are requesting is inconsistent with this. He explained the wheel wash system. He said that in the past couple years they have been hauling from there, and there have been no complaints from the auto auction or Herlihy. Hours of operation will be approximately 7 a.m. to 5 p.m. with approximately 100 trucks per day. Currently during operation there are 10 – 15 trucks per hour.

Mr. Lotz asked that they address the buffering they plan to do, and Mr. Burris asked that they discuss the washing system they use. Mr. Jones then explained the wheel wash system. Informational handout presented is attached to the minutes. He explained the buffers as shown on attached information.

Mr. Bowshier asked about the product coming out of the ground wet. He asked about the source of their water supply.

Mr. Burris asked for questions from those in attendance.

Marv Holt, resident of Grove City, asked about traffic pattern.

It was explained that seventy to eighty percent of trucks coming from the operation will head north on SR104 with a right-turn only out of the operation. Only reason they would be on Stringtown Road would be if they had a delivery that direction. Mr. Burris stated that his intention is that it would be a "right-turn only" out of the operation. Mr. Burris is against the trucks using Stringtown. The applicant has talked to John Mahan, real estate appraiser, who is a liaison with ODOT District 6. They will present a letter of recommendation which will potentially require a widening or moving the access a little north to accommodate a "right turn only." If there has been any regulation against dump trucks going up and down Stringtown Road, they are not adverse to complying with a similar regulation.

Ken Harwood, resident of Jackson Pike, asked what is different with what is being proposed this year as opposed to last year. Jones Representative stated that last year they involved the Shelly Corporation. Shelly Corporation has nothing to do with this operation. This is an entirely different concept. This is a Jones project, a very small operation.

Mr. Burris stated that we met three or four weeks ago with the City of Columbus since the applicant wanted to annex and that he has never seen the City of Columbus turn down an annexation. Mr. Burris does not want this piece of land being annexed into Columbus, because there will be no rules or enforcement. It would be out of our control. Mr. Jones has met with us twice. We would like to come up with some compromise to make it safe and not affect our residents. He asked Mr. Jones to go through the proper channels through our Township zoning or apply for annexation with Grove City.

Mr. Lilly referred to the air study and stated that the EPA is still required to permit for the particulate emissions. Mr. Jones showed the current particle permit they are required to hold for the top soil operation. If any other equipment is installed, they are required to seek a new permit.

Mr. Bowshier asked who monitors the air quality. Mr. Jones stated that the EPA monitors as does Emshaw, which is the mining overseer. He believes that monitoring by the EPA is done in response to complaints, but initially the operation must pass a stringent test. Mr. Bowshier asked whether he would be opposed to a periodic monitoring and review by an independent air consultant and would they pay for it. He responded that he would have no problem with that.

Mr. Chester, Auto Auction - they have suggested hiring air consultants and having the air consultants apprise the Jones operation on a number of things. He stated this is an extremely dirty process. The rocks on roads would be disastrous for the auction. The auction has environmental lawyers who say that the change from a topsoil operation to a sand and gravel operation is going to require permits from the Ohio EPA. They are concerned about the access, the condition of the road, the dirt.

Greg Chesco, Auto Auction, is mostly concerned about the air quality and the quality of the road. Right turn only at the northern end of the property would be beneficial.

Mr. Chester - The enforcement through the Ohio EPA is unacceptable. It is a long drawn out process that often results in little or no action.

Mayor Stage stated that in 1999 the City of Grove City initiated a water and sewer contract with the City of Columbus. That contract stated that the portion of the area between SR 104 and Scioto River shall be limited to low density, residential, passive recreational and open space. This operation would be a violation of the agreement. The City would litigate if this operation would come to pass

Mr. Herlihy, Herlihy Moving and Storage, 3759 Jackson Pike, does not feel we should be intimidated by what the City of Columbus is going to do. He does not think it would be a "rubber stamp" from them. The neighborhood is nice south of I-270, not so north of it. They researched the area before locating here. With the proposed north entrance to the Jones operation immediately across the street from the Herlihy operation and 100 trucks a day, on a rainy day, the dust will coat cars, etc. Southwest Area Commission voted against this proposal, and Mr. Herlihy thinks Columbus will listen to the Commission.

Carla Buckley, Auto Auction - She compared this to the Olin operation on SR 23 where she was previously employed. This operation creates a large amount of dust. The dust factor is huge for the Auto Auction causing the necessity to re-wash vehicles. The dust filters everywhere.

Dr. Mike Wine, resident and Grove City business professional, is concerned about throwing gravel and broken windshields. Will trucks from other businesses be allowed to haul out of the Jones location?

Mr. Jones stated that they plan to use their own vehicles to supply their customers since they do buy a substantial amount of gravel from other quarries. It is written into their current Conditional Use permit that they are not allowed to have dust, dirt, anything dragged onto the road. They hauled ten to fifteen trucks per hour out of there and never had a complaint from anyone. They use the best practices. They have a sprinkler to keep the dust down, and they would do everything possible. Their wheel wash system is a lot different from what Olin has. They will do the best they can to keep things clean. They do not like the area north of I-270 either; it is a mess.

Dr. Wine asked if there were anything that could be built into the plan for assurances that there would be some right of console or other options that would allow us recourse if we should permit this and then a couple years later find that it was a bad decision.

Mr. Jones stated the amount of truck traffic would be less than two percent increase.

Mr. Bowshier stated that when he was first told about the volume of trucks of dirt, he was told about 20-25 per day. He was not told it was going to be 100 per day.

Mr. Lotz asked if they would consider doing an air quality control study acceptable to the auto auction. The Trustees suggested that Jones should attempt to bring all parties together (auto auction, Herlihy and Jones) to iron out differences.

Mr. Bowshier asked whether there are any residents who have not had an opportunity to speak.

Glen Basler, resident on White Road, spoke on the township's behalf. He stated that he would ask that they have 1,000 foot of pavement before entering SR 104.

The resident living two houses south of site spoke and asked about dust on his vehicle and water issues.

Jones - No fuel tanks are allowed at the site except if attached to vehicles. Nothing is allowed in the floodway overnight. No fill or pumping allowed. Agencies that have oversight in these matters are the Army Corps of Engineers, Ohio Department of Natural Resources, the Ohio EPA and about four other regulatory bodies. They are not permitted whatsoever to do any pumping.

Mr. Burris reiterated that Mr. Lilly should be the point of contact and that all parties should sit down together. Mr. Jones invited anyone (auto auction, Mr. Herlihy, Mr. Lilly) with questions, or if they wish to see the operation, to call 443-4611. It could prevent rehashing an issue six months from now.

Jack Reber, Grove City area, born and raised on Frank Road spoke, stating that he is tired of having undesirable businesses coming to this area.

**Public Information meeting concluded.**

## **PRESENTATIONS**

Ms. Janet Shailer, lifelong resident of Grove City, and Laura Lanese were present to introduce the new book they have written together about the story of Grove City. Publisher is Arcadia publishing, and it is part of the Images of America series. There are 217 vintage photos in the book.

Fire Fighter Adam Gatten presented Chief Reese with a certificate for his donation of the "Last Bell" to the Jackson Township Fire Department. The Chief told the story of retrieving and storing the bell for this honorable use. Chief Sheets honored Chief Reese with some words of appreciation for his service. Chief Sheets recognized Captain Jacob for helping to assemble an Honor Guard along with Adam Gatten. The members of the Honor Guard donate their time. Some members were not able to be present.

## **REPORT OF FISCAL OFFICER**

The following reports prepared by Mr. Forrester were presented to the Board: Fund Status, Expenditure Account Status, Warrant Register, Memos of Expenditure, and Bank Reconciliation.

## **RESOLUTION 2008-120**

Mr. Burris moved to delete the reading and to approve the minutes for the November 25, 2008 regular meeting. Mr. Lotz seconded the motion. VOTE: all yes.

## **RESOLUTION 2008-121**

Mr. Burris moved to pay payroll, pay all bills and approve purchase orders for December 8 and December 23, 2008. Mr. Bowshier seconded the motion. VOTE: all yes.

**NEW BUSINESS****RESOLUTION 2008-122**

Mr. Burris read Resolution 2008-122 and moved to appropriate funds for the Firefighters for Kids program. Firefighter Dan Tilley was present to thank the Board for its support in previous years. Mr. Burris thanked FF Tilley and the other firefighters for their hard work and dedication to make this program a success. Mr. Lotz seconded the motion. VOTE: all yes.

**RESOLUTION 2008-123**

Mr. Burris asked the appropriate persons to stand as he read Resolution 2008-123 and moved to re-appoint members of the Zoning Boards whose terms have expired. Mr. Lotz seconded the motion. VOTE: all yes.

**RESOLUTION 2008-124**

Mr. Burris read Resolution 2008-124 and moved to encumber and re-appropriate carryover funds into line items for a Temporary Appropriation Budget. Mr. Bowshier seconded the motion. VOTE: all yes.

**RESOLUTION 2008-125**

Mr. Burris read Resolution 2008-125 and moved to accept the Certificate of the Total Amount from all Sources Available as prepared by the Fiscal Officer. Mr. Bowshier seconded the motion. VOTE: all yes.

**RESOLUTION 2008-126**

Mr. Burris read Resolution 2008-126 and moved to request the advancement of taxes from the Franklin County Auditor during FY 2009. Mr. Lotz seconded the motion. VOTE: all yes.

**DEPARTMENT REPORTS****FIRE DEPARTMENT**

Chief Sheets gave his report in caucus.

**ZONING & ADMINISTRATION**

Mr. Lilly gave a report in caucus and also presented a written report.

**ANNOUNCEMENTS**

Mr. Burris announced the Jackson Township Board of Trustees will host a Christmas luncheon for the Township staff on Tuesday, December 16, 2008, at 11:30 a.m. at the Township Hall. No business will be conducted at that time.

Mr. Burris also announced the next regular meeting of the Jackson Township Board of Trustees will be on Tuesday, January 6, 2009, at 1:30 p.m. The meeting will be held in the Jackson Township Administration Building at 3756 Hoover Road. Caucus will begin at 12:45 p.m.

Mr. Burris extended Christmas Blessings to all and Best Wishes for a safe and Happy New Year.

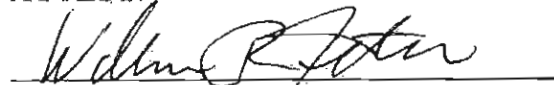
Mr. Lotz stated that the quarry operation is a long way from being approved. He believes that at this point none of the trustees is sold on the operation locating here. Jones will have to show that they will not have an adverse effect on the community.

#### **RESOLUTION 2008-127**

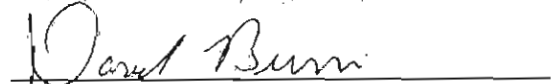
Mr. Burris moved to adjourn. Mr. Lotz seconded the motion. VOTE: all yes.

Meeting was adjourned at 8:13 p.m.

**ATTEST:**



William Forrester, Fiscal Officer



David Burris, Chairman