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THE VILLAGE OF HEBRON

VILLAGE COUNCIL

PUBLIC HEARING

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Wednesday Evening Session

August 17, 2022, 6:00 p.m.

Municipal Complex

934 Main Street

Hebron, Ohio 43025.

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Council Members:

Valerie Mockus, Council President  
Annelle Porter  
Stacy Stoner  
Kenny Nauer  
Randy Wolf

Jim Layton, Mayor  
Deborah Morgan, Fiscal Officer  
Christina Furbee, Council Clerk  
Jarod Rose, Esq.  
Peter Griggs, Esq.

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REBECCA A. GAUSE  
COURT REPORTER  
(740) 403-3959

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1 WEDNESDAY EVENING SESSION

2 August 17, 2022.

3 - - -

4 MAYOR LAYTON: Please rise and join me  
5 in the pledge.

6 (PLEDGE OF ALLEGIANCE.)

7 MAYOR LAYTON: Roll call, please.

8 MS. FURBEE: Mr. Wolf?

9 MR. WOLF: Yes.

10 MS. FURBEE: Ms. Stoner?

11 MS. STONER: Yes.

12 MS. FURBEE: Dr. Mockus?

13 DR. MOCKUS: Yes.

14 MS. FURBEE: Mr. Nauer?

15 MR. NAUER: Here.

16 MS. FURBEE: Ms. Seymour? Ms. Porter?

17 MS. PORTER: Yes.

18 MAYOR LAYTON: I'll acknowledge the  
19 visitors. We don't have any. Mr. Griggs is our  
20 visitor by invitation, I guess.

21 Pending new litigation, current  
22 litigation is Ordinance 15-22, an ordinance to  
23 accept the application for an expedited Type II  
24 annexation for certain property into the Village of  
25 Hebron, Ohio, from Union Township, pursuant to the

1 petition filed by Connie Klema, agent for  
2 petitioner. Second reading. We'll do the second  
3 reading at the next meeting.

4 We have an ordinance -- everybody's got  
5 a copy of the ordinance for conforming the  
6 boundaries.

7 MS. FURBEE: No, that's why -- it's  
8 most of the way there. We don't have --

9 MAYOR LAYTON: Didn't we prepare one  
10 for an example?

11 MR. ROSE: That was, I believe, sent  
12 too, when we sent the memo about conforming  
13 boundaries.

14 MAYOR LAYTON: I'll forward it to  
15 everybody so they can look at it. We're going to  
16 talk about it tonight.

17 MR. ROSE: I think Council had a copy  
18 of that as well.

19 MAYOR LAYTON: Did they? I'll make  
20 sure.

21 MR. ROSE: Yeah.

22 MAYOR LAYTON: And then the downtown  
23 project.

24 DR. MOCKUS: Is that the turn lane?

25 MAYOR LAYTON: Yes. Those are the

1 upcoming legislations from the meeting. We're  
2 going to discuss conforming the boundaries tonight.  
3 We discussed the turn lane at a couple different  
4 meetings. We have Wes drawing an ordinance up for  
5 that now.

6 Upcoming legislation requirements.  
7 Deborah, do you want to discuss that?

8 MS. MORGAN: Yes, thank you.

9 MAYOR LAYTON: And the other thing --  
10 that you want to review anything as far as the --  
11 how we are going to handle the budget.

12 MS. MORGAN: Actually, that's why  
13 I'm -- I have that discussion here.

14 MAYOR LAYTON: Okay.

15 MS. MORGAN: First of all, I wanted to  
16 let everybody know that I've started the 2023  
17 budget and appropriation process. I've distributed  
18 the budget work sheets to all of the department  
19 heads. They have until September 2 to get those  
20 back to me. Once they have been turned in, then  
21 I'll start working on revenue estimates and getting  
22 something together. I'll be sitting down with each  
23 department and then getting a draft complete, and  
24 then I'll schedule -- reach out to the finance  
25 committee to have a meeting as we've done in the

1 past. And that's where I'm at with that.

2 And because of that, I wanted to  
3 discuss or just inform Council that there's a  
4 couple upcoming projects that you -- one, is  
5 obviously, the waterline. We're pretty far into  
6 it. There's been a lot of legislation up to this  
7 date passed. We're getting ready to go out to bid,  
8 so we're going to need legislation to create and  
9 pick a couple of funds in order to process this  
10 whole project through. One fund is going to be a  
11 capital project fund, which will deal with all of  
12 the payments made on our behalf for the  
13 construction of the project. From what I  
14 understand, we've got it set up that DEFA will be  
15 paying on our behalf for their portion and then our  
16 portion pay out -- I mean, a fund -- we have to  
17 legally set up a fund to process those payments  
18 through. A lot of them will be memo payments  
19 because they will be paid on our behalf but some  
20 may not be.

21 The other fund that I'll need to create  
22 is an actual debt service fund, so that when the  
23 project is done, then we will be making the  
24 payments to DEFA through those. So in order for  
25 me -- I've been requested that we get this budget

1 in and appropriated for next year. However, I  
2 can't do that until we actually pass the  
3 legislation to create those funds. I can't  
4 appropriate money and funds that we don't have. So  
5 obviously, the waterline is pretty far through, so  
6 we're starting to get towards that ground breaking  
7 and moving forward, while money has already been  
8 spent -- been spent on the start of the process.  
9 So now we're moving into this phase, so we will  
10 need to get that -- those funds set up.

11 The other fund is the stormwater  
12 utility. Now, I know you still have not made any  
13 decision on if you're going to start that, but I  
14 cannot budget anything, set up any fund for  
15 stormwater at all for '23 if you haven't made the  
16 legislation to create an enterprise fund. And  
17 that's going to be a fund, just like water, just  
18 like sewer and pretreatment. So I don't know where  
19 you're at with that, but I cannot do anything with  
20 that until those decisions have been made. So if  
21 you're not inclined to make those decisions now on  
22 the stormwater utility, then it will have to wait  
23 into '23 and we will not be able to do anything  
24 until that legislation is passed. And then if you  
25 do pass it to set those funds up, we will then have

1 to appropriate and change the appropriations and go  
2 from there. So I just wanted to kind of let you  
3 know that.

4 The one that I'm more concerned about  
5 is the waterline because you have passed  
6 legislation now to work with ODOT to put the  
7 waterlines in, and payments will be made through  
8 the DEFA loan in order to do that. Those will need  
9 memo postings. So I think we need to kind of look  
10 at trying to get those funds set up.

11 MAYOR LAYTON: Is that done by  
12 ordinance or is that done by just a motion to  
13 Council?

14 MS. MORGAN: It's done by legislation.

15 MAYOR LAYTON: Okay. So we'll have  
16 to -- at the next meeting, we'll have to direct the  
17 solicitor to do that. Or can he bring it to the  
18 next meeting?

19 MS. MORGAN: No. It would take a  
20 motion from Council to direct the solicitor to draw  
21 up the legislation to create the capital project  
22 fund and the debt service fund.

23 MAYOR LAYTON: Okay. So we'll get that  
24 on the agenda for next meeting.

25 MS. MORGAN: All right. Does anybody

1 have any questions?

2 MAYOR LAYTON: I do. Did you get a  
3 hold of the auditor?

4 MS. MORGAN: Yes, I actually did. He  
5 responded to me immediately. He said that he has  
6 everything in place and that the levies have been  
7 stopped for Hebron for the fire levies and West  
8 Licking is set to go for their levies. So they are  
9 good on there.

10 He did question me on the conforming of  
11 boundaries. I told him that we are working on  
12 that. But currently there will be zero levies  
13 collected for the tax year '23 for the Hebron fire  
14 levies and then they'll be paying West Licking.

15 MAYOR LAYTON: Okay.

16 MS. MORGAN: But yes, he has gotten  
17 everything and we're set there.

18 MAYOR LAYTON: Did he -- and he has not  
19 sent us the -- part of what Wes had down there and  
20 Jarod was they were going to send us a list of what  
21 the tax was going to be different.

22 MS. MORGAN: We will not get that until  
23 probably the beginning of September. He did let me  
24 know that they are on track with getting that  
25 information out in September. They always run a



1 little late and that will only give us a few weeks  
2 to get them back to them. So -- but --

3 MAYOR LAYTON: Okay. All right.

4 MS. MORGAN: Does anybody have any  
5 questions?

6 MS. PORTER: I'm glad you had such a  
7 good response, and before we get this cancellation  
8 levy.

9 MAYOR LAYTON: One thing I forgot to do  
10 already is we need to make sure that everybody  
11 knows that John and Paige are both excused  
12 absences. I knew I'd stumble on that.

13 Finance/Audit, upcoming legislation  
14 requirements, waterline and stormwater utility, we  
15 just discussed a little bit. Is there anymore  
16 discussion? We're going to -- the stormwater  
17 utility, we haven't really put a proposal in front  
18 of you yet. We've got all of the numbers, I think,  
19 and it's just taken forever. What we will have to  
20 do is get the numbers in front -- or all of the  
21 information in front of you and then decide.  
22 They've come up with a number they think is a fair  
23 number to put on there.

24 The one thing that you guys brought to  
25 the table the last time was that churches and the

1 not-for-profit businesses may be excluded from  
2 that, and that's something we can add to it if you  
3 guys decide to do that, I think. I think that's  
4 available to do. We do a stormwater utility and  
5 the churches and not-for-profit people we want to  
6 leave out of it. Or can we give them some kind of  
7 credit for being a not-for-profit, to have them not  
8 pay?

9 MR. ROSE: I don't have the answer for  
10 that at this time. I can check.

11 MAYOR LAYTON: Why don't you do that  
12 for me. Because one of two things is going to have  
13 to happen, we either have to exclude them if you  
14 can do that, or we can offer them -- if they are a  
15 religious organization, not-for-profit -- we can  
16 offer them a credit of whatever it is.

17 DR. MOCKUS: I think John was saying  
18 that he preferred a credit because if they are  
19 excluded, then it opens up that can of worms for  
20 other organizations.

21 MAYOR LAYTON: I agree. Probably a  
22 credit because we have opportunities for credit for  
23 some of the businesses and stuff. Plus Kroger  
24 would be an astronomical amount and they have some  
25 things that they can do and have already done to

1 offer them as credits because they've got a big  
2 role. But I think, that seems to be our number one  
3 issue within the community is flooding and water  
4 issues.

5 Okay. Anybody have anything else in  
6 safety?

7 DR. MOCKUS: I'm sorry. We're still on  
8 finance.

9 MAYOR LAYTON: I'm sorry, yeah.

10 DR. MOCKUS: Okay. So for finance,  
11 waterline west, I did some homework and I want to  
12 bring to Council's attention that what I'm hearing  
13 is that Union Township is prepared to offer no tap  
14 fees. So we'd be competing with that. They're  
15 offering sewage. We'd be competing with that. And  
16 they're -- I think, we already know they are  
17 pushing for a 10-year TIF, which the school doesn't  
18 have to sign off on. And they've committed to  
19 offering an inside rate, so they get the inside  
20 rate for Southwest Licking as opposed to the  
21 outside rate.

22 I mentioned the last time that we  
23 discussed this my concern about this being a race  
24 to the bottom and competing on basically  
25 discounting the most. And so I just want to

1 mention that these can further complicate that. I  
2 don't know if tap fees -- the last I saw, tap fees  
3 was definitely part of the recovery on the pricing,  
4 and I don't recall us offering inside rates. Is  
5 that our intention?

6 MAYOR LAYTON: Our intention was to  
7 offer outside rates outside of the community.

8 DR. MOCKUS: Yeah.

9 MAYOR LAYTON: I think, that's what we  
10 originally talked about. I don't think we put a  
11 number in front of anybody yet. Quite frankly,  
12 we're still working through the process.

13 I directed -- Brian is putting together  
14 a couple of letters for me that we're going to send  
15 to the Township, to the County Commissioners, and  
16 Southwest Licking to tell them that we are in the  
17 process of doing this waterline and we intend to go  
18 forward with it to see what the backlash from that  
19 is. We went through the hearing.

20 You were at the hearing, weren't you?

21 MR. GRIGGS: I was at the hearing.

22 MAYOR LAYTON: Yeah. And there was not  
23 a lot of information provided, was there?

24 MR. GRIGGS: No.

25 MAYOR LAYTON: Did the Township say

1 anything or --

2 MR. GRIGGS: The district -- which I  
3 don't know if you've been shared that  
4 information -- did submit comments. I don't  
5 believe the Township submitted comments. All I  
6 know is at the public comment portion, the staff,  
7 the EPA, and everyone else was very appreciative of  
8 the Village submitting their, you know, response to  
9 the districts.

10 But it's, obviously, outside the  
11 comment period now. They still can accept  
12 comments, but I know there's going to be some  
13 discussion about responding to the additional  
14 comments that the district made. But we're outside  
15 of the original comment period. But that's all  
16 really -- but no, there was no other comments other  
17 than what was provided by the district and then the  
18 Village.

19 MAYOR LAYTON: We feel pretty firm that  
20 it's still a no-interest loan and they did commit  
21 to forgiving the \$1.7 million of the loan; is that  
22 correct?

23 MR. GRIGGS: Yeah. I'm not the  
24 specifics guy. I'm the conformance and annexation  
25 guy. I don't know --

1                   MAYOR LAYTON: That's the reason I'm  
2 asking Brian and John.

3                   MR. GRIGGS: But that's just -- that's  
4 just what I know.

5                   MS. PORTER: Is the water source still  
6 southwest -- whatever that district is called --  
7 southwest? You know, I think that's kind of  
8 interesting because it wasn't too long ago, maybe  
9 two or three years ago, and they were saying how  
10 little water they had available.

11                   MAYOR LAYTON: Here's the  
12 interesting --

13                   MS. PORTER: So is there something  
14 that's changed as far as water supply?

15                   MAYOR LAYTON: Intel. We went to them  
16 about a year ago -- a little over a year ago, we  
17 went to them and asked them if they -- told them we  
18 were considering running water out to 37.

19                   They said, go ahead, we don't have any  
20 intentions or any plans to do that. Now, that was  
21 a verbal commitment they made to us back then.  
22 And, of course, we went to the Township and tried  
23 to set up a JEDD. That didn't work. So we had  
24 notified everybody before we started this program  
25 that we were going to do it.

1                   When Intel came up, Southwest  
2 Licking -- my understanding is, Southwest Licking  
3 water sent something to every township around them  
4 and said, hey, we'll do water for you. The Intel  
5 people are going to need it.

6                   MS. PORTER: But nevertheless, if they  
7 don't have the water, how can they distribute it to  
8 anybody? And that's what they were saying a few  
9 years ago.

10                  DR. MOCKUS: I asked that question.

11                  MS. PORTER: So all of a sudden they  
12 have water?

13                  DR. MOCKUS: Yes. They are sinking  
14 three wells, is what I was told.

15                  MR. WOLF: I read in the Advocate that  
16 they haven't got the sources. That's why they're  
17 getting -- Intel is getting water from New Albany  
18 now.

19                  MR. GRIGGS: Well, so I do represent  
20 quite a few governmental bodies. Some of them,  
21 which are townships -- and my understanding is the  
22 district is currently working on what I would call  
23 a master plan, which I think they provided that in  
24 the public comment. And, you know, what they  
25 typically do is set up an MOU with the various

1 entities and provide for the financing. And that  
2 development comes in and there is financing  
3 mechanisms in place to pay for that infrastructure  
4 and that growth.

5 But like anything, it costs money and  
6 time, but that's their structure. And I know they,  
7 obviously, have an MOU with Union Township. You  
8 know, whether or not that -- you know, what their  
9 priority is and how quickly that happens, I don't  
10 know.

11 MAYOR LAYTON: There are a couple of  
12 things we are talking about. One of them is to  
13 have contracts with the people that we're going to  
14 provide water to before we go out there, that they  
15 are going to commit to buy water off of us.

16 MS. MORGAN: I think maybe he can  
17 answer this. When the rates -- prospective rates,  
18 that the Village was going to offer being the  
19 outside rates, to anybody that hooked onto  
20 waterline west, that was -- was that discussed  
21 prior to us finding out that we have a \$1.7 million  
22 forgiveness on the loan?

23 MAYOR LAYTON: It was.

24 MS. MORGAN: Would the fact that we're  
25 going to have so much loan forgiveness impact what



1 we could charge that would make us a lot more  
2 competitive?

3 MAYOR LAYTON: Yeah. And my opinion on  
4 this has been, and maybe they will back me up on  
5 this -- my opinion from the start has been, we  
6 don't want to run it out there and have some  
7 hillbilly judge somewhere go, that's Union  
8 Township, you guys got to stop.

9 I have been -- I have been assured that  
10 that's not going to happen if we follow the right  
11 procedures. And one of the procedures is that we  
12 get a contract. The discussion has been we get a  
13 contract for them to buy water off of us. Is that  
14 correct?

15 MR. GRIGGS: Yeah, I mean.

16 MAYOR LAYTON: I mean, we don't -- I  
17 haven't investigated clear through, and that's why  
18 we're not really putting a lot of stuff on the  
19 table now. We're trying to explore all of our  
20 options. I don't want to run the waterline out  
21 there and spend \$3.5 million and have EPA give us  
22 \$1.7 million back. I'm not going to spend the \$3.5  
23 million unless we're sure that the EPA is going to  
24 forgive some of that loan, but I don't want to do  
25 that unless we're right. And they tell me that we

1 can be right. The townships are not set up for  
2 buying water.

3 MR. ROSE: We had the -- we have the  
4 statutory authority. It was under, I think,  
5 743.12. It was outside Village residents -- or  
6 outside residents that -- or businesses that  
7 requested water, we have that authority.

8 MAYOR LAYTON: And they all want water.  
9 And the crazy thing is they don't want water to  
10 drink or flush their toilets. They want it for  
11 fire protection.

12 MR. GRIGGS: Well, so as Jarod pointed  
13 out, you do have the statutory authority number  
14 one.

15 Number two, I know that your  
16 application with the EPA scored extremely high. I  
17 know the people there are very encouraging, you  
18 know, the comments back from them. You know, but  
19 like anything. There could be a competing  
20 interest, and you know, that doesn't -- because you  
21 run the pipes, doesn't completely solve the  
22 potential for a competing interest.

23 MAYOR LAYTON: Right.

24 MR. GRIGGS: So that is going to  
25 continue to exist, you know, whether or not the

1 district continues to pursue it, you know, I don't  
2 know.

3 I would suspect that, you know, they  
4 are probably not going to just simply drop it, but  
5 you know, I -- you know, there is always the  
6 possibility. You know, I like to pride myself on  
7 being a very practical attorney. There's always a  
8 possibility -- you know, can you work together? I  
9 mean, whether that ship has sailed? I don't know.

10 But, you know, I'm a firm believer in  
11 regional cooperation and if you can, you know, I  
12 think, that's great. If you can't, then I think  
13 you have to look out for your own interests.

14 DR. MOCKUS: Okay. So looking out for  
15 our own interests, my concern is if we do this  
16 project and it's \$3.5 million, even if we get half  
17 of it back, what is the pay-back period and what  
18 does that mean for the residents who are footing  
19 the bill if the pay-back period is an eternity or  
20 the rates that are offered externally are so  
21 competitive, that no one wants our water? And if  
22 they're not using it to flush their toilets and  
23 cook with or whatever the example was, then --

24 MAYOR LAYTON: The statement was that  
25 they -- that's not the reason -- they really wanted

1 the water for fire suppression. They are going to  
2 use it to cook with and flush their toilets and all  
3 that stuff. They're just buying water. The real  
4 reason they wanted it originally came from -- and  
5 asked about it is because they wanted fire  
6 suppression.

7 DR. MOCKUS: I understand that. My  
8 point was, as they continue to improve the  
9 technology and that need for water continues to  
10 decrease -- is where I was headed. There is a lot  
11 of benefit to companies and we saw this at our  
12 industrial park, finding ways to recoup that water  
13 and use that water, filtrate that water so they  
14 don't have to keep coming back to us for more. So  
15 that's what I'm interested in.

16 There was some paper at some point, I  
17 thought, that said kind of ballpark, this is what  
18 we think the recoup time is. I'm interested in  
19 knowing what that looks like given these new  
20 variables with a pay-back period that might be a  
21 little bit different because half of it is  
22 forgiven.

23 And then we have the competing  
24 interests, you know, another vendor offering no tap  
25 fees potentially, offering inside rates

1 potentially, offering sewage. Why would they take  
2 our water if they can get water and sewage bundled  
3 elsewhere? I just don't want to run this if nobody  
4 is going to buy our water and I definitely don't  
5 want to ask Hebron residents to pay that loan back  
6 if nobody is going to buy our water.

7 MAYOR LAYTON: One of the issues is  
8 that we talked about going and taking sewer out  
9 there as well, and it's not available to us because  
10 the County has already developed that as a sewer  
11 district. So they're going to be the ones  
12 providing sewer.

13 And they stood right up and said, if  
14 you get someone who wants sewer, let us know. They  
15 ran sewer underneath Interstate 70. So they're the  
16 ones -- they've created a district out there and I  
17 think that was a pretty solid indicator that they  
18 are going to be providing sewer.

19 DR. MOCKUS: So Southwest Licking is  
20 not providing sewer through this project?

21 MAYOR LAYTON: If I understand it  
22 correctly, the County has a sewer district out  
23 there. Southwest Licking cannot provide sewer.

24 Is that correct? Do you know that? Do  
25 you know the answer to that?

1                   MR. GRIGGS: I don't know. Yeah, I  
2 don't know who's providing what. I don't know if  
3 it's the County district and they've contracted  
4 with Southwest Licking to provide that.

5                   DR. MOCKUS: You understand my concern  
6 about that carrot, oh, you will give me both?

7                   MR. GRIGGS: Yeah.

8                   DR. MOCKUS: But if you only take -- if  
9 I take water from Hebron, I can't get -- I mean, I  
10 can see that being an area of concern. I'd like to  
11 know how that plays out.

12                   MR. GRIGGS: Yeah, I don't know who  
13 provides that.

14                   MS. PORTER: I think, it's kind of  
15 interesting if all of these carrots are out there  
16 and there is no tap fees, there's no this, there's  
17 no that, how is that going to maintain itself? You  
18 know, how do you go out there and invest -- it's  
19 going to cost them something to provide it. And  
20 then with all these sort of the same things and  
21 same principles, tax abatement, you know, combo,  
22 don't worry, you don't have to pay anything. I  
23 mean, how realistic is that?

24                   MR. GRIGGS: Yeah. So what their model  
25 is and they're going to use a JEDD, a TIF, tax

1 increment financing, and probably maybe even a new  
2 community authority to -- with the development in  
3 the Township, and then the district would be a  
4 beneficiary of the funds that are created within  
5 each of those economic development tools. That  
6 would be funneled back through -- that's their  
7 model.

8 Now, again, I don't know if the -- how  
9 long that's going to take, but that's the model  
10 that they then -- this is all public record, public  
11 documents they've circulated with the townships.  
12 But that's their model. That's how they are going  
13 to fund it and I think that's probably their  
14 strategy in terms of reducing or not charging tap  
15 fees.

16 MS. PORTER: Is it a strategy or a  
17 scare tactic?

18 MR. GRIGGS: I wouldn't consider it a  
19 scare tactic because it's -- you know, they have  
20 done it in pretty much every township in Licking  
21 County since Intel -- I agree, Intel is the kind of  
22 the linchpin there or opened the floodgates. But  
23 the model has been kind of consistent in other  
24 places where there is no competing interests. So  
25 similar to St. Albans and probably Jersey and you

1 know some of the other townships that they're  
2 working with, it's going to be the same model they  
3 offer to Union Township. So I don't consider it a  
4 scare tactic.

5 But again, I think it goes back to the  
6 Village looking at what's in their best interests  
7 and, you know, it could be a numbers game. And  
8 Jarod and I aren't numbers guys. We can just tell  
9 you what you have the authority to do and you know,  
10 but yeah, that's how they are going to -- that's  
11 how they are going to get away with not charging  
12 tap fees.

13 MR. NAUER: So you're saying Southwest  
14 Licking, which is Harrison Township, would be  
15 together with Union Township doing this? Because  
16 you -- I mean --

17 MR. GRIGGS: Yeah. I mean, there  
18 again, so what they've done is they circulated  
19 memos to each of the townships. Whether they get  
20 some of the townships to join together, I don't  
21 know. I mean, I haven't heard of any talk of that.  
22 It's each kind of independent -- each township has  
23 been kind of independent.

24 But then again, I do know, that they  
25 are working on a regional -- I think, it's a



1 communicator regional plan for most of the  
2 townships.

3 MS. PORTER: Now, when you say "they,"  
4 are you talking about the County?

5 MR. GRIGGS: The district.

6 MAYOR LAYTON: Southwest Licking.

7 MR. GRIGGS: Southwest Licking Water  
8 District.

9 MAYOR LAYTON: So you're saying instead  
10 of the charge up front and the tap fee, they are  
11 going to tax them, basically?

12 MR. GRIGGS: Well, I mean --

13 MAYOR LAYTON: They're going to do the  
14 JEDD on Newark's income tax, the 2 percent.

15 MR. GRIGGS: Well, someone always pays,  
16 right? And it's, you know, they are utilizing  
17 tools that every single -- pretty much every single  
18 jurisdiction uses, you know. TIFs, JEDDs, NCAs,  
19 those are tools that are available by law to  
20 political subdivisions, including townships, and  
21 they're doing no different then clients that I have  
22 in Union County or Delaware County or wherever the  
23 case may be.

24 MR. ROSE: It's not entirely unlike the  
25 Village pursuing the JEDD last year for the water.

1 MR. GRIGGS: Correct. So if you had a  
2 development -- let's just hypothetically say, you  
3 had a big development and you wanted to attract  
4 this development -- a developer comes to you and  
5 says look, I need help. Right. But it's going to  
6 create 1,000 jobs.

7 What I would tell you is that well,  
8 let's look at the TIFF. Let's look at a JEDD.  
9 Let's look at a NCA and see how we can ease the  
10 cost of public infrastructure for that development  
11 because at the end of the day you are gaining jobs  
12 and development which is going to benefit you.

13 So it's, you know, someone pays for it,  
14 yes. But it's kind of pay now get the benefit down  
15 the road and that's how you attract development.

16 MR. WOLF: So let me ask, is there a  
17 time limit on this no tap? Just because they run  
18 past your house --

19 MR. GRIGGS: I don't know what -- yeah,  
20 that I don't know. I haven't talked to Andrew  
21 about that or talked to them.

22 MR. ROSE: Yeah. That would be totally  
23 up to them.

24 MR. GRIGGS: Yeah. That's up to them.  
25 I mean, I don't know the specifics of actually what

1 they're doing. Like I said, I just -- I mean, I  
2 don't mean to sound --

3 MAYOR LAYTON: We got you out of  
4 your --

5 MR. GRIGGS: Or, you know, I just know  
6 I know enough to be dangerous, I guess, is what I'm  
7 trying to say. But yeah, so that's really --  
8 Councilwoman Mockus, I think you're -- you know,  
9 you're questions are the right questions in terms  
10 of trying to balance.

11 DR. MOCKUS: I just want to mitigate  
12 risk, right.

13 MR. GRIGGS: Yeah.

14 DR. MOCKUS: That's all I'm focusing  
15 on. I think everyone up here and in the  
16 audience -- I mean, I think there is a great  
17 interest in trying to figure out how to protect our  
18 western --

19 MR. GRIGGS: Yeah.

20 DR. MOCKUS: Right. I mean, isn't that  
21 what a lot of this is? And so I'm trying to  
22 understand, does this vehicle deliver that or does  
23 it literally just drain us of money?

24 And again, I don't want to race to the  
25 bottom. I don't want to figure out how little we

1 can charge or almost nothing and then the residents  
2 of the Village being in the position of paying this  
3 back.

4 MR. GRIGGS: What I can tell you is  
5 that you have the authority to do it.

6 Now, there's always going to be risk.  
7 And I think when we discussed this previously it  
8 was, can you guarantee that we're going to be the  
9 only one? And the answer is no, I can't. Nobody  
10 can guarantee that.

11 I mean, there's the possibility that  
12 there could be a competing interest out there.  
13 Now, whether or not they, you know, make a  
14 decision, you know, that it may not be in their  
15 financial interests given that there is a competing  
16 interest. Again, I don't -- I don't know. So  
17 there is some risk.

18 But again, you know, I don't know the  
19 numbers. I haven't studied the numbers. I haven't  
20 looked at the numbers. You guys have consultants  
21 that are crunching those and providing those and I  
22 know that V3 and Brian feel very strongly about  
23 this project and that it's going to be beneficial.

24 And you know, I think they also think  
25 that if you get out there, you're going to be the

1 game, but that's their -- that's their kind of  
2 expertise. And you've hired them to rely on their  
3 advice as well. But all good questions.

4 MAYOR LAYTON: Yes, Deb?

5 MS. MORGAN: And I do agree -- I value  
6 your opinion and your concern. But, also, on  
7 another area we have invested a lot of money in  
8 this. We've passed legislation. We've went a long  
9 way on this project, and I feel like we're so far  
10 -- I just don't want the Village to get in a habit  
11 of passing motions and passing ordinances and  
12 legislation to move forward with projects and we  
13 start investing money and legal fees and consultant  
14 fees, to all of a sudden -- then at close to the  
15 end of the project, change your mind because we  
16 have -- and I understand the risk for tax payer's  
17 dollars, but we've already spent tax payer's  
18 dollars.

19 So there's always going to be a risk,  
20 but when you get so far in, I do caution Council.  
21 I'm starting to see a little bit of a trend and  
22 it's scary as a financial person to look that  
23 decisions are made with good intentions and we move  
24 forward. And then all of a sudden to change, that  
25 is financially impactful. It impacts the Village

1 negatively when you spend that kind of money and we  
2 don't move forward to hope to recoup that money.

3 I understand that there could be a risk  
4 but at this far point, I think we're a lot further  
5 ahead than the competing entity, and I think with  
6 the money we have spent, I think we do need to look  
7 at that. It may be a risk. I may be wrong, but we  
8 have spent a lot of money.

9 We already passed the ordinance to work  
10 with ODOT for them to put the lines in. So, you  
11 know, the work -- we've spent money on property  
12 acquisitions, working on that, between V3 our  
13 lawyers, expenses, consultants expenses, we have  
14 really invested a lot of money in this project  
15 already.

16 MS. PORTER: But what we do know is  
17 that if it's not done, we don't know what the  
18 potential is for the good. What we are  
19 anticipating, I kind of hear some trepidation  
20 involved with this and I sort of have my doubts as  
21 well, but to spend all of this money and invest it,  
22 I hate to say nada, you know, we don't know.

23 MAYOR LAYTON: When we started this  
24 thing, I think we went through and made all the  
25 right moves. We went to the Township and they were

1 on board and they were going to do a JEDD. Then  
2 all of a sudden there was an election and that went  
3 away. We went to Southwest Licking and they said  
4 we have no plans to go out there. We were going to  
5 try to go to Pilot, but we don't want to do that.

6 Then, the 800 pound gorilla in the  
7 system was Intel. And my understanding is that the  
8 only one with a water system that's big enough to  
9 handle Intel is Columbus. So Southwest Licking is  
10 going to be in that area with all of these  
11 additional facilities coming around, so they're  
12 going to be doing that.

13 You know, we're going to do a small  
14 portion of Union Township. We're not going to do  
15 all of Union Township, just a small portion. The  
16 County came and said, you know, that's great, the  
17 water -- we don't care one way or the other. We're  
18 not going to give you any money to do it. But  
19 nobody has come to me and said you can't do it  
20 because it's county.

21 We just had a meeting with them the  
22 other day talking about doing some things  
23 differently here at our master meter on the east  
24 side of town. What it boils down to is we have  
25 MOUs from many of the businesses out there -- most

1 of the businesses out there who said they want to  
2 buy water off of us.

3 MS. PORTER: And does that include the  
4 truck stop area and MPW?

5 MAYOR LAYTON: We will -- MPW we talked  
6 to and got a signed MOU. Anything on the other  
7 side of Interstate 70, we're not going to do  
8 because we don't want to bore under Interstate 70.

9 MR. WOLF: I believe Millersport takes  
10 care of the other side.

11 MAYOR LAYTON: I believe they do.

12 MR. WOLF: They run their water --

13 MS. PORTER: But they also had no  
14 service to Buckeye Lake, too.

15 MAYOR LAYTON: But we don't want to go  
16 on the other side of 70. We want to do as far as  
17 we're going there and out to the race track.

18 He originally came to us. He wanted  
19 water and sewer and everything and he also wanted  
20 to become a part of Hebron, but we haven't got to  
21 that part yet. But he does want water and signed  
22 an MOU that said he does want water.

23 I think Mr. Black has 95 acres on the  
24 other side of 37 that he told us, I want to develop  
25 that. It needs to have water to be developed and



1 signed an MOU for it.

2 MS. PORTER: And how legal -- I'm  
3 sorry, how -- what kind of responsibility do they  
4 have towards -- to enforcing that? They have  
5 signed an MOU indicator on Pilot's side. Is there  
6 any legality that they can be held to? The  
7 memorandum of understanding, which is an indication  
8 that it's nothing legal they can be held to. So  
9 they can turnaround tomorrow and decide to go with  
10 Southwest if that does happen.

11 MAYOR LAYTON: And again, I mentioned  
12 before, we can go up there and initiate a contract  
13 with them that says that if we run the water out  
14 there, you guys did an MOU, we want a contract with  
15 you to buy water off of us. Again, these are all  
16 things that are on the table, because, you know,  
17 there is some concern -- obviously, there is some  
18 concern. And I don't want to spend \$3.5 million if  
19 I don't think it's worth the effort. I think it's  
20 worth the effort. I think the initial expansion is  
21 going to be right down State Route 40. I mean, we  
22 already have plans for a facility out there which  
23 is several buildings out there, and, you know, most  
24 of the businesses want water. They want it, number  
25 one, because they want fire protection. Number

1 two, like the race track, the water out there is  
2 horrible. The quality of the water is horrible and  
3 if they can get city water, they can get it.

4 MS. PORTER: So the line that Hebron  
5 would have, would extend to the race track?

6 MAYOR LAYTON: That's the plan.

7 MS. PORTER: And how far south? To  
8 Interstate 70?

9 MAYOR LAYTON: Yes. MPW.

10 MS. PORTER: It hasn't changed from the  
11 original.

12 MAYOR LAYTON: I'm not sure with Pilot  
13 might have -- I'm not sure whether Pilot has their  
14 own system or not.

15 That's like Sunset Inn, we went to them  
16 and said, hey, we're going to do water. They said,  
17 we just spent \$50,000 putting a system in, we're  
18 probably not going to be a part of that. And I  
19 understand that. They spent a lot of money to put  
20 water in and have a good system.

21 MS. MORGAN: I think, one other point  
22 that I have been looking at this and thinking this  
23 out, if this was flipped around and we were  
24 Southwest Licking and I was looking at the board  
25 and the other person on the other side, was this

1 far in as what we are, I would have a different  
2 opinion of it. And I can't help but think that if  
3 we move forward and this is brought to Southwest  
4 Licking's board -- I don't think it's just their  
5 attorney or just one person that says, we're going  
6 to do this. I think, when it comes down to it,  
7 they are going to sit there and think exactly the  
8 way you are thinking and looking at where we are  
9 versus where they're at. And I can't imagine them  
10 making a decision to expend tax payer's dollars or  
11 their other funds that they -- on a project where  
12 the other entity is so far ahead.

13 If it was reversed, I would be sitting  
14 there telling them no, no, I don't think you should  
15 do it. These people are so far much -- you know,  
16 so I think that that is something that I would also  
17 consider. And then I think it does help the  
18 Village of Hebron. I would think that their board  
19 would take that into consideration of just how far  
20 more ahead of the project we, obviously -- if we  
21 would move forward, we're going to be the first one  
22 to get the lines out there, and I would think that  
23 would sway my vote if I was on their board.

24 MR. WOLF: What did you say? How much  
25 we would save with ODOT putting the waterlines in

1 at 37?

2 MAYOR LAYTON: You know, I can't -- I  
3 don't have a number yet. They never really sent us  
4 a number that I'm aware of yet.

5 MR. ROSE: So we are anticipating  
6 additional legislation that we will have to pass  
7 and send to ODOT. I believe in October we'll  
8 probably be before Council, if not late September,  
9 effectively stating that we're -- we will agree to  
10 pay ODOT funds that they will then pay the  
11 contractors to lay the waterline at the  
12 intersection.

13 I believe prior to that date, they are  
14 going to be giving us numbers but my recollection  
15 is a little fuzzy because the meeting we had at  
16 ODOT was six, seven weeks ago now, whenever it  
17 would have been. But I do know we do have  
18 additional legislation coming down the pipeline  
19 from ODOT in the relatively near future.

20 MAYOR LAYTON: They thought it was  
21 going to save us some money because they were going  
22 to have the contractor in place, and -- I mean, we  
23 have to buy the lines and all that stuff. I don't  
24 want to spend \$6 million and have \$5 million or \$4  
25 million or whatever it is and have it go down the

1 tube. I'm going to be pretty -- I have been a  
2 little apprehensive about this to start with but  
3 after the EPA meeting and after the discussion with  
4 the EPA -- and we haven't really been awarded the  
5 low-interest loan, but it sure sounds like it's  
6 going to happen.

7 And then they are talking about  
8 forgiving part of the loan. So that's a pretty  
9 good indicator that they are in support of it. I  
10 think it's -- I think it's absolutely the thing to  
11 do. I think that property out there is going to  
12 explode just like 310 did.

13 And I'll tell you what, I was talking  
14 to the mayor from Kirkersville the other day and I  
15 think 158 is going to explode as well.

16 MR. WOLF: I think it already is. I  
17 think they've already opened up 300 acres to put in  
18 something out there.

19 MAYOR LAYTON: You know, we sat around  
20 here for a million years and for the last 50 years  
21 every time we did a study or did a program -- well,  
22 what are we going to do, one of them was running  
23 water to 37. That has always been on the table and  
24 we've always sat around and said, you know, someday  
25 Columbus is going to come this way.

1                   Well, I think in 10, 15 years we're  
2 going to realize that that's really true. But it's  
3 not going to be a return on investment in a couple  
4 of years. It's going to take a while to do it.  
5 But I think overall, in the long run -- you know,  
6 we've already got the precedent set. We're already  
7 selling water in Union Township, right out there at  
8 the industrial park. And it has been very  
9 profitable for us, very profitable.

10                   MS. PORTER: Then it'll go out to  
11 Jacktown or Jacksontown.

12                   MAYOR LAYTON: Well, we're still going  
13 to do the master meter and we're in negotiation  
14 right now with Licking County. They came to us.

15                   Tim Bubb came to me and said, hey,  
16 we're looking at -- they're doing a whole study on  
17 water in Licking County because we want to go  
18 further out into the east end and we want to go  
19 through your master meter because we don't want to  
20 spend \$11 million on a water treatment plant. We  
21 think we can partner with you and become a partner  
22 with you and set up a 20 or 30 year program and buy  
23 water from you. They don't think at this point --  
24 their projection is not to exceed 120,000 or  
25 130,000 gallons a day. We'd have them on a

1 limit -- and it's not really a limit, but once they  
2 go over that, the expense -- the price goes up for  
3 the water. So we're in the negotiations stage with  
4 that right now. And that's -- send the water to  
5 the master meter and they pay the bill. They pay  
6 it every month, too. They are our biggest water  
7 user. Not even close, huh?

8 MS. MORGAN: Momentum.

9 MAYOR LAYTON: Oh, yeah.

10 MS. PORTER: What is?

11 MS. MORGAN: Momentum, Clean Harbor.

12 MAYOR LAYTON: Well, Clean Harbor came  
13 to us and wanted to come into the community as  
14 well. So we're working around all of those things.  
15 It takes a lot of effort and coordination and all  
16 of that stuff. And I think this way is going to be  
17 an expansion that happens. Maybe not in two years,  
18 maybe five years down the road, I think there is  
19 going to be some other stuff. I'm sure Monte Black  
20 wants to sell his property now.

21 MR. WOLF: Yeah. I think Main Street  
22 is going to be Main Street clear into Reynoldsburg.  
23 I would feel that it's going to be built up with  
24 houses all the way up through there. It's the  
25 future. If we don't take part of that, I think

1 we're going to get run over.

2 MAYOR LAYTON: And if we go out there  
3 and it looks like there is an opportunity and the  
4 business is out there, maybe we can bring  
5 Mr. Griggs in later on -- I'm saying this tongue in  
6 cheek -- maybe there is an opportunity for  
7 annexation out there and income tax and we can also  
8 always go back and discuss a JEDD again. We can  
9 apply for a JEDD every year for the next 10 years,  
10 they tell me.

11 DR. MOCKUS: I'm sorry.

12 MAYOR LAYTON: Get the Township  
13 involved in it.

14 DR. MOCKUS: I'd like to hear more  
15 about what you're saying. So, you know, my concern  
16 is asking my neighbors to foot this bill.

17 MR. WOLF: Okay.

18 DR. MOCKUS: Okay.

19 MR. WOLF: Okay.

20 DR. MOCKUS: So talking about  
21 everything coming this way, what is gained? Like,  
22 are we saying yes, we are footing the bill right  
23 now. Maybe nobody buys our water and then they get  
24 over it and then we eventually recoup it some other  
25 way? Because I feel like part of Southwest



1 Licking's ability to navigate the risk involved in  
2 this project is they have a huge base. We don't  
3 have that big of a base, right.

4 And so I'm trying to understand how I  
5 go to a neighbor's house and talk to them about  
6 yes, this is a risk situation and we may be on the  
7 hook for it and it may cost each household X  
8 dollars. That's what I'm trying to understand.

9 MAYOR LAYTON: The first thing I think  
10 we need to do, Valerie, is to go in and take the  
11 \$1.7 million out, figure the debt service and what  
12 it's going to be, figure out how many people that  
13 have talked to us that said they want to purchase  
14 water, make an estimate of what they are going to  
15 buy, figure out what it's going to cost and see if,  
16 in fact, we can make the payment with a little  
17 bonus profit off of the program. That's the first  
18 thing we need to do. And we've done it without the  
19 \$1.7 million and the project was that we would  
20 collect enough income off of selling water to them  
21 to start with to make the payment.

22 Now, with the \$1.7 million reduction,  
23 we'll have to go back in and re-look at that. I  
24 mean, there is a lot of stuff that's still up in  
25 the air, trying to float around. We haven't given

1 you guys any firm numbers, yet, but we need to do  
2 that.

3 MS. PORTER: Did I understand you to  
4 have said earlier on in the conversation that the  
5 loan forgiveness and the debt forgiveness and the  
6 loan amount is not yet fixed or we don't have the  
7 actual legalities in our hand? Are we still  
8 swimming around out here somewhere?

9 MAYOR LAYTON: We haven't signed the  
10 agreement yet, but the indication from the EPA is  
11 that we're going to get the loan. And they brought  
12 the loan forgiveness to us.

13 Correct?

14 MR. GRIGGS: That's my understanding.

15 MS. PORTER: Because it makes me a  
16 little bit concerned. I like things tied down a  
17 little bit.

18 MAYOR LAYTON: I don't think the EPA --  
19 I think the EPA is happy enough with us -- they  
20 wouldn't be happy with anybody bringing water out  
21 there but we put the program together, did the  
22 engineering, did the study and I think they're --

23 MS. PORTER: Do you have any idea when  
24 it becomes in stone, so to speak?

25 MAYOR LAYTON: I'd have to --

1 MR. GRIGGS: I think the Village should  
2 know something by the end of this month.

3 MR. ROSE: I was going to say --

4 MR. GRIGGS: I think, that's what they  
5 said.

6 MR. ROSE: Because the public comment  
7 period is closed --

8 MR. GRIGGS: Right.

9 MR. ROSE: -- we are at a point where  
10 we should know in the very near future.

11 MR. GRIGGS: I could have sworn  
12 somebody said the end of August, early September  
13 you're going to know.

14 MAYOR LAYTON: I think that's right.

15 MS. MORGAN: I think V3 set the  
16 timeline from this point now since the public  
17 comment section is over. They sent a timeline over  
18 clear down to even breaking ground. So they sent  
19 that and I have an email that I think you were  
20 included in.

21 MAYOR LAYTON: I think we sit down  
22 figure the numbers, wait on the loan to get  
23 approved, make sure there is going to be the  
24 forgiveness -- and they brought it to us so I'm  
25 assuming that's in there -- figure out what the

1 cost per month is going -- cost per year is going  
2 to be to do it and how much money we think we can  
3 recover by selling water.

4 MS. PORTER: But you can understand my  
5 hesitation because if it isn't there and it's not  
6 signed on time and all of that --

7 MAYOR LAYTON: Then the project doesn't  
8 go anywhere.

9 MS. PORTER: I understand that, but if  
10 it is going to go -- and when you're already in  
11 positive territory of expanding that, and then all  
12 of a sudden something backfires, I don't want to be  
13 in that position either.

14 MAYOR LAYTON: You know, and he said  
15 it, anything can happen at anytime.

16 MS. PORTER: I understand that.

17 MAYOR LAYTON: We've wrung this out  
18 pretty strong and continue to wring it out and if  
19 there is any indication that it's absolutely not  
20 going to work, I'm not going to do it. I mean,  
21 I've told them that from the start.

22 But they have convinced me that we have  
23 the authority, and the County says, look, we  
24 have -- we are going to do sewer out there, so when  
25 you get your water out there, if you have somebody

1 that wants sewer, call us up and let us know. Let  
2 us know because that's our sewer district. I'm  
3 convinced now that if the loan goes through and we  
4 get the loan forgiveness and we look at the numbers  
5 and they make sense -- and it made sense before  
6 Intel.

7 The other key to this thing is that  
8 Intel is going to force that expansion out there a  
9 little bit quicker than we thought. I mean, when  
10 you look in the paper, they're still selling  
11 property out there.

12 MS. MORGAN: I think it's obvious that  
13 if for some reason the funding doesn't go through,  
14 the loan doesn't go through, I think that's going  
15 to make the decision. You would not be able to  
16 move forward.

17 MS. PORTER: I don't want to spend a  
18 whole lot more money if we don't have a guarantee,  
19 for a lack of a better word. Like Tom said, is  
20 this really going to work? I just -- you know, I  
21 don't like thinking of things in the category of,  
22 well, they said. They said, these guys, whoever  
23 they are --

24 MR. WOLF: I don't think the EPA is  
25 going to let it fail. They are going to come -- I

1 don't know what to go tell your neighbors and all  
2 that, but I'm saying that my meaning is that it's  
3 not going to be that far in the future where the  
4 EPA is going to say, you're going to run water out  
5 there. Sort of what they did around Buckeye Lake.  
6 You can't build anymore until you get water and  
7 sewer put in and then they finally did it and they  
8 made it happen.

9 Now, I'm sure there was a cost to each  
10 community it went to. I'd rather be in the  
11 position of where we have the upper hand then to  
12 have someone say, you got to do it.

13 DR. MOCKUS: Like reactionary as  
14 opposed to right now --

15 MR. WOLF: Right. Because you have  
16 to --

17 DR. MOCKUS: -- we are being proactive.

18 MR. WOLF: -- is what they're doing  
19 now. They are giving us the money or part of it.

20 DR. MOCKUS: I know that's --

21 MR. WOLF: We know we have it now. We  
22 might not have it if they say, you got to do it.

23 DR. MOCKUS: Right.

24 MAYOR LAYTON: Well, the other thing is  
25 that if we can put numbers down and look and we can

1 serve it -- try to figure out how much money we  
2 take and we're going to -- from the businesses  
3 throughout there, then it's a wash.

4 If we can bring in an income and make a  
5 payment every year, then it doesn't cost the  
6 citizens of Hebron anything. I mean, we hope that  
7 that will be enough income out there and that was  
8 the plan.

9 But when we had the JEDD in place that  
10 was a lot simpler to figure it that way, and we can  
11 try to do a JEDD. But if it pays its way, then  
12 there's no cost to the community. If we can make  
13 the payment every year is what they pay for water,  
14 there is no cost to the community, right. There is  
15 a little bit of cost, obviously, because of people  
16 in the water plant, you know, those things we have  
17 to do anyway, but that's -- the plan is to be  
18 self-sufficient. That's the hope.

19 And maybe it won't be for the first  
20 couple of years, but after that those are the  
21 numbers we are trying to figure. And with the new  
22 \$1.7 million gone, that's going to make a big  
23 difference in how we figure those numbers. But  
24 we've got to get that done first before we go any  
25 further. It's all dollar and cents and how you

1 figure it.

2 But I'm convinced and everybody I've  
3 talked to is convinced that that area is going to  
4 expand. Everybody is talking about 37 and 70. I  
5 think it's 40 all the way into Reynoldsburg.

6 MR. WOLF: Yes.

7 MAYOR LAYTON: It's all industry now  
8 and general commercial.

9 MR. WOLF: If you drive up through  
10 there now -- every time I go up there, there's a  
11 new building getting put up. I was amazed that  
12 FedEx has got a building almost the size of what  
13 Amazon is up there now.

14 MAYOR LAYTON: They're not shy about  
15 putting a building up. Okay. Anymore comments or  
16 questions about water? We'll get some numbers down  
17 and try to figure backwards into this thing. And  
18 we've been through it several times and we'll see  
19 if we can get where we need to be and get it in  
20 front of you so you can make an informed decision.

21 I think it's the right thing to do at  
22 this point just because of the \$1.7 million  
23 forgiveness will make a big difference in what it  
24 cost to do it.

25 And I think, if we pay attention and



1 look at the water and look at the rates for the  
2 water, I'm not sure that it's really a competition  
3 that we have to dump the rate down, because  
4 Southwest Licking sounds to me like they're going  
5 to be giving them cheap water and then tax them for  
6 it.

7 MR. WOLF: I agree. I don't know how  
8 you can not -- do what they are doing on things.  
9 It doesn't make sense.

10 MAYOR LAYTON: You know, that was the  
11 crazy part about the JEDD. I mean, we could run a  
12 JEDD out there and not everybody has to be in it.

13 MS. PORTER: No. Because that has the  
14 boundaries I just -- not very straight.

15 MAYOR LAYTON: It never really got far  
16 enough to understand what was going on. Okay.  
17 Anybody got anything else about water?

18 Now, we're down to Mr. Griggs and  
19 conforming boundaries.

20 Oh, wait a minute. Safety, Kenny  
21 Nauer, you got anything?

22 MR. NAUER: Like I said, we had a few  
23 little hiccups with the fire department thing, but  
24 them guys are cleaning house.

25 MAYOR LAYTON: We made the change and

1 nobody noticed.

2 MR. NAUER: Literally cleaning the  
3 house.

4 MS. PORTER: Did the house need to be  
5 cleaned?

6 MR. WOLF: With the fire department in  
7 mind, the pie festival.

8 DR. MOCKUS: Thank you. That was one  
9 of my questions.

10 MR. WOLF: I was asked by their  
11 chief -- the last time I remember it was when High  
12 Street was shut down. He was asking what streets  
13 were going to get shut down.

14 DR. MOCKUS: Just two blocks of High.

15 MR. WOLF: Right. And that's what I  
16 told him. It was going to North Street, from Main  
17 and North, okay. And that's what I told him and he  
18 didn't have a problem with it because not only do  
19 they have a pie festival, they have a parade to go  
20 to. They are going to be busy.

21 MAYOR LAYTON: And our old boy fire  
22 truck that we didn't know what we were going to do  
23 with, they have come down and said, look, we think  
24 we got a -- we're going to try to put something  
25 together for that. We want to have a display here,

1 the history of the Hebron Fire Department.

2 MS. PORTER: Really?

3 MAYOR LAYTON: Really.

4 MS. PORTER: So then, the old boy is  
5 going to be renovated?

6 MAYOR LAYTON: Yeah, I don't want to  
7 sell it. There's a guy I know who wants to buy it.  
8 Public works --

9 DR. MOCKUS: I'm sorry. Before we  
10 leave safety, you may recall that when we went and  
11 met with the chief fairly early on, we talked about  
12 doing some type of a mixer with the businesses.  
13 Has there been any progress on that?

14 MR. NAUER: I haven't -- we've just  
15 been trying to get that --

16 DR. MOCKUS: Okay. It's still on the  
17 to-do list.

18 MR. NAUER: Oh, I'm sure.

19 DR. MOCKUS: Okay.

20 MAYOR LAYTON: We'll have an open house  
21 with the community.

22 DR. MOCKUS: Okay. Thank you.

23 MS. PORTER: Good.

24 MAYOR LAYTON: And, basically, I think  
25 the point he's trying to make now is to get his

1 house in order for --

2 DR. MOCKUS: Of course, yeah, I support  
3 that. I just want to make sure it's on a list  
4 somewhere if for no other reason, just to dispel  
5 the myths that were out there. Remember, there  
6 wasn't going to be a fire truck?

7 MR. NAUER: Yeah.

8 DR. MOCKUS: The first one was going to  
9 be all the way out in Etna and it would have to  
10 come here and nobody is going to have any service.  
11 So I think it's really important that we are super  
12 clear with the residents.

13 MR. NAUER: I mean, we could actually  
14 have -- I'm sure he'd be more than happy to come  
15 talk or whatever you want to do.

16 MAYOR LAYTON: I think, the open house  
17 is the answer.

18 DR. MOCKUS: I agree.

19 MAYOR LAYTON: That's really the -- in  
20 a business -- a mixer with businesses, which we  
21 really need to do anyway.

22 MR. WOLF: Yeah, yeah.

23 MAYOR LAYTON: The historic marker  
24 information, everybody knows there is a historic  
25 marker down there right in front of the old --

1 where the canal and the National Road came  
2 together. Dave Derenberger (phonetic) came to me  
3 and said, I got something that will refurb that  
4 thing and we can move it down to your greenspace  
5 and make a nice display. And if anybody would like  
6 to take that project on, I have all of the  
7 information. I think that would be a nice thing to  
8 do. It's down there in front of that building.  
9 Somebody's trying to buy it.

10 DR. MOCKUS: It's purchased.

11 MS. PORTER: It's been purchased.

12 MAYOR LAYTON: What's it going to be?  
13 Does anybody know?

14 DR. MOCKUS: State Farm.

15 MAYOR LAYTON: Insurance. Well, that's  
16 all right. But, I think, it would be nice to be in  
17 our greenspace to have something else in there as  
18 some kind of display and maybe commemorate the  
19 canal and the Old National Road. You know this is  
20 the road everybody -- got on this and went to  
21 California. Okay.

22 MS. PORTER: Now, they're coming back.

23 MAYOR LAYTON: If anybody wants to step  
24 up and look at that program, I've got all the stuff  
25 in there. Somewhere or another, I think, we

1 probably ought to try and do that.

2 Planning and visioning, conforming the  
3 boundaries, Mr. Griggs is here to talk with us  
4 about that tonight

5 MR. GRIGGS: So thanks for having me.  
6 I don't -- you know, I know the memo was supplied.  
7 I know that there has been just a draft legislation  
8 that's been provided. I don't think there's been  
9 any direction yet from Council to actually have  
10 that formally drafted. And it's not rocket  
11 science. It's a pretty simple piece of  
12 legislation.

13 But if the Village wants to conform the  
14 boundaries, it's my advice that you do so quickly.  
15 And the reason being, I think you've got a couple  
16 things in motion. You have the district, moving to  
17 the district. You have a township putting levies  
18 on. The end of year, there's going to be -- we  
19 would need to make sure that once the boundaries  
20 are conformed that the auditor's office knows --  
21 and I know Deb has been doing a good job of keeping  
22 them in the loop -- because there are tax  
23 implications in terms of making sure that their  
24 levies won't be applied here. So we need to do  
25 that quickly.

1           But really, you know, my experience is  
2 why villages or cities want to conform boundaries  
3 is really to do away with the dual jurisdiction  
4 that the expedited Type II annexations have  
5 created. Fortunately for you, you only have a  
6 handful that you want to be able to conform.

7           But again, the most common complaint is  
8 the double taxation issue of residents. And you  
9 know, it gets confusing sometimes for residents to  
10 know where they're voting, why they're voting, what  
11 they are voting, who they are voting for, and it  
12 just really helps clean up, kind of, that  
13 overlapping jurisdiction. So you have the ability  
14 as Council, to pass legislation conforming  
15 boundaries of everything but, I believe, it's  
16 presently four parcels --

17           MR. ROSE: Expedited Type II.

18           MR. GRIGGS: -- which were done as the  
19 expedited Type II. You are required to give the  
20 Township a 10-day notice of your intent to vote on  
21 that piece of legislation. That is a new provision  
22 that was added maybe a year or so ago. That notice  
23 requirement didn't always exist, but it does now.  
24 It's as simple as that.

25           Once that legislation is passed, that

1 would need to be provided to the County  
2 Commissioners. The statute is a little  
3 interesting. Because you're a village, the  
4 Commissioners have discretion as to whether or not  
5 to grant that conformance. If you were a  
6 municipality, they have to do it. But since you're  
7 a village, it's within their discretion to do it.

8 The statute is silent as to what  
9 standards they have to look to. It just doesn't  
10 say. Certainly, I think the legislation would  
11 express the reasons why -- which I just went over.  
12 Hopefully, our relationship is good enough with the  
13 Commissioners that they understand why.

14 And once the Commissioners approve that  
15 conformance, you know, again, hopefully, that's  
16 done before the end of the year so we don't get  
17 into an additional year of potentially double  
18 taxation.

19 So obviously, one issue is the  
20 Commissioners' discretion. The other issue is that  
21 the statute provides that when you conform  
22 boundaries, you have to provide the Township with  
23 reparations of what the Township would have  
24 received had the property not been conformed. And  
25 that's a sliding scale. It's broken into two



1 categories, residential and commercial, industrial  
2 and it's 12 year reparation. I think it starts at  
3 like 88 percent and then ultimately goes down to  
4 zero.

5 My understanding from Deb is she met  
6 with the auditor and the auditor said they would  
7 really not be involved in that. That would simply  
8 be whatever agreement that the Township and the  
9 Village come up with.

10 MAYOR LAYTON: And that's the money  
11 that the Township is receiving now because we are a  
12 part of them, correct?

13 MR. GRIGGS: Correct.

14 MAYOR LAYTON: So, I'm trying to think  
15 of what else there is. You know, I think moving  
16 forward, when you're looking at annexations, you  
17 know, that's going to be a question that you have  
18 to -- from a policy prospective, you know, if you  
19 take the stuff to conform the boundaries and they  
20 actually do conform -- you know, my advice has been  
21 that you really look long and hard about doing  
22 expedited Type II because you don't want to create  
23 -- you know, you don't want to expand another dual  
24 jurisdiction pocket. But that's -- you know,  
25 that's the reasons why. That's the process.

1                   You know the most recent one that I was  
2 involved with was a village review in Franklin  
3 Township in Franklin County. And again, one of the  
4 reasons why the Village wanted to conform was the  
5 Township kept putting on levies and again you had  
6 that double taxation issue.

7                   And ultimately, the Village decided,  
8 hey, we want to conform. The Township actually  
9 really had no issue with it. I'm not saying that  
10 Union doesn't but in that particular case they  
11 didn't have an issue with it because the Township  
12 levies were actually -- the decision makers were  
13 the difference in the levies failing was because of  
14 Village residents were voting it down because they  
15 didn't want that double taxation. So everybody  
16 said, yeah, it's a great idea.

17                   So, obviously, with the district coming  
18 in, you know, making sure to avoid that double  
19 taxation issue, I think, that's the genesis of why,  
20 you know, you reached out to me and that's the  
21 rationale.

22                   But in talking to Jarod and Wes, you  
23 know, if the Council wants to proceed, you know,  
24 it's our recommendation that you, you know, allow  
25 Wes and Jarod to draft the legislation for the

1 August 24 meeting and with the first reading on  
2 September 14. You know, whether or not you want to  
3 waive readings, you know, it certainly would be my  
4 advice to try to do it quickly.

5 MAYOR LAYTON: The question is, if we  
6 have it on the table, and the Commissioners get it  
7 and sit on it until the end of January, do we have  
8 to pay the taxes?

9 MR. GRIGGS: Correct. Right. And  
10 that's the reason why. If you're going to do this,  
11 you want to make sure you do it as quickly as  
12 possible to get it to the auditor -- to get it to  
13 the Commissioners to approve and then get it to the  
14 auditor's office again, so we can have that  
15 conversation with the auditor to, you know, clean it  
16 up. And that's going to be, obviously -- the  
17 Township I believe has a levy, two levies on.

18 MAYOR LAYTON: They are going to do  
19 fire and --

20 MR. GRIGGS: So those are -- those  
21 election results are going to be certified a couple  
22 weeks after the election and then they are going to  
23 have to get that down to the auditor and then the  
24 auditor is going to have to give it to the tax  
25 commissioner. So again, you know, if we can get

1 this all done and wrapped up before the summer,  
2 that's ideal, in my opinion.

3 MR. WOLF: Whatever is passed in  
4 November --

5 MR. GRIGGS: Correct. Would not apply.  
6 And while I'm at it, I do know Wes wanted me to  
7 mention the statute talks about whether or not you  
8 would have to continue to pay existing levies once  
9 you conform and the answer is, it's a little fuzzy.  
10 And I know, you know, people don't like to hear  
11 those things but the statute really allows an  
12 existing township levy to continue to pay for  
13 existing debt obligations, which I don't think you  
14 really have here.

15 But I think Wes kind of agreed, and  
16 Jarod agreed with that analysis, but you know it  
17 was a memo I provided to him. I think we're  
18 comfortable with it. But again, the quicker that  
19 you can do it, I think, alleviates any of the  
20 concerns that the existing levies would continue to  
21 apply to pay any existing obligations. The only  
22 other -- the only obligation I know of would be you  
23 know, the contract for fire protection. So once  
24 again --

25 MAYOR LAYTON: Right now, that's only 3

1 mil.

2 MR. GRIGGS: Correct. But I don't  
3 think that's the genesis of what the statute -- the  
4 intent of the statute. I think the intent of the  
5 statute is if the levy -- you know, they put a bond  
6 levy on, I think they could continue that levy to  
7 pay off those bonds. That's the intent of the  
8 statute. So I don't have heartburn over that. But  
9 again, we want to make sure that with the new  
10 levies coming online, that we close that door,  
11 because if you don't close the door before the end  
12 of the year, there's -- they're going to apply.

13 MAYOR LAYTON: And Refugee Canyon  
14 didn't have any debt so --

15 MS. PORTER: Can that door be closed  
16 prior to the election in November? And if it is  
17 not, does that put our residents in jeopardy?

18 MR. GRIGGS: It -- well, again, it  
19 depends on timing. I mean, if we can get it done  
20 before the election, that'd be the -- that's even  
21 better. But it's when the levies get placed upon  
22 the tax duplicate is.

23 MS. PORTER: So there's a difference  
24 between an election --

25 MR. GRIGGS: Correct.

1 MS. PORTER: -- but it's when it  
2 actually --

3 MR. GRIGGS: It's placed on the tax  
4 duplicate.

5 MS. PORTER: And so could that be a  
6 year after that?

7 MR. GRIGGS: No, it won't be. I  
8 haven't read their levies. I don't know if they  
9 are running it for the current -- you know, for  
10 collection from the current year or whether that's  
11 going to start in the subsequent year.

12 But the way I read the statute, if we  
13 get our legislation done, the boundaries get  
14 conformed prior to their levies being placed on the  
15 tax duplicate -- which is not indicative of just  
16 the election results. There are extra steps.

17 MS. PORTER: Would the sanction be --

18 MR. GRIGGS: Correct.

19 MS. PORTER: -- and the actual  
20 collection?

21 MR. GRIGGS: Correct.

22 MS. PORTER: So then that is sort of a  
23 grace period written into that?

24 MR. GRIGGS: There is.

25 MS. PORTER: But nevertheless, it would

1 be to our advantage --

2 MR. GRIGGS: It would.

3 MS. PORTER: -- if we decide to go  
4 ahead with it to do it as quickly as possible --

5 MR. GRIGGS: Absolutely.

6 MS. PORTER: -- so that we're not --

7 MR. WOLF: Really, it's the first of  
8 the year. I think it's the first of the year when  
9 it takes effect.

10 MS. PORTER: So we have to be careful  
11 of our timing.

12 MR. GRIGGS: We've had that  
13 conversation and we don't want to wait until the  
14 first of the year. If you're going to do it, I  
15 think you need to move expeditiously. And, you  
16 know, that's kind of the conversation with Wes and  
17 Jarod and I.

18 MR. WOLF: If we have the paperwork in  
19 process, does that have any hold or any bearing on  
20 that?

21 MR. GRIGGS: No. The linchpin is going  
22 to be the approval by the Commissioners to conform  
23 the boundaries, and once that happens, then you're  
24 going to --

25 MR. WOLF: We need to do this

1 yesterday.

2 MR. GRIGGS: And that's why, Deb, you  
3 know, I think the auditor is probably wondering  
4 what's going on because they know that they are  
5 going to have to make changes.

6 MS. PORTER: So this will be -- excuse  
7 me -- this legislation will be or has been drawn  
8 and will be presented to this body on the 24th?

9 MR. GRIGGS: Well, I think you need to  
10 direct your solicitor.

11 MR. ROSE: No. And the other issue is  
12 we have to do the 10-day notification to the  
13 Township.

14 DR. MOCKUS: To vote or to draw up  
15 legislation?

16 MR. ROSE: No, no, no. Sending  
17 notification to the Township, making them aware of  
18 the fact that we will be voting on or reading the  
19 legislation. So that would have to have been done,  
20 if we were doing a first reading, that would have  
21 been needed to have been done last Friday.

22 MAYOR LAYTON: So we notify them now,  
23 and then when's the first reading?

24 MR. ROSE: If you were to notify now --  
25 because it's at least a 10-day notice. But it



1 would be theoretically not the next Council  
2 meeting, but the Council meeting thereafter.

3 MR. GRIGGS: The 14th, I think, is what  
4 it was.

5 MR. WOLF: We can't have a first  
6 reading until they get the 10-day notice?

7 MR. ROSE: Yes.

8 MAYOR LAYTON: Do we need to have a  
9 motion to do the 10-day notice or can we just do  
10 it? Can I direct it.

11 MR. ROSE: I think, you can direct us  
12 to do the 10-day notice.

13 MS. PORTER: -- or at this meeting.

14 MS. FURBEE: So we would direct to draw  
15 the legislation and then direct to give the 10-day  
16 notice.

17 MS. PORTER: Because this is not a  
18 Council meeting.

19 MR. GRIGGS: Yeah.

20 MAYOR LAYTON: We can take the action  
21 at the Council meeting the 24th and direct you to  
22 do the 10-day notice and draw the legislation,  
23 right?

24 MR. GRIGGS: Correct.

25 MR. ROSE: Yes.

1                   MAYOR LAYTON: So that's what we got to  
2 do.

3                   MR. GRIGGS: Yep.

4                   DR. MOCKUS: So the net effect, if this  
5 plays out, you do a first reading at the beginning  
6 of September. We're doing a second reading in  
7 September. We're doing a third reading the first  
8 meeting of October and passing, then there is no  
9 way they're getting these issues off of the Hebron  
10 ballot.

11                   MS. STONER: I thought he said to  
12 consider waiving the readings --

13                   DR. MOCKUS: Oh, okay. Thank you.

14                   MR. GRIGGS: Yeah. So Wes and I have  
15 talked about the timing of that and, you know, I  
16 know everybody is different in terms of philosophy  
17 and whether they like or don't like to waive  
18 readings as a general practice, but I would -- if  
19 you're going to do it, I'll recommend that you  
20 waive the readings to get it done.

21                   MS. PORTER: What about this --

22                   MAYOR LAYTON: And I have -- this is  
23 off the record.

24                   MS. FURBEE: This is on.

25                   MR. GRIGGS: And that's kind of the

1 unknown. Again, I know, none of my clients ever  
2 like when I say that but that is the unknown is the  
3 Commissioners. Right. I mean, they're the ones  
4 that have the discretion and hopefully they  
5 understand you know, with the legislation and then  
6 you know --

7 MS. PORTER: The urgency.

8 MR. GRIGGS: This body reaching out to  
9 them that there is a reason we are doing what we're  
10 doing.

11 MR. WOLF: That'd be on the 14th of  
12 September.

13 MS. MORGAN: I have a question on that.  
14 If for some reason -- obviously, it seems to be the  
15 consensus that it will pass here, and we send it to  
16 the Commissioners, if they would not vote to --  
17 what is our -- what is the Village's legal right?  
18 Is it just over then and we can't conform?

19 MR. GRIGGS: So the statute is really  
20 weird because it doesn't give you know, with  
21 expedited II when it lands in the Commissioners'  
22 lap, they have a statutory time frame they have to  
23 consider. The statute doesn't provide a mechanism  
24 you know, as to when they have to consider it, you  
25 know. That's kind of the dilemma because the only

1 mechanism I know would be to file a mandamus action  
2 against the Commissioners. But they have the  
3 discretion to -- complete discretion to approve it  
4 so you obviously don't want to sue the people that  
5 have the ultimate discretion.

6 So it's going to be -- and I'll talk to  
7 Wes about this. It's going to be a lot of  
8 coordination that once we get -- once this  
9 legislation is read and gets introduced that we  
10 need to be on it in getting a hold of the  
11 Commissioners and getting the County Prosecutor  
12 involved and making sure we set up a timeline with  
13 them and also to be able to answer any questions  
14 they may have.

15 MAYOR LAYTON: Okay. Any other  
16 questions for Mr. Griggs?

17 MS. MORGAN: I don't have a question,  
18 but I do have -- as far as the reparations that  
19 Attorney Griggs spoke about, I have discussed that  
20 with the County Auditor, and as he mentioned, it is  
21 not something that the auditor will handle. They  
22 don't get in the midst of that. If Union Township  
23 contacts the auditor to find out what's the amount  
24 or at least an estimate of what that is, they will  
25 provide that number to them, but they don't do it

1 automatically. So it will be up to Union Township  
2 to take that step to move towards invoicing us and  
3 going that way.

4 However, I am trying to get what that  
5 number could possibly be because what I would like  
6 to do is make sure that we have that money budgeted  
7 and set aside so that we know ahead of time. Now,  
8 I have yet to get that number, but I believe they  
9 were waiting on seeing what was going to happen  
10 with Southwest Licking.

11 Now that we are -- that is kind of put  
12 to bed, I'm looking to try to get some sort of  
13 estimate number on that. So I just wanted to let  
14 you know once I find out what that possible number  
15 could be. And, again, as I was told by the  
16 Auditor, it's not up to us to inform them to say,  
17 hey, invoice us. It's up to them to move forward  
18 with that. But I do want to be prepared as far as  
19 the numbers.

20 UNKNOWN SPEAKER: (Inaudible).

21 MS. MORGAN: Pardon me?

22 UNKNOWN SPEAKER: (Inaudible).

23 DR. MOCKUS: Based off of what we know,  
24 it sounds to me like Hebron voters, when they go to  
25 the polls in November, they're going to see Union

1 Township items on there even if we expedite  
2 everything.

3 MR. GRIGGS: Probably. That's a --  
4 yeah, I mean, I don't know what the deadline is  
5 when the Board of Elections prints the ballots.

6 MS. PORTER: Yeah, I was thinking along  
7 the same lines.

8 MR. GRIGGS: I think, you're getting  
9 close.

10 MAYOR LAYTON: It might be worth a  
11 call.

12 MR. GRIGGS: Yeah. I don't know from  
13 the Board of Election's standpoint, but yeah, which  
14 again, if there's a possibility we can get it done  
15 prior to them printing the ballots. My  
16 recollection is it's usually some time in, like,  
17 September. And that may not be feasible, but  
18 you're right.

19 DR. MOCKUS: The reason I think that's  
20 (inaudible) is maybe that would also be an  
21 incentive to make a decision, not just at our  
22 level, sooner rather than later for the County.

23 MR. GRIGGS: Yeah.

24 DR. MOCKUS: So that might be --

25 MR. ROSE: The County Commissioners do

1 have weekly meetings.

2 DR. MOCKUS: Yes.

3 MR. ROSE: On Thursdays, I believe.

4 DR. MOCKUS: That's what it used to be.  
5 I don't know if it's changed.

6 MR. GRIGGS: And there's no  
7 advertising. There's no -- I think, the genesis of  
8 the notice provision to the township was there were  
9 some cases in the state where municipalities and  
10 villages and the county were doing this and the  
11 township had no clue what was going on. So they  
12 added that about a year ago.

13 But yeah, no, I mean, the Commissioners  
14 do meet weekly. And, you know, hopefully they  
15 understand the reason why and your residents are  
16 also their residents, right. So I think anytime  
17 you have the opportunity to remove taxes from your  
18 residents, that's a good thing.

19 MS. PORTER: Does anybody remember -- I  
20 seem to think that we talked with Wes at the last  
21 Council meeting about writing -- because we had the  
22 discussion about deadlines and elections and so  
23 forth. Did we instruct our Village Solicitor to  
24 draw the legislation?

25 DR. MOCKUS: On conforming the

1 boundaries?

2 MS. PORTER: Uh-huh.

3 DR. MOCKUS: Apparently, no.

4 MR. GRIGGS: No. I mean, that -- so  
5 what Wes -- what Wes and Jarod have communicated to  
6 me is that at your 24th meeting, he wanted you, the  
7 Council, to direct him to draft the legislation  
8 ready to go on the 14th. That's my understanding.

9 MS. PORTER: Maybe -- because I was  
10 thinking we would see something on the 24th, which,  
11 apparently, I made an error.

12 MR. GRIGGS: I'm pretty sure that it  
13 is -- it's not going to take a real long time. I  
14 think we already kind of have --

15 MAYOR LAYTON: One of the things we've  
16 got to determine tonight is if I can get on my own  
17 to direct him to send the notice to the Township  
18 that we're going to conform our boundaries?

19 MR. GRIGGS: No, I think I would wait  
20 to the 24th.

21 MAYOR LAYTON: Okay. There's enough  
22 time there in between?

23 MR. ROSE: It's 10-day notice. At  
24 minimum a 10-day notice, so even if you directed us  
25 to do it next week, we're looking at well over 10



1 days.

2 MAYOR LAYTON: Okay.

3 MS. PORTER: But I'm like Valerie, I  
4 don't want to see this on our ballot.

5 DR. MOCKUS: If it can be avoided. And  
6 hopefully, the Commissioners have the same position  
7 they had just a few years ago with Buckeye Lake.

8 MS. PORTER: Yes.

9 DR. MOCKUS: Where they were quoted in  
10 the Advocate saying this is really a Village  
11 decision, blah, blah, blah. So that is what I'm  
12 hoping.

13 MS. MORGAN: They have set a precedent  
14 and I'm hoping --

15 MAYOR LAYTON: Well, here's how I  
16 approached it. You know, we're thinking about  
17 conforming our boundaries, what do you think?  
18 Duane Flowers said, well, you know, we did that up  
19 at wherever he's from. But yeah. I think they  
20 went back and took it away or something. They  
21 thought they were losing money on the deal. There  
22 is no financial impact on us at all, is there?

23 MS. MORGAN: I'm sorry, for what?

24 MAYOR LAYTON: To conform our  
25 boundaries.

1 DR. MOCKUS: We have to pay  
2 reparations.

3 MAYOR LAYTON: But that's tax money  
4 we're not getting anyway.

5 MR. WOLF: Right.

6 MS. MORGAN: But it would be the  
7 reparations or whatever that would be and it would  
8 be on a sliding scale starting at the 80 percent  
9 over a 12-year period.

10 MR. WOLF: But that's only going to be  
11 on the 3 mil fire, correct?

12 MAYOR LAYTON: No.

13 DR. MOCKUS: There's inside millage.

14 MR. GRIGGS: Whatever that number is.  
15 Again, I don't know -- I think, Deb's going to get  
16 that number to make sure.

17 MAYOR LAYTON: They get a portion of  
18 our property tax now, right?

19 MR. GRIGGS: Correct.

20 MAYOR LAYTON: And that will go away.

21 MR. GRIGGS: Correct.

22 MAYOR LAYTON: We'll have to give a  
23 percentage of it back.

24 MR. GRIGGS: Correct.

25 DR. MOCKUS: So net, we do not think we

1 are going to be in a worse situation, if anything  
2 an incrementally better situation.

3 MAYOR LAYTON: The only thing it did  
4 for us was allowed us to pay their levies to vote  
5 for their trustees. That's basically all it did  
6 for us, isn't it?

7 MS. MORGAN: I think it's really going  
8 to be -- I think, this whole timing thing for the  
9 residents, yes. But in the end, it's definitely  
10 going to be financially better for the residents.  
11 And it's really not going to impact us, you know,  
12 we're not going to be getting any fire levy money  
13 anymore.

14 MR. GRIGGS: And my understanding  
15 was -- you know, one of the suggestions that I  
16 think I -- I don't know who communicated it to the  
17 Township -- was for them to create a fire district  
18 to exclude the Village so that way just the  
19 residents in the unincorporated area would be  
20 voting on levies and I got -- I think, the message  
21 that was delivered from the prosecutor who  
22 represents the Township was, we're not interested  
23 in that.

24 MR. ROSE: That's what we got.

25 MR. GRIGGS: Yeah. Because again,

1 representing townships, you know, when a village or  
2 municipality comes up with that concern, sometimes  
3 the townships will go ahead and create the  
4 districts to address that issue.

5           MAYOR LAYTON: Well, that would  
6 alleviate the income or the property tax that  
7 wasn't there.

8           MS. MORGAN: I guess, I would say the  
9 residents -- the 3 mil levy currently, from the  
10 auditor, what he said today is they're looking at  
11 putting another 1.5 on and then a 4 for sure, so  
12 yes, it would save that.

13           MAYOR LAYTON: Those were the numbers  
14 that were charged the same. They needed 7 mil to  
15 do the fire. Their valuation is like 300 million  
16 right now.

17                   Anything else for Mr. Griggs? It's  
18 been an extreme pleasure, sir.

19           MR. GRIGGS: Anything else that I'm not  
20 an expert on?

21           MAYOR LAYTON: Wait a minute. We're  
22 going to ask -- Mr. Wolf, do you have anything else  
23 you want to add?

24           MR. WOLF: No, I'm good.

25           MAYOR LAYTON: Ms. Stoner?

1 MS. STONER: No. Thank you very much  
2 for your information.

3 MR. GRIGGS: Yep. Thanks for having  
4 me.

5 MAYOR LAYTON: Dr. Mockus?

6 DR. MOCKUS: Thank you so much. We  
7 appreciate your help.

8 MAYOR LAYTON: Anything else?

9 DR. MOCKUS: No.

10 MAYOR LAYTON: Are you sure?

11 DR. MOCKUS: Did you want me -- I've  
12 got more if you want more. I think we're good.

13 MAYOR LAYTON: Mr. Nauer?

14 MR. NAUER: Nope.

15 MAYOR LAYTON: How is the thing? Is it  
16 doing all right?

17 MR. NAUER: We're getting it.

18 MR. GRIGGS: I have something after --

19 MAYOR LAYTON: Annelle, Ms. Porter?

20 MS. PORTER: No. All set.

21 MAYOR LAYTON: Okay. Let's go home.

22 DR. MOCKUS: I make a motion we  
23 adjourn.

24 MR. WOLF: I'll second.

25 MS. FURBEE: Mr. Wolf?

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MR. WOLF: Yes.  
MS. FURBEE: Ms. Stoner?  
MS. STONER: Yes.  
MS. FURBEE: Dr. Mockus?  
DR. MOCKUS: Yes.  
MS. FURBEE: Mr. Nauer?  
MR. NAUER: Yes.  
MS. FURBEE: Ms. Porter?  
MS. PORTER: Excuse me, yes.

(MOTION APPROVED.)

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(Thereupon, the meeting adjourned at 7:22 p.m.)

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