

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/AUGUST 29, 2007

The regular meeting of the Prairie Township Board of Trustees was called to order by the Chairperson Mr. Kennedy, with Ms. Schlosser, Mr. Stormont and Ms. Montag present. Also attending were: Chief Feustel, Mr. Hatmaker, Ms. Swisher and Mr. McAninch. (See attached list).

Mr. Kennedy led the Pledge of Allegiance.

Mr. Kennedy moved, Mr. Stormont seconded the Board approve the minutes as written for the regular meeting of August 15, 2007. Vote; Aye

Mr. Kennedy opened the public hearing for the Ohio Public Works Commission (OPWC) Project Applications for South Grener and Gladys.

Ms. Heather Bowden of R.D. Zande and Associates presented information on both projects. Heather presented an application for South Grener between Sullivant and Stiles that includes a 30% local contribution and 70% grant funding for SCIP and 30% local contribution and 70% grant funding for LTIP and for the Gladys project between Owen Street and Broad Street that includes a 30% local contribution and 70% grant funding for SCIP and 10% local contribution and 90% grant funding for LTIP. Both projects include road reconstruction, curb and gutter installation, sidewalk installation. Ms. Bowden requested the Boards approval to submit applications for OPWC Round 22 LTIP and SCIP funding for S. Grener Avenue and Gladys Road as presented and to authorize execution of the required application materials.

Mr. Jamie Mueller asked about private utility taps and how they will handle. Ms. Bowden responded there is money worked into the grant for those issues.

Mr. Kennedy moved, Ms. Schlosser seconded to submit applications for OPWC Round 22 LTIP and SCIP funding for S. Grener Avenue and Gladys Road as presented and to authorize execution of the required application materials. Vote; Aye.

Mr. Kennedy closed the public hearing for the Ohio Public Works Commission (OPWC) Project Applications for South Grener and Gladys at 7:07 p.m.

Deputy Plumb reported to the Board an increase in accidents and domestic violence situations. They have an ongoing problem with four wheelers and motorcycles on Hubbard Road. If you own them and there is a private field you are not allowed to ride in that field. It is trespassing and criminal damaging. They have had a lot of drug activity on Hilton Avenue. They have impounded cocaine and Uzis. They continue to stop suspicious people in that area. There was an article printed in the newspaper a resident on Emmitt Avenue thanked the Sheriff's Department for the job they have been doing in the area. Crime has dropped in that area considerably.

Mr. Neil Distlehorst asked if the four wheelers are permitted on the county roads and ditches. Deputy Plumb responded the four wheelers and motorcycles are not licensed and therefore not allowed on the roads or ditches.

The Fiscal Officer presented the following items:

Mr. Kennedy moved, Mr. Stormont seconded the Board approve the following supplemental appropriations. Vote; Aye.

\$7,500.00 from 1000-110-315-0000 to 1000-110-314-0000.

\$100.00 from 1000-110-599-0000 to 1000-110-214-0000.

\$1,200.00 from 1000-110-599-0000 to 1000-110-420-0000.

\$1,200.00 from 1000-110-599-0000 to 1000-120-360-0000.

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE                      REGULAR MEETING/AUGUST 29, 2007

1. Ms. Montag requested the Board to adopt RESOLUTION 13-07 IN THE MATTER OF LIGHTING THE UNINCORPORATED AREA KNOWN AS COLUMBIA HEIGHTS SUBDIVISION IN PRAIRIE TOWNSHIP, FRANKLIN COUNTY OHIO, for a one year assessment of \$7,856.27.

Mr. Kennedy moved, Ms. Schlosser seconded the Board to adopt RESOLUTION 13-07 IN THE MATTER OF LIGHTING THE UNINCORPORATED AREA KNOWN AS COLUMBIA HEIGHTS SUBDIVISION IN PRAIRIE TOWNSHIP, FRANKLIN COUNTY OHIO, for a one year assessment of \$7,856.27. A roll call resulted as follows: Mr. Stormont; Aye, Ms. Schlosser; Aye, Mr. Kennedy; Aye.

2. Ms. Montag requested the Board to adopt RESOLUTION 14-07 IN THE MATTER OF LIGHTING THE UNINCORPORATED DISTRICT OF GARDEN HEIGHTS SUBDIVISION, IN PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO, for a one year assessment of \$3,558.10.

Mr. Kennedy moved, Mr. Stormont seconded the Board to adopt RESOLUTION 14-07 IN THE MATTER OF LIGHTING THE UNINCORPORATED DISTRICT OF GARDEN HEIGHTS SUBDIVISION, IN PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO, for a one year assessment of \$3,558.10. A roll call resulted as follows: Mr. Stormont; Aye, Ms. Schlosser; Aye, Mr. Kennedy; Aye.

Ms. Montag stated per Mr. Kennedy's request at the August 15, 2007 regular Trustee's meeting and handed the Board a copy of the email sent to them January 23, 2006 and a copy of the letter placed in their mailboxes on March 2, 2007 of missing documents. Ms. Montag also added to the list, the letter from the Franklin County Engineers Office, the letter from Franklin County Development Department and the letter from Franklin County Soil and Water regarding the Tamara Road Construction project. Mr. Stormont asked how long these documents have been missing. Ms. Montag responded she discovered them January of last year. Ms. Schlosser clarified in the email a few warrant lists or the entire warrant lists. Ms. Montag responded the entire binder. Ms. Schlosser clarified in the letter Clerk's personal phonebook, business card binder and the UAN manual are missing as of February 19, 2007. Ms. Montag responded she notified the Sheriff's Department to make a report and the Sheriff's Department said to notify the Board of Trustees. Mr. Kennedy asked if they took the report. Ms. Montag responded they did not, they instructed her to notify the Board which she did in the letter dated March 2, 2007. Mr. Kennedy stated his take on this is 1. He asked for the list at the last meeting. Is there any reason you waiting until an open public meeting to bring the list back? Ms. Montag responded she wanted it documented. Ms. Montag stated she has sent two letters and nothing has been done as of yet wants it part of the official record. Mr. Kennedy asked who is ultimately in charge of the records and documents. Ms. Montag responded she is and she has an issue and she has a problem with records and documents being tampered with. Mr. Kennedy stated his take on this, back at that time frame the office was in disarray with an assistant leaving and a new one coming in. And it is very much likely that the documents are misplaced. Mr. Kennedy asked about a set of minutes that was not done in April 15, 2005 and he had a meeting with me on the 8th of August to discuss these minutes and told me he expected me to produce the minutes and what are my plans to produce those minutes. Are you going to do it or you not going to do it. Ms. Montag responded it was a special meeting and she was not at that meeting. Mr. Kennedy you produced the minutes for all the other special meetings what's different about this one. Mr. Kennedy stated she is statutorily required to produce the minutes. Ms. Montag stated it is hard to produce something when she was not there. Ms. Montag stated she relies on the Clerk Pro Tem, whoever the Board appoints at the meeting to give her the notes for the meeting. Mr. Kennedy stated this is the same time these missing documents and back at this time when the minutes were way behind. And again it's just as much likely the notes from that meeting got misplaced than they didn't get handed to you. My question here tonight there is an official township records that is not there for that meeting. So there is no documentation that meeting took place. There is a set of minutes that are missing do

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/AUGUST 29, 2007

you have any plans on reproducing those minutes. Mr. Kennedy you have a statutory requirement to do these minutes. Ms. Montag responded she would be glad to get with Tracy Hatmaker to try and locate the notes since she did not attend the meeting. Ms. Montag stated Mr. Kennedy knew a lot about this meeting. Mr. Kennedy stated Ms. Montag is making allegations of missing documents that Ms. Montag is ultimately responsible for that have come up missing and they just as easily could have been misplaced by her office as she is making allegations that someone stole them. He doesn't know if that is the case, he has not seen proof of anything. He doesn't know anything about this. He thinks most likely circumstances the information was misplaced. But on the other minutes that is the only place that we have of recording that meeting ever happened is in the minute book. Ms. Montag said who was at that meeting Steve. Mr. Kennedy you know that meeting happened before I was on the board. You seemed to have produced the other minutes from the 10 or 12 other meetings at that time frame you didn't attend why is this meeting any different. Ms. Montag I can't answer that. I was not at the meeting.

Ms. Schlosser asked if the warrant lists can be reproduced. Ms. Montag responded yes. Ms. Schlosser stated they are not in essence missing they just need to be made a duplicate. Ms. Schlosser asked if they are truly missing or just reproducing them and documenting the file. Ms. Montag responded if you are reproducing them it would make them missing. Ms. Schlosser asked are they missing and gone forever or are they just need reproduced. Ms. Schlosser asked in the letter the personal phonebook, business card notebook and the UAN manual. It appears the first two are not official documents. Ms. Montag asked if everything in the township hall is official other than personal photos. Ms. Schlosser asked how do you differentiate your personal phonebook to that. Ms. Montag stated Margarite Chestnut started that phonebook during her tenure as Clerk and passed it down, and had years of state and government agencies contacts. Ms. Schlosser's goal is to ensure the documentation for Prairie Township is complete to the best of their ability. Are these particular items of an official nature that they need to be concerned on how they document the file that they are in fact missing. The Clerk's personal phonebook, business card notebook and the UAN manual are these things that they need to be concerned with that are missing that they need to find or document the file that something has occurred or reproduce. Ms. Schlosser asked if they needed to document the file that the UAN manual is missing. Ms. Montag asked if Ms. Schlosser knows how to operate the UAN system. Ms. Schlosser stated she is concerned that the letters are missing and needs to find out where those are. Her question is are they, like the minutes where they need to make sure everything is documented affectively, is that something that they need to be highly concerned with. Now missing documents we need to be highly concerned with. She is just trying to understand whether or not these are things that are official documents that they need to document the file as to what happened. Ms. Montag responded it is not up to her to decide that. When were the letters dated? Before this board? Mr. Kennedy stated the UAN manual can be downloaded. Ms. Schlosser asked what action are you requesting from us. Ms. Montag responded she is doing what she was instructed to do when she tried to file a report from the Sheriff's Department and they would not take the report and instructed her to notify the Board of Trustees. Mr. Stormont when you gave us this letter it was put in our mailbox? Ms. Montag correct. Mr. Stormont did you guys receive this because I didn't. I never seen this letter. Ms. Schlosser I didn't receive it. Mr. Kennedy I didn't receive it either. Ms. Schlosser one official doc that we definitely know is missing is the minutes. And you said you were going to get with Tracy to get that done. Ms. Montag if we can find the notes and document the meeting I will get it taken care of. Ms. Schlosser asked if there was anything else that was missing. Ms. Montag responded that is all she is aware of to date. What was the date of the special meeting? Mr. Kennedy April 19, 2005.

After the Trustees reviewed the pending warrant list, Mr. Kennedy moved, Mr. Stormont seconded the Board approve the payment of the ADP payroll in the amount of \$102,977.89 and approve payment of the following bills. Vote; Aye. (See pending warrant list).

## PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/AUGUST 29, 2007

Mr. Will Davis asked about the walk path in Carl Frye Park. Mr. McAninch responded it will be done after Labor Day.

Mr. Kennedy updated the resident's on the West Broad Street Corridor. They are looking for enhancements in the Corridor. The Corridor is from 270 to Rome-Hilliard Road on Broad Street. The Township has high hopes to enter into an JEDD agreement with the City of Columbus and the area businesses to open new opportunities and to lay out a bright future not only for Prairie Township resident's but the whole Westland area. This Board believes that we owe it to our residents not only to maintain but to build upon the high quality of life that Prairie Township residents have always expected. Part of this agreement addresses enhanced law enforcement, maintenance, and housekeeping of the general corridor area that they are not allowed to address as a Township today. It will actually have money to fund maintenance, address graffiti issues in the corridor. The agreement will also address the right-of-way issues, safety issues and beautification of the corridor putting streetlights, sidewalks, tree lines along the corridor to make the corridor in the same par as Mill Run, Polaris it will have a similar look. The JEDD will also has a tool that is the CIC which is a tool for redeveloping unused and vacant areas and turn them into new development opportunities to help create new businesses and jobs. It will also provide funding for Prairie Township can be a vested partner with Columbus in providing a first rate community and recreation center to serve the residents of all ages.

The JEDD agreement is a way to redirect the 2% income tax that municipalities are allowed to collect and townships are not allowed to collect. It will take that money and focus it back to the corridor area. This is not a new tax, it is a tax that most of the people that work in the corridor today pay, but the money is taken by the municipalities and used for their own business. This is just a way through this agreement that is through Prairie Township, City of Columbus and the business owners they all have to enter this agreement and it is a way, Columbus will collect the income tax and funnel the money back into the area. Right now the money that is being collecting is to the Grove City's, Hilliard's, Columbus and is doing little if any benefit to the corridor area. By entering this JEDD agreement it will refocus that money back to where it can be used in the corridor to make these improvements where everybody will see them. The prairie township residents as a whole have paid property taxes for years to put the infrastructure that is here today. The night time residents have already paid property taxes that do a lot of these things, they provide police protection we have today, the fire protection, the roads this is a way to get our daytime residents that work in the Township to help pay for some of the improvements and this all being done without any increase to property tax.

A resident asked if this will help the Town Center. Mr. Kennedy responded hopefully it will be a positive, the area between 270 and Rome-Hilliard Road is the starting are. It has to start somewhere, with hope it will continue westward and at some point continue to the Town Center. It will take years and years to accomplish.

Mr. Kennedy stated that Doctors Hospital is the largest employer in Prairie Township and the best guess is approximately 50%-60% of the employees are paying the tax. There is some proportion of the rest are people that are working area that live in another unincorporated area like Brown Township, Pleasant Township and other Townships they will make up the other 30% of people. Those people will be the ones to get hit with the 2% income tax. And there is a small percentage of Prairie Township residents that about 70 residents will start paying this tax that have not paid it before.

Mr. John Clark stated that not only are the residents paying property taxes but now some will be paying twice. This Board ran on not raising taxes and not going to be anymore taxes and previous boards wasted thousands of dollars. And if an income tax was going to be imposed over one percent that the Board would put it on the

## PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/AUGUST 29, 2007

ballot to let the people vote on it. What happened to that promise? Ms. Schlosser stated it is only affecting the Corridor. Mr. Clark stated his wife works at the hospital and lives in the township and will be hit twice with taxes. Mr. Kennedy stated this Board fully understands where this Board has been on the tax issue. Mr. Kennedy stated this is a funding source that affects less than 1% of the population. Mr. Clark stated 1% or 101% percent, it doesn't matter. Mr. Kennedy you ran on the platform of no increased taxes. Mr. Kennedy did agree that he made that statement, but you're talking about a 2% tax that Prairie Township residents that over 99% are not going to pay. So we as a Board, I can't take my own personal beliefs, I have to take what is good for the community. We have a way of redirecting these taxes so Prairie Township can get up to 2 million dollars a year for 50 years to fund these types of projects that everybody has been telling the Board they want to do. We have to make a decision as a Board is this the right direction that Prairie Township wants to go in or do we want to stay as a township and be like Pleasant Township or Brown Township that can only provide the services that are statutorily required in the Ohio Revised Code. Mr. Kennedy believes this Township has a better future than that. He believes we use the Corridor to enhance the Corridor so we don't have businesses leaving the Corridor. We enhance it so the businesses want to come and start paying higher tax dollars. It is a petition process and the businesses have to sign off on it too. Ms. Schlosser stated that money will be funneled back into the Corridor to beautify the Corridor and make it a place where businesses want to come and set up shop. When people come down the Corridor they are not seeing it as a main street.

Mr. Kennedy stated Columbus if all for this agreement too. Columbus residents are going to benefit from the Corridor improvement also. It makes total 100 percent sense to redirect. We can continue to be a Township and not offer any additional services. We have sit up here for years and heard that we want mechanisms to enhance the business property along Broad Street to make it something we can be proud of. We anticipate that most of the negative arguments for this JEDD proposal are going to come from the less than one percent of the people that are going to have to pay the taxes. Mr. Clark stated regardless if it is 1% or 101% you said going in that we are not going to do this were not going to impose any new taxes. Mr. Kennedy stated my own personal opinion is I don't like any new tax, but sitting up here on the Board where I represent the major of the people it is going to be hard pressed for you to convince me that this is not going to benefit the community as a whole. Mr. Clark stated it is not coming out of his pocket. We have sit up here for years and listened to people want this. We have listened to the people they want a swimming pool in the area, we have listened to people say they want a community center. This provides funding for that. It is their goal that the community center will be a joint operation with the City of Columbus where Prairie Township residents where the user fees won't be any higher than what the Columbus residents are. Where you walk through the door and see the Columbus seal you will also see the Prairie Township seal. These are all things that residents have asked for and this is a funding source that will provide that. Mr. Clark stated there are other ways to fund this, there are grants, assess the property owners that own the property along the corridor. Mr. Kennedy stated this is a win agreement for the residents of Prairie Township.

Mr. Jim Morrison stated there could be a grandfather clause in the agreement to help the residents. Mr. Kennedy stated there could be loop holes like that in the agreement it is to early in the process that might be something to look at.

Mr. Dan McCardle stated in other communities they give a tax credit for where you live and work that is a possibility.

Mr. Kennedy stated what he thinks the most exciting thing of this is the City of Columbus has agreed to take their share of the money that they are getting now and redirect to back to the corridor.

Mr. Jamie Mueller asked if Columbus would provide additional police coverage in

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE

REGULAR MEETING/AUGUST 29, 2007

the Corridor. Mr. Hatmaker stated there would be additional funding for the Franklin County Sheriff's Department.

Ms. Dianne Bradford asked if Columbus would annex if they agreed to the JEDD agreement. Mr. Kennedy responded that has nothing to do with the JEDD agreement. Columbus will collect the income tax, they will get 3% off the top for administration fees, then they get 12-1/2% and the Township will get 12-1/2% and the rest will be funneled back into the Corridor area.

Ms. Pam Williams stated we have lost thousands and thousands of dollars because Doctors Hospital has taken a lot of land and they do not pay property taxes.

Mr. Chuck Stalter stated the only kind of business this would attract is discount stores and we do not need anymore discount stores. If you enhance Broad Street are you going to enhance and enforce zoning regulations because the rest of our Township is looking bad.

Mr. Tracy Hatmaker, Administrator, addressed the Board with the following Administrative matters:

1. Mr. Hatmaker requested the Prairie Township Board of Trustees find the conditions at 428 Celina Blvd. to be a nuisance and that the Board hereby directs staff to abate said nuisance at the expense of the property owner on or after August 31, 2007.

Mr. Kennedy moved, Ms. Schlosser seconded the Prairie Township Board of Trustees find the conditions at 428 Celina Blvd. to be a nuisance and that the Board hereby directs staff to abate said nuisance at the expense of the property owner on or after August 31, 2007. Vote; Aye.

Ms. Christine Hall, 139 Postle Blvd., stated she did received the posted notice on her door on August 9th, she received a similar notice last year and there is one particular area by her garage that get overgrown with weeds this time of year. She cleaned out of the back garden every weed and thistle before she went out of state. Her daughter came home the following week and cleaned out the garden that had the raspberry, blueberry and blackberry bushes in it. On August 17th someone came out and mowed every perennial that she had in her back yard \$1,300.00 worth of perennials. They also cut everything that was in flower pots. The rose bushes will not come back. What she is asking of the Board is to not charge her for the mowing in lieu of the cost of the perennials and she does not think she should have to pay the \$420.00 when \$1,300.00 of perennials and bushes were cut down.

Mr. Kennedy asked if she knew how the process works. Ms. Hall responded she did not get the letter before she went out of town. Last year she cleaned out the area and nothing happened and she thought the same process would happen. Ms. Schlosser stated the office received a complaint about noxious weeds, the trustees drive by the properties before the meetings and before they declare the properties a nuisance. Mr. Kennedy stated there was a complaint called in; the Boards thought process is if the property has the potential to harbor rats and mosquitoes to declare it a nuisance. He drove by the property before the meeting and the area that convinced him was the area between the garage and the wood fence. Ms. Hall stated there were a lot of roses and day lilies in that area. Mr. Kennedy stated the property still looked like the picture that was taken. Mr. Kennedy stated she had a unique house and he could not distinguish what were flowers and what were weeds. Ms. Schlosser stated her house is very unique and how she has her garden arranged. Ms. Schlosser stated she might want to explain to her neighbors her garden. Ms. Schlosser stated she is asking the Board to not assess her for what the Board considered at the time to be a nuisance that could harbor rats and mosquitoes if they do that as a Board what is their assurance that the property will not come up as a nuisance again. Ms. Hall stated if they were weeds and tall grasses she would not have an issue with it. She does have an issue

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE            REGULAR MEETING/AUGUST 29, 2007

with mowing columbine, asters, coral belles, clematis, day lilies, and poppies. Ms. Schlosser stated when they grow to a height over a privacy fence is that when you need to cut them back, can you see why they could be mistaken as weeds. Ms. Schlosser asked what assurance does the Board have that you will not be a nuisance again. Ms. Hall responded the roses will not grow back and she has no intention of replacing them. She will replace a few things but nothing in the back garden that got mowed. Mr. Kennedy responded the Board is not allowed to spend money on private property and not get reimbursed for it.

2. Mr. Hatmaker requested the Board approve and execute the Return and Statement to County Commissions / Cutting and Destroying High Grass and/or Weeds in order to pursue reimbursement for costs associated with the abatement of grass and weed nuisance cases during the period July 31, 2006 to July 23, 2007 for \$11,130.00.

Mr. Kennedy moved, Mr. Stormont seconded the Board approve and execute the Return and Statement to County Commissions / Cutting and Destroying High Grass and/or Weeds in order to pursue reimbursement for costs associated with the abatement of grass and weed nuisance cases during the period July 31, 2006 to July 23, 2007 for \$11,130.00. Vote; Aye.

3. Mr. Hatmaker requested the Board approve and execute the Return and Statement to County Commissioners / Removal of Trash and Debris in order to pursue reimbursement for cost associated with the abatement of trash and debris nuisance cases during the period of September 5, 2006 to July 18, 2007 for \$12,318.04.

Mr. Kennedy moved, Ms. Schlosser seconded the Board approve and execute the Return and Statement to County Commissioners / Removal of Trash and Debris in order to pursue reimbursement for cost associated with the abatement of trash and debris nuisance cases during the period of September 5, 2006 to July 18, 2007 for \$12,318.04. Vote; Aye.

4. Mr. Hatmaker requested the Board forward a request to the Franklin County Budget Commission requesting approval to create Fund 2413 for 2007 Sidewalk Assessment Fund, to appropriate \$22,775.77 in that fund. And further request that the Board authorize the advancement of \$22,775.77 from the general fund to the sidewalk fund.

Mr. Kennedy moved, Mr. Stormont seconded the Board forward a request to the Franklin County Budget Commission requesting approval to create Fund 2413 for 2007 Sidewalk Assessment Fund, to appropriate \$22,775.77 in that fund. Vote; Aye.

Mr. Kennedy moved, Ms. Schlosser seconded the Board authorize the advancement of \$22,775.77 from the general fund to the sidewalk fund and advance back to the general fund as it becomes available. Vote; Aye.

5. Mr. Hatmaker stated the Franklin County Economic Development and Planning Department has notified the Township that under ORC Section 713.22(B)(1) Prairie Township shall make recommendations for the appointment of one member to the Franklin County Planning Commission.

Mr. Kennedy moved, Mr. Stormont seconded that the Board recommend Ms. Schlosser to the Franklin County board of Commissioners for appointment to the Franklin County Planning Commission. Vote; Aye.

Mr. Kennedy moved, Mr. Stormont seconded the Board recommend Mr. Hatmaker to the Franklin County Board of Commissioners for appoint as Ms. Schlosser's alternate

PRAIRIE TOWNSHIP BOARD OF TRUSTEES

23 MAPLE DRIVE            REGULAR MEETING/AUGUST 29, 2007

on the Franklin County Planning Commission.

Old Business:

Mr. Neil Distlehorst asked about the lighting districts. Mr. Kennedy responded he has spoke with AEP they have one more resident in the first phase of Young Estates and it will be completed. They are starting on the right-of-ways in WestPoint, they are receiving some rejection and having to alternate locations for the lights. It is slowly moving forward.

New Business:

Public Comment:

Announcements:

Ms. Lani Cunningham announced on September 11th & 13th the Sheriff's Department is presenting "Street Smart" at the Senior Center from 6:00 p.m. to 8:00 p.m.

There being no further business to come before the Board, the meeting was adjourned at 8:35 p.m.

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Chairperson

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Fiscal Officer