

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held _____ 20 _____

~~The Etna Township Board of Trustees met on March 15, 2005 in the Etna Township Hall to hold a regular meeting. The meeting was called to order at 7:00 p.m. by President Burkholder and the pledge of allegiance was recited.~~

Roll call showed Mrs. Siddens, President Burkholder and the clerk present. Mr. George was absent.

ADOPTION OF THE AGENDA

President Burkholder moved to adopt the agenda. Siddens seconded.

Mrs. Siddens moved to amend the agenda to add item S - 5K race under new business.

Burkholder seconded.

Roll Call on amendment: Siddens, yes; Burkholder, yes

Roll Call: Siddens, yes; Burkholder, yes

ADOPTION OF THE MINUTES

President Burkholder moved to table the March 1, 2005 meeting minutes. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

PUBLIC COMMENTS

Jim Wyrick - seasonal employee

Resolution 05-03-15-01: Mrs. Siddens moved to re-hire Jim Wyrick as a seasonal employee for 2005, to begin April 3, 2005 at a rate of \$10.50/hr. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes

Tom Dixon, 8467 Hazelton-Etna Road, spoke about the wet spots in the Cameron Chase subdivision and the storm sewer that abuts his property.

Jim Van Dyne, 7173 Refugee Road, requested the trustees refund Mr. Joe Olson's \$400 rezoning application fee; the township erred and Mr. Olson needs to go through the rezoning process again.

BID OPENING AT 7:15 P.M.

The clerk opened the two sealed bids received for the 1994 Ford F700 truck.

1) Mr. Alfred M. Gaudino, Dansco Sales, 115 Cycle Road, Freedom, PA 15042 for \$1,060.

2) Harold J. Ramey, 4730-C Middletowne Street, Columbus, OH 43214 for \$1,289.

Resolution 05-03-15-02: Mrs. Siddens moved to reject both bids for the 1994 Ford F700 truck. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes

PUBLIC COMMENTS continued

Neil Ingle, 71 Trail East, spoke about the hauling of dirt from the Cumberland Trail Condo's at Refugee and Columbia Road resulting in dirt and mud on the roads.

Jim Van Dyne said he will inform a township in the Zanesville area about the truck and also suggested e-mailing townships about the sale of the truck.

CORRESPONDENCE

- Licking County Board of Commissioner - Resolution 47-224 concerning expedited II annexation petition for 29.558+/- acres on Taylor Road north of Route 40 into the City of Reynoldsburg.
- Licking County Planning Commission (LCPC)- application 2005-05-SDT regarding Etna Corporate Park East.
- Licking County Board of Commissioner - Resolution 47-221 regarding vacating alley in Etna
- Licking County Board of Commissioner - Resolution 47-193 regarding approval of re-plat of lot for Diana Evans at 14413 Palmer Road.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

- Licking County Health Department - meeting for March 14th
- Licking County Recycling - newsletter
- LCPC - review committee for Screen Machine. Too brands Inc.
- OPERS - notice of rollout of individual statements
- Licking County Health Department - violation at 9875 York Road
- MORPC - newsletter
- Licking County Park District - 2004 annual report

REPORTS

A. Clerk's financial report

The clerk forgot her report but read the individual fund balances.

B. Road report - written report submitted

Mrs. Siddens said if the trustees pass a resolution on load limit reduction and the engineer's office approves it, the signs can be posted on the streets and the sheriff can enforce, weigh and ticket trucks over the limit.

Resolution 05-03-15-03: Mrs. Siddens moved to implement a Load Limit Reduction of 50% for Columbia Road, Imperial Drive, Refugee Road, Palmer Road between Mink Street and Taylor Road and Taylor Road. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-04: Mrs. Siddens moved to initiate and maintain a cooperative agreement between DBI Land Company, LLC and the Etna Township Trustees to use Prince Drive for all construction traffic servicing The Preserve at Royal Oaks. Furthermore to restrict construction traffic from Imperial Drive and Ridgewood Drive; whereas, DBI Land Company, LLC (and or DiYanni Homes) will post and maintain "No Construction Traffic" signs for the duration of development and building and until all lots are completed, homes are finished and all real property is purchased by individual owners. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes

Because of the increasing problem with mud and debris on township roads near construction sites, Mrs. Siddens said the prosecutor's office could notify the violators by written letter of the requirements and restrictions. If violations continue, an injunction could be sought and further violations would result in contempt charges and fines.

Resolution 05-03-15-05: President Burkholder moved to request the Licking County Prosecutor's Office send letters to all parties (developers, builders and contractors) concerning mud and debris on Etna Township roads. Whereas each contact person for each development will be required to notify all contractors, subcontractors and their agents of the same. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

President Burkholder requested that Mrs. Siddens distribute the legal opinion to all trustees.

Resolution 05-03-15-06: President Burkholder moved to purchase up to 300 tons of salt from Cargill as needed. Purchase is to be made by Burkholder. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-07: President Burkholder moved to approve the purchase of fluids and sprayer from Rhomar not to exceed \$1,000. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-08: President Burkholder moved to purchase oil and hydraulic fluid from Midland Co-op not to exceed \$350. Siddens seconded.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-09: President Burkholder moved to approve the expenditure for the annual inspection and maintenance of the fire extinguishers with Ohio Fire Safety not to exceed \$600. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

President Burkholder said Mr. George requested that Burkholder assume the responsibilities of road supervisor in his (George) absence. Burkholder thanked Mrs. Siddens for the work she did but said he requested a specific list of materials needed, which he did not receive from Mr. Waller. There was discussion on Burkholder assuming the duties of the road trustee without board action and the responsibilities of both trustees in Mr. George's absence.

There was discussion on the purchase of additional culverts and catch basins from ADT. President Burkholder moved to table this item. There was no second to the motion.

Mrs. Siddens moved to purchase the necessary purchases for culverts, catch basins and grates for 2005 road right-of-way work and garage tile work not to exceed \$3,800. There was no second to the motion.

Resolution 05-03-15-10: President Burkholder moved to purchase oxygen and acetylene from Prax-Air not to exceed \$250. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-11: President Burkholder moved to purchase road signs as stated in the road report and red and yellow 36" x 36" "STOP AHEAD" signs from Kleem not to exceed \$1200. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

For the record, President Burkholder said that trustees will make all purchases.

Resolution 05-03-15-12: President Burkholder moved to purchase cold patch from Shelly Materials not to exceed \$500. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

Resolution 05-03-15-13: Mrs. Siddens moved to purchase orange, red and black equipment paint from Pataskala Hardware not to exceed \$250. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

Mrs. Siddens said there were only 15 days left to purchase the John Deere tractor at the quoted price.

Mrs. Siddens moved to purchase a 6420 John Deere tractor from JD Equipment for \$55,534.75 from the State Op Program. There was no second to the motion. President Burkholder said he wanted Mr. George to be present to vote.

D. Zoning report

Mr. Maynard discussed a new rezoning request application form and the requirement for a non owner to rezone property. President Burkholder requested that Mr. Maynard forward the form to the zoning commission and the Licking County Prosecutor for comments and suggestions. Permits were obtained by the McDonald Corporation. There was discussion on the Buckeye Mulch zoning violation turned over to the prosecutor. Mrs. Siddens suggested that the prosecutor's office be notified that it appears the business is going to open for the season.

At 8:40 p.m., President Burkholder moved for a ten minute recess. Siddens seconded. The vote in favor was unanimous.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

OLD BUSINESS

A. Cameron Chase subdivision final plat and subdivision deficiencies.

Correspondence from DLZ Engineering and Tim Hall, attorney for M/I Homes was received, along with correspondence from Loveland and Brossius on the green space.

B. Cumberland Chase condos

Problem with mud on road and part of Refugee Road is under the City of Pataskala's jurisdiction.

C. Cumberland Trail legal update

Information is forth coming.

D. Longwood Crossing, prosecutor's opinion

The opinion is that LCPC has the jurisdiction to deal with curb cuts and access. President Burkholder notified Ms. Klema, attorney for the developer that the access road issue should come before the township zoning commission.

E. Part-time Zoning Inspector Job Description & training (draft)

No action taken.

F. Motion to approve Dallas Maynard's accumulated comp time

President Burkholder moved to table Dallas Maynard's accumulated comp time. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

G. Location of severe weather siren

Discussion, no action taken.

H. Memorandum for a copy of the Ohio Attorney General letter to Rachael Siddens

Mrs. Siddens said she placed the unopened letter into President Burkholder's mail box the following day. President Burkholder said the letter was not in his mail box.

NEW BUSINESS

A. Resolution on competitive bidding

No action taken

B. Letter to Steve Ferris from Licking County Soil and Water regarding Watkins Grove

Mr. Ferris was not in attendance and this item remains on the agenda

C. Maronda Homes re-plat in Brandy Mills

Mr. Maynard reported that he signed the revised plat of lots 13 through 17 for Brandy Mills for recording.

D. Letter from Licking County Prosecutor's Office regarding JEDZ

The prosecutor is preparing the ballot language, investigating if the incorporated area of the township will vote and if the cost of the election can be underwritten by an outside source.

E. Memorandum regarding South Fork of the Licking River

No action taken

F. Preserve at Royal Oaks

Mrs. Siddens said the developer underestimated the amount of fill needed and Siddens requested the figures to see if the fill was outside the linear parameters. It was reported that 15,000 sq. yds. of dirt or more would be hauled to the site and there is a possibility the site is being used as a holding site for dirt. The county is now supervising.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

G. Set special meeting for permanent appropriations on March 22, 2005

President Burkholder moved to hold a special meeting Monday March 21, 2005 at 7 p.m. for the permanent appropriations. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

H. OTARMA

Resolution 05-03-15-14: President Burkholder moved to send OTARMA an updated statement of value, strike out the Kodiak, add the new truck and computer and submit the inventory to OTARMA for an insurance proposal. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

I. Load limit reduction for Columbia Road, Imperial Drive, Refugee Road, Palmer Road between Mink Street and Taylor Road and Taylor Road

Action already taken

J. Tree in road right-of-way at 38 Nantucket

Mrs. Siddens reported that a hawthorn tree was planted in the road right-of-way next to the mail box and did not know if this was a road or zoning issue.

President Burkholder moved to table this item. There was no second.

K. Resolution to support all construction traffic use Prince Road for Royal Acres development.

No construction traffic on Imperial Drive. (DiYanni will post and maintain signs)

Item already addressed

L. Resolution needed to support Licking County Prosecutor concerning mud and debris on road as discussed in October 2004.

Item already addressed

M. Lynns Road - Elite Indoor Boats and Storage

The road right-of-way permit was not approved; there was no bond or check attached and the road is being damaged. A letter was received from Hanlin Rainaldi Construction regarding assistance in the culvert installation and reimbursement to the township for the township to repair the road damage. Mrs. Siddens said the road needs to be repaired to our specifications at their cost immediately and cease construction until they have an approved permit. The township can set up the elevation and dig the hole but the pipe must be laid by the permit holder.

Resolution 05-03-15-15: President Burkholder moved that Hanlin Rainaldi Construction must immediately repair the road, obtain the proper permit with a bond, and no construction can take place until all requirements are met and for Mrs. Siddens to follow up. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

N. TRC meeting on March 16, 2005 for Screen Machine and Too Brand, Inc.

President Burkholder moved for DLZ to attend the TRC meeting for Screen Machine and Too Brand, Inc. on behalf of the township not to exceed \$1,000. There was no second to the motion.

O. Jeff Kennedy, 10428 Refugee Road, guardrail at Summit Road and Refugee Road

Mr. Kennedy complained about drivers running onto his lawn and requested a guardrail.

Mrs. Siddens said the township does not have the equipment to install and maintain guardrails. The guardrail would be a safety issue and supported a "Stop Ahead" sign instead.

P. Ohio Fire and Safety Company regarding annual fire extinguisher maintenance

Already addressed

Q. Motion to approve purchase of 300 tons of salt from Cargill

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

Already addressed

R. Joseph Olson \$400 fee for zoning amendment

Mrs. Siddens said there were errors made on both sides.

Resolution 05-03-15-16: Mrs. Siddens moved to refund Mr. Olson his original \$400 rezoning application fee. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

S. Closure of Palmer Road for a 5K race

The race is scheduled for Memorial Day weekend. Last year the township road was closed by the Reynoldsburg police. Mrs. Siddens suggested a denial for the road closure.

Resolution 05-03-15-17: President Burkholder moved to send a letter to Vineyard Community Church advising that the township does not have the authority to close Palmer Road for the race. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes

ANNOUNCEMENTS AND TRUSTEES COMMENTS

President Burkholder announced that Lucy George passed away this morning and the flag at the park was lowered to half staff. Mr. George remains hospitalized.

PAYMENT OF BILLS

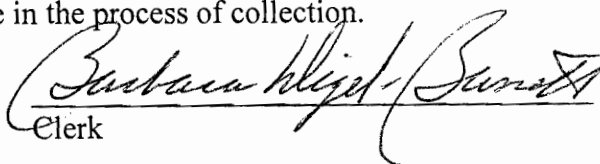
Mrs. Siddens moved to pay the following bills. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes

2213	VW	03/15/2005	AMERICAN ELECTRIC POWER	\$467.22
2214	VW	03/15/2005	SWLCWSD	103.95
2215	VW	03/15/2005	GORDON FLESCH COMPANY, INC.	31.23
2216	VW	03/15/2005	NEWSPAPER NETWORK OF CENTRAL OHIO	77.23
2217	VW	03/15/2005	STEPHEN L. FERRIS	91.91
2218	VW	03/15/2005	LOVELAND & BROSIUS, LLC	52.82
2219	VW	03/15/2005	CARGILL INC - SALT DIVISION	3,423.96
2220	VW	03/15/2005	BAKER AUTOMOTIVE	289.01
2221	VW	03/15/2005	MIDLAND CO-OP, INC.	93.45
2222	VW	03/15/2005	PATASKALA BUILDING & HOME SUPPLY	45.91
2223	VW	03/15/2005	BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP	630.00
2224	VW	03/15/2005	FRALEY COOPER & ASSOCIATES	240.00
2225	VW	03/15/2005	MARONDA HOMES	400.00
2226	VW	03/15/2005	SUNOCO, INC.	61.34
2227	VW	03/15/2005	FRANKLIN PRINTING COMPANY INC	514.87
2228	VW	03/15/2005	GARY BURKHOLDER	2,300.24
2229	PY	03/15/2005	MARK J. SMITH	- MJS 1,009.38
2230	PY	03/15/2005	PHILLIP M. WALLER	- PMW 1,874.91
2231	PY	03/15/2005	STEPHEN L. FERRIS	- SLF 663.90

EFT	Laura Brown	627.94
EFT	Dallas Maynard	855.96
Total		13,855.23

I do hereby certify that the funds for payment of the above obligations were lawfully appropriated and are on hand or are in the process of collection.


 Clerk

PUBLIC COMMENTS

Mr. Waller said he turned in a 5 page report last Friday to President Burkholder and the report may not have been as detailed as Burkholder wanted because Mr. George has contact with all the suppliers. Mr. Waller said he appreciated President Burkholder's help in getting needed materials.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 15, 2005

Held

20

President Burkholder said he did receive a 5 page report from Mr. Waller and apologized for having made the harsh statement. Burkholder said his frustration was in not receiving the weight of the oil in order to place the order.

President Burkholder apologized to Mr. Maynard for the heat for the Buckeye Mulch violation.

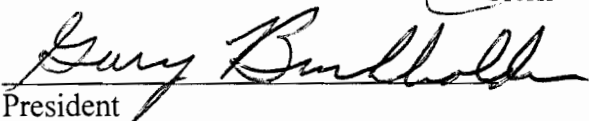
Tom Dixon spoke about the Loveland & Brossius report on the green space in Cameron Chase. Since the green space will not be dedicated to the county or township, utility easements can be used in the green space calculations.

President Burkholder said the county does not have a comprehensive inspection program. The county will not allocate the resources. The charges can be charged back to the developer.

Neil Ingle spoke on the likelihood of Buckeye Mulch opening for business and that zoning violations must be enforced to stop other violators.

At 10:53 p.m., Mrs. Siddens moved to adjourn the meeting. Burkholder seconded. The vote in favor was unanimous.


Clerk


President