

Etna Township Trustees

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 5, 2005 20

The Etna Township Board of Trustees met on July 5, 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, Mr. George, President Burkholder and the clerk present.

ADOPTION OF THE AGENDA

Mr. George moved to adopt the agenda. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

ADOPTION OF THE MINUTES

Mrs. Siddens moved to adopt the June 21, 2005 meeting minutes. George seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Mr. George moved to adopt the June 24, 2005 meeting minutes. Burkholder seconded.

Roll Call: Siddens, abstain; George, yes; Burkholder, yes.

PUBLIC COMMENTS

Ken Jacks, 8028 Palmer Road, said for the record, he left a message on President Burkholder's answering machine asking to be placed on the agenda. Mr. Jacks said his call was not returned. President Burkholder denied receiving a recorded message on his home phone. Mr. Jacks presented to the Board, the former proposed township hall plans showing that the 3024 sq. ft. building would fit on the township lot at Liberty and Pike Street.

Bill Wright, 9889 Hollow Road, said consideration should be given to the former township hall plans with the location on Liberty Street which could not be a more appropriate location.

Kathy Johnston, 254 Trail East, said she retrieves the messages and there was no message left by Mr. Jacks on their home phone.

CORRESPONDENCE

- Licking County Health Department - notification of violation at 80 3rd Avenue.
- Licking County Board of Commissioners - Resolution 48-172 setting time of viewing for vacating a portion of West Street.
- Licking County Engineer's Office - culvert permit for 11193 Palmer Road.
- Bureau of Worker's Compensation - new administrative cost rate.
- Licking County Planning Commission - conditional approval for final plat of Etna Corporate Park East and letter to Scott Hayes on application 2005-014Z regarding rear parcel of 8941 Hazelton-Etna Road from AG to GB.
- Cantwell Machinery Company - invitation to governmental open house.
- Coshocton. Fairfield. Licking, Perry Solid Waste District - Solid Solutions newsletter.
- Licking County Chamber of Commerce - free training seminar.

At 7:15 p.m., Mr. George moved to open the public hearing for the 2006 budget. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

President Burkholder asked for public comment and there was none.

At 7:18 p.m., Mr. George moved to close the public hearing for the 2006 budget. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Resolution 05-07-05-01: Mr. George moved to approve the budget for 2006 and to forward it to the Licking County Auditor. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

RECORD OF PROCEEDINGS

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Etna Township Trustees

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Held July 5, 2005 20

OLD BUSINESS

A. Road Estimates - motion to set date and time to award the 2005 Road Resurfacing Bids Resolution 05-07-05-02: Mr. George moved to award the 2005 Road Resurfacing Bids on July 19, 2005 after reviewing all bids. Burkholder seconded.

Roll Call: Siddens, abstain, point of order; George, yes; Burkholder, yes.

B. Discussion regarding cemetery fees.

Mr. George moved to table this item. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

C. Amend the personnel manual "Annual Review Policy". (tabled)

Mr. George moved to remove this item from the table. There was no second.

D. Recommendation to amend the "Appointment of Zoning Inspector" text in zoning resolution. (tabled)

Item was tabled and remains tabled.

E. Sidewalks on State Route 310

President Burkholder related his conversation with representatives from MORPC and Julie Gwin from ODOT District 5 concerning the installation of sidewalks along SR 310. MORPC recommended asphalt sidewalks beginning at the start of the project and going half way down the park where the project will end. Burkholder said he prefers concrete sidewalks. ODOT feels if the township is not willing to maintain the sidewalks, then they will remove the sidewalks from the plan. Burkholder suggested asking for a legal opinion as to whether the property owners could be held responsible for the sidewalk maintenance.

Mrs. Siddens said the sidewalks are a necessity because of the existing dangerous situation. The property owners can be required to maintain the sidewalks as long as the township follows the proper procedure from the ORC.

Resolution 05-07-05-03: Mr. George moved to send the prosecutor all aspects of having ODOT install the sidewalks on SR 310 and the responsibility for maintenance. Further, if ODOT will not be responsible and the township does not want to assume responsibility, can the township require the homeowners or business owners to maintain the sidewalks. Siddens seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

F. McDonald's Fence Proposal

Resolution 05-07-05-04: President Burkholder moved to include the most recent material along with the original proposal for the McDonald's Fence Proposal to the prosecutor for legal review. Siddens seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

NEW BUSINESS

A. Motion to add new equipment to the insurance policy.

Resolution 05-07-05-05: Mr. George moved to add the following items to the insurance policy.

1) crack sealer purchased from BrewPro for \$27,895. Serial #OJK-125-143, Model #OJK-12580D

2) Steiner mower purchased from Steiner Turf Equipment for \$12,747, Model # 230R (D1105 Kabota diesel engine) Serial #75702650181 and MX460- Rotary Mower 60, flip up Serial #75710020120.

Burkholder seconded.

Discussion: In answer to Mrs. Siddens question, the photos of the new equipment have not yet been placed in the bank lock box.

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Held

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

B. Motion to set procedure and cost when duplicating video or audio tapes for public records request.

There was discussion on the present policy of the township secretary copying video and audio tapes in the township hall. Mrs. Siddens objected saying the secretary is not bonded, questioned who was authenticating the tapes if they would be used in court, and said the clerk is 100% responsible for the custody of the tapes.

President Burkholder said the tapes are being copied in house to keep the costs down and said the trustees should ask the county prosecutor for a legal opinion for the correct procedure.

Resolution 05-07-05-06: President Burkholder moved to refer the question to set procedure and cost when duplicating video or audio tapes for public records request to the county prosecutor for a legal opinion. George seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

C. Dallas Maynard's time off request.

Mr. Maynard is requesting either an unpaid leave of absence or advance vacation pay and time because of unplanned and unexpected events and situations.

Mrs. Siddens said she could not support payment of vacation in advance but could support the 30 days of unpaid leave.

Resolution 05-07-05-07: President Burkholder moved to approve 6 days of advance vacation for Mr. Maynard for July 7, 8, 14, 15, 28, 29. George seconded.

Roll Call: Siddens, no; George, yes; Burkholder, yes.

REPORTS

A. Clerk's financial report

Month of June 2005

	Receipts	Disbursements
General Fund	\$ 15,429.19	\$ 37,493.37
MV License Tax	1,583.66	230.94
Gasoline Tax	11,382.79	8,310.71
Road & Bridge	-	7,147.64
Special Assessments	-	246.20
Misc Capital	88,516.00	88,516.00
Total	\$ 116,911.64	\$ 141,944.86

Funds Total at June 30, 2005 - \$1,228,257.90

B. Road report

Written report submitted.

Resolution 05-07-05-08: Mr. George moved to approve Mark Smith's vacation request for August 15th through August 19th and one vacation day for Mike Waller for July 25th. Siddens seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

President Burkholder had questions about the replacement and maintenance of signs in Cumberland Trails and what the procedure would be. Mrs. Siddens said she understood that Columbia Road Ltd. was to maintain the more expensive wooden signs because they were not the standard metal signs even though the roads were dedicated to the township. Mr. George will contact Tim Lollo about this issue.

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C. Approval road permits.

Resolution 05-07-05-09: Mr. George moved to approve Culvert Permit #06-21-05-04 for Thomas R. Dixon 8467 Hazelton-Etna Road. The township will cut the ditch to elevation and Mr. Dixon will furnish all materials, place culvert in ditch and cover. Burkholder seconded. Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Resolution 05-07-05-10: Mr. George moved to approve Road Right-of-Way Permit #06-21-05-01 for 59 & 37 Aster Court, 80, 111, 267, 306, 439, 497 Laurel Drive, 57 & 59 Daisy, 14 & 50 Iris Court, 106 Carnation and 166, 134, 35, 11 Hawthorn for manhole repairs for SWLCWSD. Burkholder seconded. Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Resolution 05-07-05-11: Mr. George moved to approve Road Right-of-Way Permit #07-05-05-01 for Sprint at 11551 Refugee Road to replace buried service wire. Burkholder seconded. Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Resolution 05-07-05-12: Mr. George moved to approve the following Road Right-of-Way Permits:
1) #07-05-05-02 for Columbia Gas at 116 Reader Court, Lot 205, for new gas tap.
2) #07-05-05-03 for Columbia Gas at 112 Kraner Street, Lot 189, for new gas tap.
3) #07-05-05-04 for Columbia Gas at 109 Reader Court, Lot 199, for new gas tap.
4) #07-05-05-05 for Columbia Gas 104 Kraner Court, Lot 187, for new gas tap.
5) #07-05-05-06 for Columbia Gas at 128 Reader Court, Lot 208, for new gas tap.
6) #07-05-05-07 for Columbia Gas at 162 Cameron Drive, Lot 180, for new gas tap.
Burkholder seconded.
Roll Call: Siddens, yes; George, yes; Burkholder, yes.

C. Water and Sewer District
Written report submitted.

Mr. Lord reported the 2006 budget was approved; bid for \$353,000 was approved for extending water and sewer to the south side of I-70 at Lynns Road, about 50% of \$280,000 cost will be paid by ODOT and 50% by the county. Mr. Frommer has had meetings with Union Township concerning extending services to National Trails Raceway.

I. Economic Development Committee

Neil Ingle reported that Mike Shank Racing will be building in the Etna Corporate Park along with Best Supply who was offered a tax abatement.

Connie Klema (Bernie Caplin)

Mrs. Siddens said that if the trustees are going to entertain a formal discussion to offer anything, the use of land, the deed to land, etc. to the township in lieu of zoning., she would recuse herself. To her knowledge, no application has been made for rezoning the piece of land to be discussed. For the record, Mrs. Siddens recused herself from any and all discussion.

President Burkholder said he would not consider rezoning for a piece of land.

Connie Klema said she would not want to participate in giving land in lieu of zoning. She does not know how to proceed. Her client is developing the larger tract of property on the southeast corner of Mink and Refugee into a small industrial park. He would like to donate approximately 4.5 acres to the township to build a hall on the 32 acre tract on the southwest corner of Mink and Refugee that is currently zoned AG.

ANNOUNCEMENTS AND TRUSTEES COMMENTS

None

Etna Township Trustees

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PAYMENT OF BILLS

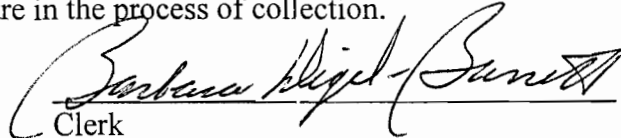
Mrs. Siddens moved to pay the following bills. George seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

2418	VW	07/05/2005	SWLCWSD	\$106.40
2419	VW	07/05/2005	NEXTEL COMMUNICATIONS	41.54
2420	VW	07/05/2005	TREASURER OF STATE	795.00
2421	VW	07/05/2005	MICHAEL L. SMITH L.C. TREASURER	99.52
2422	VW	07/05/2005	GORDON FLESCH COMPANY, INC.	58.01
2423	VW	07/05/2005	SECURITY OPERATIONS SYSTEMS INC	60.00
2424	VW	07/05/2005	DLZ ENGINEERING	435.00
2425	VW	07/05/2005	FRANKLIN PRINTING COMPANY INC	306.00
2426	VW	07/05/2005	BREWPRO INC.	30,650.00
2427	VW	07/05/2005	SHELLY MATERIALS INC.	5,191.15
2428	VW	07/05/2005	DALLAS W. MAYNARD	261.10
2429	VW	07/05/2005	PAUL GEORGE	302.90
2430	VW	07/05/2005	PHILLIP M. WALLER	310.99
2431	VW	07/05/2005	STEPHEN L. FERRIS	57.51
2432	VW	07/05/2005	COLUMBIA GAS CO.	42.74
2433	VW	07/05/2005	MEDICAL MUTUAL OF OHIO	4,287.01
2434	PY	07/05/2005	OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM	3,023.50
2435	PY	07/05/2005	PARK NATIONAL BANK	1,265.09
2436	PY	07/05/2005	TREASURER OF STATE OF OHIO	481.31
2437	PY	07/05/2005	OHIO SCHOOL DISTRICT INCOME TAX	86.76
2438	PY	07/05/2005	GARY L. BURKHOLDER - GLB	735.72
2439	PY	07/05/2005	JAMES W. WYRICK - JWW	468.66
2440	PY	07/05/2005	MARK J. SMITH - MJS	860.22
2441	PY	07/05/2005	PHILLIP M. WALLER - PMW	1,481.66
2442	PY	07/05/2005	PAUL W. GEORGE - PWG	752.81
2443	PY	07/05/2005	STEPHEN L. FERRIS - SLF	607.47
2444	VW	07/05/2005	OHIO DEPT OF JOB AND FAMILY SERVICES	446.71
2445	VW	07/05/2005	POSTMASTER	87.00
2446	VW	07/05/2005	BURDICK EQUIPMENT COMPANY INC.	746.10
E00070		07/06/2005	M. BARBARA DIGEL-BARRETT	\$990.63
E00071		07/06/2005	DALLAS W. MAYNARD	879.17
E00072		07/06/2005	LAURA J. BROWN	759.65
E00073		07/06/2005	RACHAEL D. SIDDENS	752.81

Total is \$57,430.14

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

Mike Waller, 565 Pike Street, asked if the manholes and water valves were included in the road paving bid package. Mr. George said he will check to see if the engineer put those on the estimate. Mr. Waller asked if the roads would be a full width pave or will the contractors decide. Mr. George replied that the contractors will be bidding on the width of each road.

Chuck Bundy, 10254 Tollgate Road, said he attended a meeting in May and spoke about the need for a speed and load limit reduction on Tollgate Road. He wrote a letter to the county commissioners and Marcia Phelps called and said that the county would study the issue. Mr. Bundy inquired about the progress of the journalization of the road and also asked about widening Tollgate Road.

Mr. George said he thought that Mrs. Siddens would request for the study to be done. Mrs. Siddens said that Mr. George took control of contacting the engineer's office and the county commissioners for the request for journalization. Mrs. Siddens said she was not asked, but contacted Mr. Bundy and the school district and brought forth letters and suggested to Mr. Lord to also write a letter.

Mrs. Siddens requested a transcript, from the clerk, of that portion of the tape by the next meeting. Mrs. Siddens said if she was in error, she apologizes now but it was her impression and her notes reflect that Mr. George would handle the journalization process for Tollgate Road.

RECORD OF PROCEEDINGS

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Minutes of

Meeting

Etna Township Trustees

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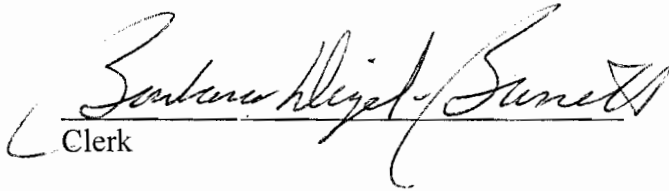
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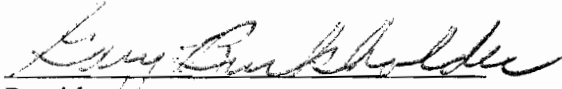
Richard Lord, 11020 Tollgate Road, said he supported Mr. Bundy and asked about moving the trees back on Palmer and Tollgate Road. Mr. George said that two trees were removed and that he is going to meet with the property owner about removing more trees. Mr. Lord registered a complaint about the tall grass at Palmer and Mink Street and was told that Mink Street is a county road.

Jim Van Dyne, 7173 Refugee Road, thanked Connie Klema for the presentation and said he appreciated her client willing to donate land to the township for a new township hall.

President Burkholder said the zoning commission had an informative meeting with Phil Lorian, Director of the Delaware County Planning Commission and Donald Brossius. The township zoning resolution and land use plan needs to be redone.

At 8:45 p.m., Mrs. Siddens moved to adjourn the meeting. George seconded. The vote in favor was unanimous.


Clerk


President