

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

November 29, 2005

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The Etna Township Board of Trustees met on November 29, 2005 in the Etna Township Hall to hold a special 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 Mr. George, President Burkholder and the clerk present. Mrs. Siddens was absent.

ADOPTION OF THE AGENDA

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

Roll Call: George, yes; Burkholder, yes.

PUBLIC HEARINGS

A. Amendment to the Etna Township Zoning Resolution in Section 917-Single Family Residential District (RS) under permitted uses, Item G. Township Government Building and under definitions to add Township Government Building: A building or structure owned, operated or occupied by a township government agency to provide a government service to the township.

At 7:02 p.m., President Burkholder moved to open the public hearing on Section 917. George seconded.

Roll Call: George, yes; Burkholder, yes.

President Burkholder read the zoning commission's recommendation to approve the amendment by a 3-1 vote. LCPC staff and commission recommended conditional approval with the condition that the definition of the Township Government Building be included in the amendment.

There were no public comments.

Mr. George said most of the lots in Etna proper were already zoned GB and GB would be more detrimental to the residents than a government building.

President Burkholder said the center of Etna is an ideal place for a government building; most government buildings are located in the center of town.

At 7:10 p.m., Mr. George moved to close the public hearing. Burkholder seconded.

Roll Call: George, yes; Burkholder, yes.

B. Amendment to the Etna Township Zoning Resolution in Section 909 Local Business District (LB) under permitted uses, Item M. Banks and Finance Establishments including drive-thrus and to add to definitions - Banks and Finance Establishments including drive-thrus: Any building where in the primary occupation is concerned with such federal or state-regulated businesses as banking, savings and loans, loan companies, investment companies and credit unions.

At 7:10 p.m., President Burkholder moved to open the public hearing on Section 909. George seconded.

Roll Call: George, yes; Burkholder, yes.

President Burkholder read the zoning commission's recommendation to approve the amendment by a 4-0 vote. LCPC staff recommended conditional approval with the condition that the definition of Banks and Financial Establishments be written to exclude drive-thrus. The commission also recommended conditional approval with the condition that the definition of Banks and Financial Establishments be written to exclude drive-thrus and include credit unions.

Neil Ingle asked for verification of the LCPC recommendation to exclude drive-thrus. Most banks would have a drive-thru window.

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There was discussion on whether LCPC meant a stand alone ATM facility or a drive thru window connected to a bank building.

At 7:24 p.m., Mr. George moved to close the public hearing. Burkholder seconded.
Roll Call: George, yes; Burkholder, yes.

President Burkholder and Mr. George agreed to place the vote on these two amendments on the agenda for the December 6th meeting.

Motion to approve additional \$5,000 for legal fees to Chester, Wilcox and Saxbe for legal representation and advice on personnel issues.

Resolution 05-11-29-01: Mr. George moved to approve an additional \$5,000 for legal fees to Chester, Wilcox and Saxbe for legal representation and advice on personnel issues. Burkholder seconded.

Roll Call: George, yes; Burkholder, yes.

Motion to set public hearing to consider disciplinary action against full-time Zoning Inspector Dallas Maynard.

Resolution 05-11-29-02: President Burkholder moved the adoption of the following resolution.

WHEREAS, Article 5, Section 500 of the Etna Township Zoning Resolution provides "Disciplinary action against the zoning inspector for failure to perform prescribed duties may be taken by the Township Trustees, after a public hearing."; and

WHEREAS, the Etna Township Employee Manual sets forth Standards of Conduct and disciplinary actions that can be taken for unacceptable behavior, that all pertinent facts will be reviewed and the employee will be given a full opportunity to explain his conduct before any decision is reached, and suspensions of three days or less are not subject to the Predisciplinary Conference section; and

WHEREAS, discipline of up to three days suspension of the full-time zoning inspector for alleged failure to perform prescribed duties and violations of provisions of the Standards of Conduct set forth in the Etna Township Employee Manual is being considered; and

WHEREAS, The Board of Trustees of Etna Township, Licking County, Ohio, deems it necessary and advisable to set a public hearing to consider disciplinary action of the full-time zoning inspector pursuant to Article 5 Section 500 of the Etna Township Zoning Resolution and pursuant to the Etna Township Employee Manual;

Now, therefore, be it RESOLVED by the Board of Trustees of Etna Township, Licking County, Ohio that:

Section 1. A public hearing is to be held before the Etna Township Board of Trustees and is hereby set for Monday, December 19th, 2005 at 7:00 o'clock p.m. in the Etna Township Hall pursuant to Article 5 Section 500 of the Etna Township Zoning Resolution and the provisions of the Etna Township Employee Manual to consider discipline of up to a three days suspension of the full-time zoning inspector, Dallas Maynard, for alleged failure to perform prescribed duties and violations of provisions of the Standards of Conduct set forth in the Etna Township Employee Manual.

Section 2. The Clerk is requested and authorized to provide via certified mail return receipt requested to the full-time Zoning Inspector, Dallas Maynard, a copy of this Resolution setting forth the date, time, and place of this public hearing. At that public hearing, the employee will be given a full opportunity to explain his conduct before any decision is reached.

Section 3. Elizabeth M. Stanton and the firm of Chester, Willcox & Saxbe, LLP are requested to be present and represent the Etna Township Board of Trustees at this public hearing.

Mr. George seconded the motion.

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

President Burkholder moved to advertise this public hearing in the Pataskala Standard immediately. George seconded.

Roll Call: George, yes; Burkholder, yes.

Motion to approve Road Right-of-way Permits.

President Burkholder moved to approve road right-of-way permit #08-16-05-01 for Columbia Gas on Taylor Road at Wymer Road. George seconded.

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Roll Call: George, yes; Burkholder, yes


PAYMENT OF BILLS

Mr. George moved to pay the following bills. Burkholder seconded.


Roll Call: George, yes; Burkholder, yes.

2628	11/29/2005	Mark J. Smith	860.22
2629	11/29/2005	Phillip M. Waller	1481.66
2630	11/29/2005	Stephen L. Ferris	446.95
2631	11/29/2005	Sprint	290.03
2631	11/26/2005	Staples	290.50
2631	11/26/2005	Postmaster	20.00
E00103	11/20/2005	Dallas Maynard	879.17
E00104	11/30/2005	Laura J. Brown	<u>759.65</u>
Total			5028.18

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

At 7:38 p.m., Mr. George moved to adjourn the meeting. Burkholder seconded and the vote in favor was unanimous.


Clerk


President