

0299
RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 2005

Held

20

The Etna Township Board of Trustees met on December 6, 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. Siddens seconded.

President Burkholder moved to amend the agenda to add under new business, item F - the zoning resolution dealing with the discipline of the zoning inspector. George seconded.

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

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

ADOPTION OF THE MINUTES

Mrs. Siddens moved to approve the November 15, 2005 meeting minutes. George seconded.

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

Mr. George moved to approve the November 29, 2005 meeting minutes. Burkholder seconded.

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

PUBLIC COMMENTS

A. Interviews for Southwest Licking Community Water and Sewer District representative.

1) Richard Lord, who has served on the Board for the last three years, cited his accomplishments such as the umbrella insurance policy; new telephone and security system, development of a master calendar approach and reserve account and his efforts in attracting new businesses to the township.

2) David Goll said his financial background would be a good asset to the Board and the most challenging issue facing the water and sewer district is cost containment.

3) Neil Ingle said he has attended most of the SWLCWSD meetings the last five years and would represent the citizens, report back to the trustees in a timely manner and would work to control costs through economic development.

Mrs. Siddens moved to nominate David Goll as representative to the Southwest Licking Community Water and Sewer District for a 3 year term ending November 2008.

President Burkholder moved to nominate Neil Ingle as representative to the Southwest Licking Community Water and Sewer District for a 3 year term ending November 2008.

Roll Call: Siddens, Goll; George, Goll; Burkholder, Ingle.

Resolution 05-12-06-01: Mr. Goll was appointed as representative to the Southwest Licking Community Water and Sewer District for a 3 year term ending November 2008.

DECISIONS ON PUBLIC HEARINGS FROM NOVEMBER 29, 2005

A. Amendment to Section 917

Mrs. Siddens stated that she would abstain from voting on the following two amendments since she was absent from the public hearings.

Resolution 05-12-06-02: Mr. George moved to accept the recommendation of the Etna Township Zoning Commission to amend the Etna Township Zoning Resolution in Section 917- Single Family Residential District (RS) under permitted uses, add 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. Burkholder seconded.

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

B. Amendment to Section 909

President Burkholder read an e-mail from Scott Fulton, Planner with LCPC, saying he conditionally approved this text amendment to exclude drive-thrus because it would lessen the traffic impact created by these establishments.

Resolution 05-12-06-03: Mr. George moved to accept the recommendation of the Etna Township Zoning Commission to amend the Etna Township Zoning Resolution in Section 909 Local Business District (LB) under permitted uses, add 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. Burkholder seconded.

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

PUBLIC COMMENTS

David Goll, 8995 York Road, said the Etna Lion's Club would like to place "Welcome to Etna Township" signs at the four main entrances to the township and asked for assistance. Mrs. Siddens suggested that the signs be donated to the township and then, if approved by a Board resolution, the township could install and maintain the signs.

CORRESPONDENCE

- Licking County Board of Commissioners - Resolution 49-378, an Expedited II Petition for Annexation of 79.1 acres on east side of Summit Road between Refugee and US 40.
- Tim Lollo, Licking County Engineer, - 2005 Mileage Certificate
- Ohio Bureau of Motor Vehicles - October statistics report
- Ohio Department of Commerce, Division of Liquor Control - notice that legislative objection to transfer of ownership of Cumberland Trails Golf Course is overruled.
- Licking County Health Department - notice of violation for 150 Liberty Street and 53 Seventh Avenue
- CFLP Solid Waste District - newsletter
- Gary Burkholder - letter written to Bonnie Coe regarding locating COTC branch campus in western Licking County
- OTA - solicitation from OGRMP (Ohio Plan)
- American Planning Association - solicitation for books
- OTARMA - ballots for board election

OLD BUSINESS

A. Discussion regarding cemetery fees. (tabled)

President Burkholder moved to remove this item from the table. George seconded and the vote in favor was unanimous.

Mr. George will draft a fee schedule and bring back to next meeting. Clerk reported she was unable to download the UAN cemetery software to the township computer. Mrs. Siddens offered her help.

President Burkholder moved to table this item. George seconded and the vote in favor was unanimous.

B. Longwood Crossing subdivision, Section II (tabled) update

President Burkholder moved to remove this item from the table. George seconded and the vote in favor was unanimous.

Mr. George reported that the emergency access road was inspected by the fire department and Ty Yoho with the Licking County Engineer's Office. The largest ladder fire truck was able to make the turn onto the access road and breakaway gates will be placed at each end of the road.

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President Burkholder and Mrs. Siddens expressed concerns that the road will be used for construction traffic.

C. (F) Pines Motel at 13930 National Road
No new information

D. (G). Traffic Impact Study submitted to State for SR 310
President Burkholder said he is concerned that Etna Township is being excluded from the planning process and would like to hire an independent engineering firm to develop a plan that would look out for the township's best interests. The placement of a "big box" retailer on SR 310 will be a major disaster because the roadway can not handle the traffic that will be generated.

Mr. George said he agreed with Burkholder but was opposed to spending taxpayers money for an independent plan that ODOT will not adhere to.

President Burkholder said that ODOT has public hearings for public input and recommendations and is receptive to suggestions.

E. (H) Inventory of garage and town hall assets, progress report
Mrs. Siddens said that office equipment items at the garage were missing from the inventory listing and asked if the new answering machine for the garage was installed. Mr. George said no.

Resolution 05-12-06-04: President Burkholder moved that the new answering machine be delivered to the township hall and installed by this Friday. Siddens seconded.

President Burkholder moved to amend his motion to request that Trustee Paul George, since he is in possession of the answering machine, be the person to deliver it to the garage and ensure that it is installed. Siddens seconded.

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

F. (I) Drainage problem at SR 310 US Route 40, Jim Valentine with ODOT
President Burkholder said Jim Valentine with ODOT looked at the site and is hesitant to do anything now because of the planned reconfiguration of the intersection.

G. (J). Noise complaint, refer to zoning commission
Mr. Bravard said the zoning commission is looking into this and did obtain the Violet Township resolution regarding noise control.

H. (K) SR 310/Refugee Road traffic signal
President Burkholder said that ODOT has issued the permit to Tom Carmody with MI Homes.

I. (L) Zoning enforcement of setbacks
There was discussion on the time line for removal of a fence that was found in violation of the setback requirements and the zoning inspector's notice of violation upheld by the BZA.

J. (M) Zoning map
Not finalized.

K. (A) Letter from zoning commission, final development plans from zoning office
Mr. George said the plans have been collected and will be presented to the zoning commission tomorrow.

L. (E) Discuss the employee manual, vacation policy
Resolution 05-12-06-05: President Burkholder moved to amend the vacation policy to allow for a maximum of 40 hours of vacation time that can be carried from one calendar year to the next

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calendar year for all employees. Siddens seconded.

Discussion: Mr. George objected stating there should be a time limit to when a carryover week of vacation could be taken.

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

Mrs. Siddens asked that two copies of the resolution be given to each full time employee and for the employee to sign one copy for their personnel file.

M. (K) Annual liquor permit renewal objections

The zoning department will work with Mr. Shenk to gather information to object to the liquor license renewal for the Shamrock Store and Motel.

N. (L) Citizen complaint regarding speeding on Palmer Road

There will be follow up correspondence to the citizen regarding the complaint.

O. (M) Citizen e-mail regarding ProLogis

President Burkholder read the e-mail from Donna Wortman to Lucas Haire with LCPC and his reply regarding Ms Wortman's concerns with the water runoff from the ProLogis development.

P. (N) JD Equipment quote for tractor

Nothing new at this time.

At 8:40 p.m., President Burkholder moved for a 10 minute recess. Siddens seconded and the vote in favor was unanimous.

NEW BUSINESS

A. Motion to go into executive session per O.R.C. 121.22 G (2); to consider the purchase of property for public purposes.

At 8:55 p.m., President Burkholder moved to go into executive session per O.R.C. 121.22 G (2); to consider the purchase of property for public purposes. George seconded.

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

President Burkholder moved to amend his motion to go into executive session per O.R.C. 121.22 G (2); to consider the purchase of property for public purposes that will include the three trustees, Mr. Knapp and the clerk. George seconded.

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

At 9:13 p.m., Mr. George moved to go out of executive session. Siddens seconded.

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

B. Motion to purchase property for town hall.

President Burkholder moved the adoption of Resolution 05-12-06-06

WHEREAS, this Board wishes to acquire property upon which to construct a township hall; and WHEREAS, the Board considers certain real property as herein described as particularly well-suited to such purpose.

NOW THEREFORE BE IT RESOLVED that the Board hereby designates Gary Burkholder, working with a licensed real estate agent of his choosing, as its sole authorized representative to discuss with the owner(s) thereof, the Board's interest in purchasing the following described real estate: Parcel ID #1002537400000 on Pike Street, Lot 41 in Etna Township.

BE IT FURTHER RESOLVED that the designated representative shall be authorized to negotiate with the owners as to the price within limits to be determined by the Board in executive session, but that the Board can be finally bound in this matter only upon execution, by at least two Board members, of a written contract of purchase and sale customary in the community. Siddens seconded

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Mrs. Siddens moved to amend the motion to change "to be determined by the Board in executive session" to "as determined by the Board in executive session". Burkholder seconded.

Roll Call on amendment: Siddens, yes; George, no; Burkholder, yes

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

C. Mark Smith's vacation request

Mrs. Siddens moved to approve Mark Smith's vacation request for January 3, 4, 5, 6 and 9th if he so desires or for Mr. Smith to advise the Board in writing if wishes to choose other options.

Burkholder seconded.

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

Resolution 05-12-06-07: President Burkholder moved that previously passed resolution (05-12-06-05) regarding the amendment on the vacation policy of the Etna Township Employee Manual be effective immediately. Siddens seconded.

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

D. Licking County Engineer's Office 2005 Mileage Certification Form

Mrs. Siddens said she thought the mileage was not correct. This will be on the next agenda.

E. Employee's driveway onto Etna Parkway

Mr. George said an employer at the Etna Corporate Park is requesting a curb cut on Etna Parkway for an employee entrance and exit only, there will be no truck traffic.

Mrs. Siddens said there should be a guard shack or a lever arm with an employee swipe pass. President Burkholder said he was opposed to curb cuts and this entrance is too close to the intersection.

Resolution 05-12-06-08: President Burkholder moved to express the Board's concerns and initial reluctance to grant an access onto Etna Parkway. Siddens seconded.

Discussion: Mrs. Siddens said she would like to see a valid reason presented. President Burkholder said that access should be approved by the Board, not a single trustee.

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

F. Zoning inspector amendment

President Burkholder moved to amend Section 500 of the zoning resolution for the last sentence to read: Disciplinary action against the zoning inspector for failure to perform his prescribed duties may be taken by the Township Trustees in accordance with the Etna Township Employee Manual dated 1996.

There was no second to the motion.

REPORTS

A. Clerk's financial report

Month of November 2005

	Receipts	Expenditures
General Fund	\$ 10,177.29	\$ 16,444.96
MV License Tax	1,406.03	2,117.27
Gasoline Tax	5,681.17	370.90
Road & Bridge	57.14	9,893.31
Special Assessments	-	248.33
Total	\$ 17,321.63	\$ 29,074.77

Funds Total November 30, 2005 - \$1,037,478.79

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New rates for 2006: ODJFS will decrease to 1.8% from 5%, OPERS Employee will increase from 8.5% to 9% and OPERS Employer will increase from 13.55% to 13.7%.

B. Road report

Written report submitted. There was discussion on uniforms and uniform allowance.

C. Approval of road permits

Resolution 05-12-06-09: Mr. George moved to approve Road Right-of-Way permit #12-06-05-01, 58 Daisy Drive for National Gas & Oil Cooperative. Road Right-of-Way permit #12-06-05-02, 87 Heritage Drive for National Gas & Oil Cooperative. Burkholder seconded.

Mrs. Siddens said she had no objection to the permits but would abstain because she works with the owner of 58 Daisy Drive.

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

D. Water and Sewer District

Richard Lord left a written report.

D. Zoning report

Written report submitted

L. JEDZ

President Burkholder said he had concerns about a single representative dealing with the contracts. Mr. George said the JEDZ Board would not approve a single representative.

PAYMENT OF BILLS

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

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

2634	VW	12/06/2005	DAN BRAVARD	\$1,000.00
2635	VW	12/06/2005	VINCE COLBURN	700.00
2636	VW	12/06/2005	MICHAEL A. KERNER	840.00
2637	VW	12/06/2005	TINA TAYLOR	735.00
2638	VW	12/06/2005	JIM VAN DYNE	840.00
2639	VW	12/06/2005	FREDERICK COX	280.00
2640	VW	12/06/2005	DAVID GOLL	315.00
2641	VW	12/06/2005	STEVE HOLLOWAY	360.00
2642	VW	12/06/2005	JEFFREY JOHNSON	245.00
2643	VW	12/06/2005	CHERYL A. ROGERS	315.00
2644	VW	12/06/2005	AMERICAN ELECTRIC POWER	469.70
2645	VW	12/06/2005	COLUMBIA GAS CO.	182.39
2646	VW	12/06/2005	NEXTEL COMMUNICATIONS	125.10
2647	VW	12/06/2005	SWLCWSD	103.95
2648	VW	12/06/2005	LANG MUSIC	334.00
2649	VW	12/06/2005	GORDON FLESCH COMPANY, INC.	32.77
2650	VW	12/06/2005	CHESTER, WILLCOX & SAXBE LLP	6,900.50
2651	VW	12/06/2005	STEPHEN L. FERRIS	57.72
2652	VW	12/06/2005	DALLAS W. MAYNARD	261.10
2653	VW	12/06/2005	PAUL GEORGE	135.70
2654	VW	12/06/2005	GARY BURKHOLDER	194.98
2655	VW	12/06/2005	FORT DEARBORN LIFE INSURANCE	125.58
2656	VW	12/06/2005	PATASKALA BUILDING & HOME SUPPLY	20.00
2657	VW	12/06/2005	TIRE CENTERS LLC	2,092.69
2658	VW	12/06/2005	MIDLAND CO-OP, INC.	661.07
2659	VW	12/06/2005	KLEEM INC.	1,194.90
2660	VW	12/06/2005	THE DEXTER COMPANY	885.77
2661	VW	12/06/2005	REDSKIN TRANSPORT	2,059.34
2662	VW	12/06/2005	MEDICAL MUTUAL OF OHIO	4,244.14
2663	PY	12/06/2005	OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM	3,512.13
2664	PY	12/06/2005	PARK NATIONAL BANK	2,287.12
2665	PY	12/06/2005	TREASURER OF STATE OF OHIO	834.31
2666	PY	12/06/2005	OHIO SCHOOL DISTRICT INCOME TAX	135.12
2667	PY	12/06/2005	GARY L. BURKHOLDER	- GLB
2668	PY	12/06/2005	MARK J. SMITH	- MJS
2669	PY	12/06/2005	PHILLIP M. WALLER	- PMW
2670	PY	12/06/2005	PAUL W. GEORGE	- PWG
2671	PY	12/06/2005	STEPHEN L. FERRIS	- SLF

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E00105	12/07/2005	M. Barbara Digel-Barrett	990.63
E00106	12/07/2005	Dallas W. Maynard	473.50
E00107	12/07/2005	Laura J. Brown	403.70
E00108	12/07/2005	Rachael D. Siddens	752.81

Total is \$38,120.34

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

ANNOUNCEMENTS AND TRUSTEES COMMENTS

President Burkholder thanked Mrs. Siddens for her contribution to the township during her term. In the last few years, Siddens helped the township moved forward; specifically, new computers, digital cameras, new copier, internet access and new snow plow.

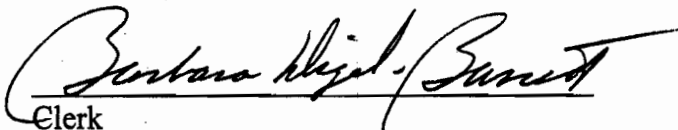
PUBLIC COMMENTS

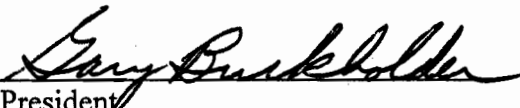
Jim Van Dyne, 7173 Refugee Road, said he agrees with Ms. Wortman and has concerns with water runoff from the ProLogis development. He suggested a spillway that would regulate the water in the pond.

Claudette Van Dyne, 7173 Refugee Road, asked about regulations on ponds. The amount of water in the pond at ProLogis on US 40 never decreases. Asked where the water will go because the detention ponds are full.

Mrs. Siddens said she would return her keys to the clerk the week of December 26th.

At 10:13 p.m., Mrs. Siddens moved to adjourn the meeting. Burkholder seconded. The vote in favor was unanimous.


Clerk


President