

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

~~March~~ ^{APRIL} 18, 2006

20

The Etna Township Board of Trustees met on ~~March~~ ^{APRIL} 18, 2005 at the Etna Township Hall to hold a regular meeting. President Burkholder called the meeting to order at 7:00 p.m. and the pledge of allegiance was recited.

Roll call showed President Burkholder, Trustee Knapp, Trustee George and Fiscal Officer Digel-Barrett present.

The motion to adopt the agenda was made by Mr. George, seconded by Knapp. President Burkholder moved to amend the agenda to add resolution for Park National Bank loan for John Deere tractor. Knapp seconded.

Roll Call on amendment: Knapp, yes; Burkholder, yes; George, abstain

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

ADOPTION OF MINUTES

Mr. Knapp moved to approve the March 7, 2006 meeting minutes. Burkholder seconded.

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

Mr. Knapp moved to approve the March 16, 2006 meeting minutes. Burkholder seconded.

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

President Burkholder moved to approve the March 21, 2006 meeting minutes. Knapp seconded.

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

President Burkholder moved to approve the April 4, 2006 meeting minutes. Knapp seconded

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

PUBLIC COMMENTS

A. Interview Board of Zoning Appeals alternates

Phillip Chew, Neil Ingle and Claudette Van Dyne were interviewed for the alternate position by the Board. The trustees discussed alternating the new BZA alternates so that each one will have the opportunity to serve.

President Burkholder moved to appoint Neil Ingle and Claudette Van Dyne as alternates to the Board of Zoning Appeals for a five year term. There was no second to the motion

Resolution 06-04-18-01: Mr. Knapp moved to appoint Phillip Chew as an alternate to the Board of Zoning Appeals for a five year term. George seconded.

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

Resolution 06-04-18-02: Mr. George moved to appoint Claudette Van Dyne as an alternate to the Board of Zoning Appeals for a five year term. Knapp seconded

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

Delores Trevitt, 10371 Taylor Road, registered a complaint about Rumpke and the trash pick up on Taylor Road, the service was better before the new contract went into effect.

Ray Gosnell, 10383 Taylor Road, voiced his opinion that Taylor Road needs to be widened and done right, not the interim fix that is planned.

Claudette Van Dyne asked about the odds of getting Issue II funds.

At 7:45 p.m., Mr. Knapp moved to go into executive session per O.R.C. 121.22G(2) to consider the purchase of property for public purposes and to include the representatives from the Etna Lions Club in attendance. George seconded and the vote in favor was unanimous.

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At 8:23 p.m., President Burkholder moved to go out of executive session. Knapp seconded and the vote in favor was unanimous.

Resolution 06-04-18-03: President Burkholder moved to forward the proposal and contract as well as the list of items discussed in the executive session to Assistant Licking County Prosecutor, Brent Shenk, and for Mr. Knapp to follow up with Mr. Shenk and report back to the Board. George seconded.

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

CORRESPONDENCE

- Licking County Planning Commission (LCPC) 1) copy of letter sent to residents who own property in or near a flood area which is a FEMA requirement. 2) Conditional approval of variance to encroach within functional area of an intersection at Trial East and SR 310. 3) Agenda for 3/27/06 meeting. 4) District 17 Integrating Committee regarding nominations for committee
- Licking County Board of Commissioners – Resolution 50-480 approval of replat of lots 9, 10, 11, 12, 18 and 17 in Brandy Mills Estates, Section 1
- Licking County Soil and Water Conversation District – information regarding grant funds for installing and maintaining dry hydrants
- Ohio Department of Public Safety – February statistics report
- National Business Institute – information on zoning seminars
- Sprint/Embarq – change in long distance billing
- MORPC – newsletter
- Hayes Law Office – Langels decline invitation to discuss SR 310

REPORTS

Fiscal Officer

For month of March

	Receipts	Expenditures
General Fund	141,370.85	19,141.35
MV License Tax	2,070.18	-
Gasoline Tax	16,525.22	692.94
Road & Bridge	98,900.00	16,106.61
Special Assessments	-	<u>260.86</u>
Total	258,866.25	36,201.76

Funds Total March 31, 2006 - \$1,193,661.83

Funds Total April 18, 2006 - \$1,154,245.51

Resolution 06-04-18-04: President Burkholder moved to appoint Laura Brown clerk pro-tem for the May 2, 2006 meeting since the Fiscal Officer will be working the election polls. George seconded.

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

Roads

Written report submitted and Mike Waller was in attendance to go over the report. Mr. George voiced objection to Mr. Waller being paid overtime to attend the meeting and to ordering materials. Burkholder countered that the township needs to be run efficiently as a business to serve the township residents and felt Mr. Waller's overtime to be justified.

Resolution 06-04-18-05: President Burkholder moved to approve the purchase of culvert pipes and tees from ADS for \$2551.68. Knapp seconded.

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

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Resolution 06-04-18-06: President Burkholder moved to approve the added charges for Rumpke, the \$46.82 fuel charge will be removed per Mr. Waller. Knapp seconded.
Roll Call: Knapp, yes; Burkholder, yes; George, yes

There was discussion on a driveway problem at 166 Cosmos Lane and the catch basin problems in Zeller Acres. The road in Zeller Acres has been dedicated and the township is financially responsible for the repair. The county approved the road and President Burkholder said the county has refused to implement a bonding program for the contractors so the township would not have to bear the financial burden of correcting the contractor's shoddy work. The township garage needs repairs; the cracks in the blocks need to be sealed and the building needs painted. There was discussion on the water problem in Willowbrook with Jennifer Ryan and the possibility of a ditch petition. There is a 4-5 acre pond on Frontier Ranch draining to the neighborhood.

Resolution 06-04-18-07: Paul George moved to approve the purchase of Roundup, Weed & Feed and grass seed for the cemeteries and park from H.W. Martin for \$500. Knapp seconded
Roll Call: Knapp, yes; Burkholder, yes; George, yes

Resolution 06-04-18-08: President Burkholder moved to approve 60 tons @ 15.90/ton of #57 stone from Redskin Transport. Knapp seconded
Roll Call: Knapp, yes; Burkholder, yes; George, yes

At 9:18 p.m., President Burkholder moved for a 5 minute recess. Knapp seconded and the vote in favor was unanimous. At this time Mr. George left the meeting.

Resolution 06-04-18-09: President Burkholder moved to approve the expenditure of \$339.86 to Hotsy/Wilcox to repair the power washer. Knapp seconded
Roll Call: Knapp, yes; Burkholder, yes

Resolution 06-04-18-10: President Burkholder moved to approve the note with Park National Bank in the aggregate principal amount of \$56,274.97 for the purpose of purchasing a 2006 John Deere 6420 Tractor and a John Deere 640 Loader. Knapp seconded.

President Burkholder moved to amend the contract to correct the model number stated from 6320 to 6420. Knapp seconded.
Roll Call on amendment: Knapp, yes; Burkholder, yes
Roll Call: Knapp, yes; Burkholder, yes

Resolution 06-04-18-11: President Burkholder moved to approve Road Right-of-Way permit #04-17-06-02 for 120 Kraner Street, Lot 191, for Miller Pipeline to install a new gas tap. Knapp seconded.
Roll Call: Knapp, yes; Burkholder, yes

Regarding Road Right-of-Way permit #04-17-06-01, Mr. Waller said the curb cut does not follow the county guide lines for a limited access road which Columbia Road is.

Resolution 06-04-18-12: President Burkholder moved to table approval of Road Right-of-Way permit #04-17-06-01 for Columbia Road. Knapp seconded
Roll Call: Knapp, yes; Burkholder, yes

Water and Sewer

David Goll submitted the financial statements for the district and reported that approval for ProLogis's second building was given. Cost cutting measures were implemented and negotiations are ongoing with Pataskala.

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Zoning

Written report submitted and Mr. Knapp went over the report.

Resolution 06-04-18-13: President Burkholder moved to file court action against Mr. Bush at 103 Arrowwood Court for a fence violation and to authorize the \$150 filing fee. Knapp seconded.

Roll Call: Knapp, yes; Burkholder, yes

Dafety & FEMA

President Burkholder announced that elected officials need to take the NIMS training. Mrs. Brown has the information

OLD BUSINESS

A. Update on the 1.5 mill road and bridge levy in excess of the ten mill limitation on the May 2006 primary ballot

There was discussion on the Transportation Improvement Plan. Mr. Knapp stated that the roads on the plan kept changing, the plan was not detailed and the information was misleading.

Burkholder replied that the roads and estimates will change from year to year and the plan was changed. Knapp suggested a special meeting with Mr. George in attendance to go over the plan.

B. Storm water issues in Willowbrook, Jardin Manor and township

Discussed under the road report

C. Road resurfacing bid package

The bid specification package was received from the Licking County Prosecutor's Office with the bid advertisement. Action will be taken at a later meeting

D. Motion to discuss construction project on northeast corner of Refugee and Watkins Road

Mr. Waller said that a permit was issued for the building by the Harrison Township zoning inspector.

E. New Rumpke contract

Mrs. Brown is keeping a log of the complaints.

F. Motion to approve blanket certificates for road department and authorize road trustee to make supply and repair purchases.

President Burkholder moved to approve \$5,000 blanket certificates for the road department for the three road funds for supplies and repairs. There was no second to the motion. Mr. Knapp commented that he would like to have Mr. George present for discussion.

G. Approve up to six hours for court reporter

Resolution 06-04-18-14: Mr. Knapp moved to approve up to six hours for a court reporter for the BZA hearing on 4/25/06. Burkholder seconded.

Roll Call: Knapp, yes; Burkholder, yes

NEW BUSINESS

A. Motion to approve highway rock salt order form and approve 2006 annual invoice

Resolution 06-04-18-15: President Burkholder moved to approve the SWOP4G membership and annual invoice for \$50. Knapp seconded.

Roll Call: Knapp, yes; Burkholder, yes

B. Amendment to the personnel manual on page 22 under performance reviews, specifically annual review

Resolution 06-04-18-16: President Burkholder moved to amend the current the personnel manual under performance reviews to change from being performed annually in December to "Performance reviews will be conducted annually on the anniversary hire date." Knapp seconded.

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Roll Call: Knapp, yes; Burkholder, yes

C. Licking County Health Department Mosquito Spraying contract for 2006

Resolution 06-04-18-17: President Burkholder moved to contract with the Licking County Health Department for mosquito spraying for the season not to exceed \$7,000. Knapp seconded.

President Burkholder moved to amend the motion for the Board president or road supervisor to be the authorized representative. Knapp seconded.

Roll Call on amendment; Burkholder, yes

Roll Call: Knapp, yes; Burkholder, yes

D. SR 310 reconstruction of sidewalks

Resolution 06-04-18-18: President Burkholder moved to approve the construction of sidewalks and their maintenance by the township on SR 310 contingent on review and advice from the county prosecutor. Knapp seconded.

Roll Call: Knapp, yes; Burkholder, yes

E. Motion to approve cost for Licking County Sheriff's deputy to attend BZA hearing on April 25, 2006

Mr. Knapp moved to approve the cost for a Licking County Sheriff's deputy to attend the BZA hearing on April 25, 2006. Burkholder seconded.

Discussion: Mr. Knapp said because of the type of hearing and a threat made that he believed a deputy might be necessary. Burkholder said a deputy might keep people from attending the hearing and felt the hearing should be held at a larger location.

Roll Call: Knapp, yes; Burkholder, no

F. Discussion regarding township's long term, short term and intermediate goals for the future
This item will be on a future agenda.

G. Resolution requesting the Licking County Planning Commission to postpone their decision on the Wal-Mart major development submission until after the resolution of the zoning permit appeal.

President Burkholder moved to request the Licking County Planning Commission to postpone their decision on the Wal-Mart major development submission until after the resolution of the zoning permit appeal. Knapp seconded.

Discussion: Mr. Knapp said that LCPC will not approve the permit unless the township has a valid zoning permit. If the township overrules the permit, then LCPC, by law, cannot issue a permit causing this resolution to be mute. Burkholder said he had concerns with Mr. Brems' interpretations.

Roll Call: Knapp, no; Burkholder, yes

H. Motion to assist the JEDZ Board on completion of their minutes.

Mr. Knapp said that the JEDZ Board needs assistance in completing meeting minutes and asked if Mrs. Brown could help.

Resolution 06-04-18-19: Mr. Knapp moved to approve the assistance of Laura Brown in completing meeting minutes for the JEDZ Board. Burkholder seconded.

President Burkholder moved to amend the motion for the assistance not to exceed 60 days. Knapp seconded.

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

Roll Call: Knapp, yes; Burkholder, yes

President Burkholder moved to pay the following bills. Knapp seconded and the vote in favor was unanimous.

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2875	Columbia Gas	198.86	2880	James Wyrick	260.02
2876	AEP	254.39	2881	Mark Smith	880.71
2877	Newspaper Network	45.34	2882	Phillip Waller	1541.99
2878	Stephen Ferris	82.99	2883	Stephen Ferris	670.74
2879	Baker Automotive	32.54	E00129	Laura Brown	746.54
	Total	4714.12			

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


 Fiscal Officer

Claudette Van Dyne said that the developer should be required to meet strict specifications for all roads in the township to ensure their durability.

Resolution 06-04-18-20: President Burkholder moved to amend the contract for Park National Bank to include the four wheel drive specifications and the forks to be in compliance with the quote. Knapp seconded.

Roll Call: Knapp, yes; Burkholder, yes

At 11.00 p.m., Mr. Knapp moved to adjourn the meeting. Burkholder seconded and the vote in favor was unanimous.


 Fiscal Officer


 President