

RECORD OF PROCEEDINGS

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Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

June 6, 2006

20

The Etna Township Board of Trustees met on June 6, 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 and seconded by Knapp. Mr. Knapp moved to amend the agenda to add under new business, item F – rotation of roll call. George seconded and the vote in favor of the amendment and motion was unanimous.

ADOPTION OF MINUTES

Mr. Knapp moved to adopt the April 25, 2006 special meeting minutes, seconded by George.

Discussion: President Burkholder said he took exception to comments made by his colleagues that the Transportation Improvement Plan was misleading. Mr. Knapp replied that every trustee should have their opinion expressed.

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

Mr. Knapp moved to adopt the May 16, 2006 meeting minutes, seconded by Burkholder.

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

Mr. George moved to adopt the May 25, 2006 special meeting minutes. Knapp seconded and the vote in favor was unanimous.

PUBLIC COMMENTS

President Burkholder said he had made a public records request for Mr. George’s draft checklist for the Taylor Road Resurfacing Project this afternoon from the township secretary. Burkholder was told by Mrs. Brown that she had received an email from Mr. Knapp with the checklist but Knapp and George had not approved the email for release. Mr. Knapp replied that the facts in the memorandum were not correct and that Ms. Brown was told to tell Burkholder that if he wanted a copy of Knapp’s email, then he should ask Knapp for a copy of his email. Mr. George said he told Mrs. Brown not to release the email until he looked at it and approved it. Burkholder replied that once the information reaches the town hall, it becomes a public record.

Ken Jacks, 8028 Palmer Road, made a public records request and inquired about the Taylor Road traffic count for the Issue II application. Mr. Jacks was told a traffic count was not done.

PUBLIC HEARING

A. Continuation of public hearing from May 16th on the proposed text amendments to the Zoning Resolution in the definition section of Section 300 – Zoning permits required and Section 1032 – Fences and Hedges.

At 7:15 p.m., President Burkholder moved to come out of recess from the May 16th public hearing on the proposed text amendments. Knapp seconded and the vote in favor was unanimous.

President Burkholder reviewed the information on the proposed amendments.

Delores Trivett, Taylor Road, inquired about fence permits in agriculture.

Mike Waller suggested that farmers be exempt from a fence permit.

Tom Dixon, 8467 Hazelton-Etna Road, said MI Homes took out his fence on the property line and questioned who would maintain the area between fences if they are erected in the set back area and not on the property line.

Ken Jacks said there are fences on front lots that are in the road right-of-way.

Mr. Knapp said he would like to know where these fences are so the zoning department can investigate.

Mike Waller, 565 Pike Street, said that if the set back for front fences is 25’ from the center line of the road, this will cause a problem because most right-of ways are 60’ and suggested using right-of-way instead of footage

Bill Wright, 9898 Hollow Road, inquired if the new amendments would be retroactive and was told no.

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President Burkholder said regardless if this amendment is adopted, there still are deed restrictions against fences that the township does not enforce. This amendment will cause more problems than what it was intended to solve.

Mr. Knapp said it appears the fence problems arose in the housing developments and those that Mr. Jacks spoke about.

At 8:00 p.m., Mr. George moved to close the public hearing. Burkholder seconded and the vote in favor was unanimous.

Resolution 06-06-06-01: President Burkholder moved to deny the recommendation of the Etna Township Zoning Commission dated April 20, 2006 regarding the definition section of Section 300 – Zoning permits required and Section 1032 (1034) – Fences and Hedges. George seconded.

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

A. RUMPKE REFUSE CONTRACT CUSTOMER COMPLAINTS

Rob Stevens, representative for Rumpke, said he takes customer complaints seriously and was here to resolve issues in the township. Some of the complaints were rude drivers, change in schedules, debris left in streets and rudeness by customer service representatives. A log of complaints compiled by Mrs. Brown was given to Mr. Stevens.

Bill Wright inquired about his culvert permit from the township, he was granted access by the county.

Resolution 06-06-06-02: President Burkholder moved to approve culvert permit #06-06-06-01 for 10172 Palmer Road for DBM Enterprises. George seconded.

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

Ken Jacks said he saw Mr. George and Mr. Knapp together which constitutes a quorum.

Neil Ingle, 71 Trail East, commented about the Pataskala meeting with Etna Township concerning Pataskala building a road to connect with the Etna Corporate Park. Mr. Ingle said he would like to see a list of benefits the township would derive from this road. It looks like the traffic from the Pataskala Industrial Park will be dumped onto Etna Township and Route 40 with no new interchange to handle the increase in truck traffic. Etna will not be able to handle the traffic from its own corporate park if SR 310 is not improved. Mr. Ingle said there were a lot of misstatements at the meeting. The township should look at applying for grant money to develop the land south of I-70.

Tom Dixon said it was his understanding that developers built their own roads not government entities.

Mike Waller expressed concerns about how a new industrial park in Pataskala with 100% abatements would affect our park with 60% abatements since it would be in close proximity.

At 8:47 p.m., Mr. Knapp 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: Knapp, yes; Burkholder, yes; George, yes.

At 9:08 p.m., Mr. George moved to come out of executive session. Knapp seconded.

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

CORRESPONDENCE

- Licking County Auditor – township will not be required to file budget
- Licking County Health Department – regarding dog bite and declaring Pines Motel a public health nuisance.
- Licking County Board of Elections – ballot results
- Ohio Bureau of Motor Vehicles – Statistics report
- Ohio EPA – report
- Shaller, Campbell & Untied – regarding pot hole on Etna Crest Blvd
- Issac, Brant, Ledman & Teetorp – John Q. Public lawsuit
- BWC – claim and magazine
- Complaint on Etna Crest Blvd
- OTA – June Grassroots Clippings newsletter

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- CFLP Solid Waste District – newsletter

REPORTS

Fiscal Officer

For the month of May

	Receipts	Expenditures
General Fund	160,278.72	53,127.97
MV License Tax	1,458.73	5,438.91
Gasoline Tax	3,002.22	3,453.12
Road & Bridge	12,643.79	17,651.25
Special Assessments	2,432.90	56.34
Misc Debt Service	_____	<u>1,689.33</u>
Total	179,816.36	83,049.91

Funds total May 31, 2006 - \$1,322,857.18

Township received \$112,900.16 in estate tax.

Resolution 06-06-06-03: President Burkholder moved to advance \$8,500 from the Road & Bridge Fund (2031) into the Debt Service Fund (3901) and authorize the payment of \$1689.33 to Park National Bank for the tractor loan. Knapp seconded

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

Roads

Written report submitted

There was discussion on the deficiencies of the emergency access road for Longwood Crossing. The private road was approved by the fire department and county but there is a drainage problem and the road is crumbling. There was discussion on the ditch petition for Willowbrook and Mr. George will compile the information for the next meeting.

Mr. George discussed the punch list for Taylor Road. Mr. Waller said that in the Issue II application, it states widening the road from 16' to 18'. On Taylor Road, south of Palmer, the width is 20' and north of Palmer it is 23' to 24'. Mr. George will contact Donna Kirkbride concerning the Issue II funds and Tim Lollo for a new estimate. The notice to bidders was already placed in the newspaper.

Economic Development

Mr. George moved to nominate Doug Rogers to the Economic Development Committee.

President Burkholder said Mr. Rogers resigned from the committee and was opposed to his nomination.

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

OLD BUSINESS

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

Mr. George will be meeting with Jeff Preston and will bring back information

B. Motion to schedule monthly meetings for township departmental reports

Mr. Knapp said he would like to have monthly meetings with the road supervisor and zoning inspector to go over monthly reports and then bring all motions needed to the regular meetings. Believes this would alleviate time spent by the supervisors informing each trustee individually. Burkholder objected saying it would be better for Mr. Waller and Mr. Ferris to attend the trustee meeting so there can be interaction with the citizens. Burkholder believes special meetings during the day denies the majority of residents to ask questions.

Mr. Knapp moved to schedule a special meeting for June 20, 2006 at 9:00 a.m. George seconded.

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

C. Motion to go into executive session per O.R.C. 121.22 G (1) to consider compensation of public employees

At 10:20 p.m., President Burkholder moved to go into executive session per O.R.C. 121.22 G (1) to consider compensation of public employees. George seconded and the vote in favor was unanimous.

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At 10:37 p.m., Mr. Knapp moved to come out of executive session. George seconded and the vote in favor was unanimous.

Resolution 06-06-06-04: President Burkholder moved to make salary adjustments to the following employees for the next full pay period: Increase Laura Brown from \$12.36/hr to \$13.50/hr, increase Steve Ferris from \$13.79/hr to \$15/hr, increase Mark Smith from \$14.68/hr to \$16/hr, increase (Phillip) Mike Waller from \$24.17/hr to \$24.50/hr and increase Jim Wyrick from \$10.81/hr to \$11/hr. Knapp seconded.

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

D. MORPC 310 corridor draft scope of service
Meeting to be held later this month in Pataskala.

E. Motion to pass resolution regarding regarding public records

Part of the settlement with John Q Public lawsuit required passage of the following resolution.

Resolution 06-06-06-05: President Burkholder proposed the following:

Wherefore, the Etna Township Board of Trustees values the opportunity for all citizens to take part in and observe their local government in action; and

Wherefore, the Etna Township Board of Trustees supports and is committed to enforcing the requirements of the Ohio Constitution and Ohio law, including the Ohio Public Records Act and the Ohio Open Meetings Act, that require local government officials to make public records and public meetings accessible to all citizens; and

Wherefore, the Etna Township Board of Trustees believes that local government is more responsive to citizens when it endorses and enforces the legal obligation to allow citizens to learn more about how local government works; therefore.

BE IT RESOLVED by the Board of Trustees, Etna Township, State of Ohio:

Be It Resolved, that the Etna Township Building is, during all regular business hours, open to all citizens and that all of the public records in the building are available for immediate inspection during regular business hours and Etna Township shall make copies of public records available, upon request, as expeditiously as reasonably possible; and

Be if further Resolved, that Etna Township shall not impose any requirement that a member of the public identify his or her identity as a precondition to inspecting and/or obtaining copies of public records, or attending a public meeting. Members of the public shall be permitted to anonymously exercise their right under the Ohio Public Records Act and the Ohio Open Meetings Act.

George seconded.

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

F. Delaware County regional Planning Agreement for planning services

Mr. George moved to table this item, Knapp seconded and the vote in favor was unanimous.

G. Cemetery fees

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

NEW BUSINESS

A. Issue I 2006 application

Mr. Knapp suggested a work session to discuss roads to be applied for.

B. Motion to purchase/spend \$1,200 for zoning department software

Mr. Knapp requested that the sales representative review the software with the zoning department before purchase.

Mr. George moved to table this item, Knapp seconded and the vote in favor was unanimous.

C. Motion to advertise for summer temporary worker to enter data into computer for zoning department
After the zoning software is installed, help will be needed to input data from previous years. Knapp suggested contacting COTC and CTEC.

Mr. Knapp moved to advertise for a summer temporary worker to input data for the zoning department.

George seconded and the vote in favor was unanimous.

D. Motion to approve advertising for a planning/zoning inspector

Mr. Knapp moved to advertise for a zoning inspector in the Columbus Dispatch and Newark Advocate in the June 17, 2006 weekend editions. The resumes are to be submitted by June 29, 2006. George seconded and the vote in favor was unanimous.

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E. Motion to consider putting Road and Bridge levy on November ballot
 Mr. Knapp said he would like a work session to develop a new transportation improvement plan and discuss the possibility of a new road and bridge levy
 Mr. George moved to table this item, Knapp seconded and the vote in favor was unanimous.

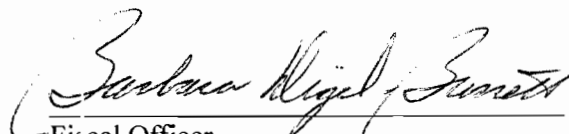
F. Roll call rotation

Mr. Knapp moved that the township fiscal officer, when taking roll call votes on motions/resolutions that the voting be rotated by name so as not to have the same roll call name each time. Burkholder seconded and the vote in favor was unanimous.

Mr. George moved to pay the following bills, Burkholder seconded and the vote in favor was unanimous.

2932	James Wyrick 5/31	340.20	2949	Paul George	153.25
2933	Mark Smith 5/31	880.71	2950	Gary Burkholder	205.33
2934	Phillip Waller 5/31	1516.70	2951	Stephen Ferris	71.20
2935	Stephen Ferris 5/31	375.83	2952	Loveland & Brosius	961.50
2936	Gary Burkholder	752.95	2953	LC Commissioners	73.57
2937	James Wyrick	165.29	2954	Pataskala Bldg	70.82
2938	James Wyrick	440.36	2955	Redskin	428.93
2939	Phillip Waller	758.62	2956	Medical Mutual	4070.34
2940	Paul George	689.83	2957	OPERS	3368.53
2941	Stephen Ferris	326.34	2958	Park National	2539.23
2942	AEP	474.46	2959	Treasurer of State	782.97
2943	SWLCWSD	106.84	2960	OH School Tax	134.22
2944	Nextel	123.54	E00134	Laura Brown 5/31	746.54
2945	Postmaster	39.00	E00135	B. Digel-Barrett	998.86
2946	Fort Dearborn	36.54	E00136	Laura Brown	373.26
2947	Gordon Flesch	27.05	E00137	Richard Knapp	791.78
2948	Richard Knapp	326.95			
	Total	21151.54			

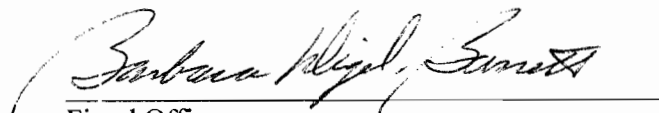
I do hereby certify that the funds for payment of the above obligations were lawfully appropriated and are on hand or are in the process of collection


 Fiscal Officer

PUBLIC COMMENTS

Mike Waller said because of the growth in the township, he would like for the Board to consider hiring another full/part time road crew worker. Mr. George commented that he believes Mr. Waller is the best backhoe operator in the state.

At 11:10 p.m., Mr. George moved to adjourn the meeting, Knapp seconded and the vote in favor was unanimous.


 Fiscal Officer


 President