

## RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 1, 2007  
20

The Etna Township Board of Trustees met on Friday June 1, 2007 in the Etna Township Hall for the purpose of conducting a special meeting. The meeting was called to order at 2:00 p.m. by President Knapp and the pledge of allegiance was recited.

Roll call showed Mr. George, Mr. Knapp, Mr. Burkholder, and Laura Brown present.

Paul George moved to adopt the agenda. Gary Burkholder seconded. Roll Call: Knapp, yes; Burkholder, yes; and George, yes.

### **Etna Township Departmental Meeting Road Report**

Road Department month end report was given by Paul George and Mark Smith. Mike Waller was off. The road crew has been mowing. Mark Smith added he painted the truck. Paul would like to take Mark and go to Sears to price tools. The tools from Sears would be guaranteed for life and be purchased locally. They have reviewed the list of tools from a list Mark provided from catalogs.

Paul George has looked at an air compressor from Air Technologies. He has a quote for a 7 hp and a

5 hp. He would like to purchase it from a local company and they can provide service if needed. Paul George needs to check the wiring at the garage. A new breaker and wire would need to be run in the garage. The compressor would provide 175 psi and would be able to air up the tires on the vehicles. Mark feels the 5hp compressor will be fine as long as he can get the 175 pound storage. The difference in price of the 7hp and 5hp is not that much. Paul will check on how much it would cost to wire both compressors and compare the difference in the total price of the compressors and installation between the two. Mark is sure there are empty spots in the breaker box. Waiibel Electric had breakers on his truck when they were out to do the wiring before.

Paul George reported on the tree that was down in the alley off of Pike Street. He has spoken with the owner and the insurance company. Paul has a quote from Crouse Tree Service to remove the tree.

Mark Smith discussed the boom arm, mower head. He provided copies for the board. Paul will look into and discuss Tuesday.

Paul has provided Barb a packet for the road bids and Tuesday the Board will vote on the dates to advertise and open the packets.

### **Zoning Report**

Stan Robinson reviewed the zoning report and permit log. He did issue the permit for ProLogis building number 3. Stan Robinson provided a summary regarding the Pataskala Bank lawsuit. All the information is located in the address file in the zoning office. He reviewed his activity log. Stan discussed doing items that are not zoning issues. He is willing to do anything but if it is not related to zoning then zoning violations and permits are not getting done. He has violations that are not getting done. Next Tuesday at 2:00 he has to be available via phone for questions.

Stan Robinson reviewed the Pataskala Bash on Watkins Road. Stan sent the property owner a letter and stated he could not hold a commercial activity on residential zoned ground. The property owner stated it is for a church, charity function. Stan has not received paperwork on the activity from the church. First Eric Fox stated to let them have it and document it and work on it next year. Now Eric Fox is going to send them a letter stating they can not do it.

Stan has forwarded a noise ordinance that he retrieved last fall to the prosecutor to adopt for the township. He has a couple fences and signs in violation. Stan discussed individuals placing cars for sale in the right-of-way. He suggests having a policy on cars for sale in the front yard. The State of Ohio says you can sell up to five cars a year before being classified as a used car lot.

Stan Robinson inquired on the zoning seminar for the cost of \$30.00. Gary Burkholder stated he could attend and take the charge from his \$750.00.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 1, 2007 20

Dick Knapp discussed the citizen that built a deck when the township was in between zoning inspectors. He spoke with Dick and Dick told him to build the deck, touch base on with us later, and Dick would pass on the information for the new zoning inspector to follow up on. Stan Robinson stated he had an application started with names on it and drawing of the deck and lot. Stan called him or sent him a letter a month ago, the resident stated he would do the permit but would not pay the late fee. The resident did not come in so Stan sent him a violation letter. The resident came in and stated he did not

want to do anything but his wife paid the late fee and the permit. He was told when the next Trustees meeting was if he had concerns. Dick Knapp questioned why it was not followed up with last year in July. Stan stated he had placed it in the file that needs something. Stan did not check to see if the deck was built until a month ago. Dick Knapp stated he gave that information along with a list of other items. Dick feels to come back now and make him pay a late fee. Dick agrees that there is some responsibility on the resident to have followed up. Gary Burkholder agrees there is some responsibility on the homeowner to follow-up. Dick Knapp feels it is both the township and resident's responsibility to follow-up. Dick does not feel they should be charged the late fee. Paul George does not feel the resident should pay the late fee. Stan questioned if the Trustees wanted something in writing requesting a refund. Paul George requested something in writing requesting the refund. Gary Burkholder feels it is the resident's responsibility to follow-up.

Stan Robinson provided an overview regarding the Cumberland Trail Golf Course. Three weeks ago Stan discussed with Neil the building at the golf course and to have them come in for a permit. Two weeks ago he stopped out at the golf course and told the guy they needed the permits. They called the owners on the phone and said they would get the permits. This morning Stan received an anonymous call from a resident that stated he needed a permit for the patio and he asked the guys at the golf course why they did not need to get a permit and their response was they have more lawyers then the township has. Stan went out this morning, sent everyone home but the painter because he was working on the existing building, and placed a stop work order on the door and buildings. The camera did not work and when he went back out the manager had already peeled off the stop work order. Stan stated they are not working on the building but he would like to come back this weekend to verify they are not working on the building. Gary Burkholder asked if Stan was going to do that on all the violations in the township. Gary feels the township should enforce the zoning resolution equally and fairly and to go out and do what he needed to do to get them in compliance. Stan Robinson spoke with the owner, Brian Intihar and it is his opinion after reading the zoning resolution that he did not need a zoning permit. Stan told him he did and explained the requirements. He will have something Monday or Tuesday. Stan still has to send the golf course a notice of violation to follow procedures. Dick Knapp stated the township dedicated a piece of the township map by doing a written piece on the golf course in the brochure. He feels the township should remove the feature story on the golf course. Gary Burkholder does not agree. Dick Knapp does not want to advertise zoning violators. Gary Burkholder stated the golf course will come into compliance on Monday or Tuesday. Dick Knapp questioned Gary regarding Buckeye Mulch and their violations. Gary stated the violations at Buckeye Mulch are over two years old. Dick was concerned with the dialogue they have more lawyers then the township. Gary Burkholder was not pleased with that comment either and wants to verify it because it was made from a resident.

Gary Burkholder inquired if ProLogis was in compliance with the subdivision regulations. Dick Knapp asked if Gary would like to report on ProLogis. Gary Burkholder asked Stan Robinson to check with the county to see if ProLogis is in compliance. Dick Knapp stated if ProLogis is not in compliance then the same should apply to ProLogis in regards to the brochure. Gary Burkholder questioned if ProLogis should have tax abatements if they are not in compliant with the subdivision regulations. This will be discussed Tuesday night at the regular township meeting if Gary Burkholder requests it to be on the agenda.

Dick Knapp copied the Trustees on text from Licking Township regarding noise. Stan Robinson discussed the opinion from Brent Shenk regarding vegetation. He feels if you have a contractor mow the grass for the township then you can justify the cost versus having a township employee. Stan Robinson will fax it over to Eric Fox by the end of the day. The Trustees have a copy of the letter from Brent Shenk for the Tuesday meeting.

Held June 1, 2007  
20

### Secretary Report

The Trustees need to pass procedure regarding backup. The questions that need to be answered are how often the back up is to be taken offsite and where is the offsite location. For right now it is being taken off site once a week to Laura Brown's house. We have the three hard drives. One hard drive is off site and one is in the cabinet and the third one is on the pc. We could rotate the two backup drives. PC Geeks thinks the McAfee anti-virus software that caused the problems with outlook. Gary Burkholder wants to review the procedure with Laura Brown and Greg with PC Geeks. Gary Burkholder will bring recommendations Tuesday at the regular meeting. It was discussed about encrypting and confidential information.

Municipal Publications Brochure is ready to be proofed and have requested it to be returned by June 12, 2007. The Trustees will review and sign off on the brochure.

Dick Knapp reviewed the two cabinets that are used cabinets. Both cabinets are used and are both rated for 350 degrees. The putty cabinet was in better shape then the brown one. The putty cabinet is \$600 and the brown is \$400. Dick also discussed if the cabinet was water proof. Laura Brown is checking on if the used cabinet s also water proof. The Trustees will approve the fire proof cabinets at the next regular meeting.

### Public Comments

Chad Jones at 8491 Watkins Road discussed a misunderstanding about a cookout with some bands they are having on June 15<sup>th</sup> and 16<sup>th</sup>. He plans on attending Tuesday's meeting. There is going to be Blue Grass, Blues, Country Music but not heavy metal. He has changed it from admission to donations. Chad Jones has spoke with Chad Brown with the Health Department and explained to him they are cooking on a grill hamburgers and hotdogs. Chad Brown called him back and said as long as they are not selling the food and it is a donation and it was on the grill they did not have a problem. Chad spoke with Dick Sellers with West Licking Fire and explained there will be no campfires. Dick Sellers looked over the pasture and gave the thumbs up for the fire marshals. Originally it was going to be a donation to the ball team. After some phone calls were made, the coaches do not want to get involved. Chad Jones stated there will be no alcohol sales; he understands he needs a liquor lense to sell alcohol. The air conditioning system went out on the church and since they can not donate to the league they are now going to donate to his local church a part of the proceeds to his church.

Gary Burkholder asked if it is a permitted use. Stan Robinson stated if it is charity, you can have charitable events on residential property but you can not have commercial. If someone is charged for something that they want for free Stan would feel that was a commercial activity. If it is genuine donation for charity then it is permitted.

Chad Jones stated if they do not want to donate then he can not make them and the person will get in. He did not know what a presale donation was. He stated if they want to camp and pick a spot ahead of time to reserve a spot then a presale donation would be needed.

Dick Knapp questioned "the food kitchen is already in place to take care of your hunger at an inexpensive price". Chad Jones stated that was the old email and it was changed yesterday. It is now a grill and not a kitchen.

The proceeds last year went for pizza for his son's baseball team. There were only 51 people last year and the year before it was 37 people. The website stated it could accommodate up to 800 people, it is in a pasture and not a closed environment. Gary Burkholder asked him what would happen if he had 800 people. Chad Jones stated the first year it was 70 to 75 people. He does not know that 800 people have even heard of these local bands. This is not a Frontier Ranch, Insane Clown Posse.

Stan Robinson stated commercial activity is not permitted on a residential property. Chad Jones stated all the vendors have been cancelled. Chad Jones stated the sheriff last year asked to come to the one last year.

Chad Jones stated as soon as he received the letter from Stan Robinson he came in. This is a small group that comes to listen to music. He stated three years ago he was told he could do this from Dallas Maynard. Chad Jones was not aware that it was not a permitted use on his

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 1, 2007 20

property and he is trying to correct the mistakes. In previous years they never charged admission. The second year they donated to a gentleman that was killed on a motorcycle in London. Last year it was for the ball league. This was the first year they charged admission. It is not even Chad Jones' website and he does not remember the person's last name that did the website. The cost was calculated to just cover the bands. He is asking the Trustees what to do to make this right. He does not feel he is in a residential house with a 50 by 50 backyard.

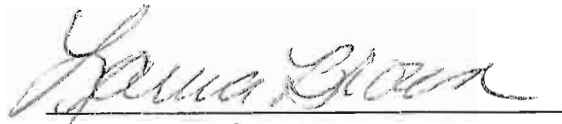
Chad Jones stated he received an email this morning from Doug Smith, County Commissioner regarding the heavy metal Frontier Ranch. Chad Jones does not feel it is a Frontier Ranch. The website has been up since the first of May last of April. He explained to them that on the website all the cost have to be changed to donation.

Stan Robinson explained that the Licking County Prosecutor was working on and will be sending out a letter. As for zoning it can not be a commercial activity with a fixed price. This will be addressed under public comments at the Trustees meeting on June 5, 2007.


Stan Robinson stated he is changing the story to come into compliance. If could be charity. As long as it is not profit making it is allowed. The letter from Eric Fox should go out today. Dick Knapp has spoken with the county sheriff, Ohio EPA regarding fires. Gary Burkholder asked Stan to request the email from Doug Smith.

Gary Burkholder moved to adjourn. Paul George seconded. Gary Burkholder, yes; Paul George, yes; and Dick Knapp, yes.

Meeting adjourned at 3:45 p.m.

  
Laura Brown, Secretary

Approved as corrected/amended \_\_\_\_\_

  
Dick Knapp, President