

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee Special

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 10, 2007

20

The Etna Township Board of Trustees met on July 10, 2007 at the Etna Township Hall to hold a special meeting. President Knapp called the meeting to order at 5:02 p.m. and the pledge of allegiance was recited. Roll call showed President Knapp, Trustee Burkholder, Trustee George and Fiscal Officer Digel-Barrett present.

The motion to adopt the agenda was made by Mr. George, seconded by Burkholder and the vote in favor was unanimous.

President Knapp said the purpose of the meeting was a work session regarding procedures for the use of outside legal, consultants and other professional services. Mr. Burkholder said this should include all departments. President Knapp and Mr. Burkholder submitted written proposed procedures. Mr. Burkholder said he notified Loveland & Brosius that until the present invoices could be matched to the resolutions, that they should not incur any more expenses whether it is MSI or the zoning commission.

Mr. George reported that Chester, Wilcox & Saxbe quoted a price of \$750 to \$1000 to represent Stan and the invoice was more than \$300 over the quote. A letter was sent to the law firm.

Trustees reviewed the legal invoices and President Knapp said charges were incurred after the township was notified by Chester, Wilcox & Saxbe that money was not available to represent the township at the BZA hearing.

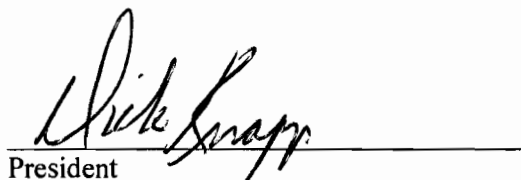
Resolution 07-07-10A-01: President Knapp moved to close the following open purchase orders:
 Resolution 06-10-03-03 to Chester, Wilcox & Saxbe for green space and reserve
 Resolution 06-12-19-09 to Chester, Wilcox & Saxbe for Wal-Mart
 Resolution 07-02-06-02 to Chester, Wilcox & Saxbe for Wal-Mart
 George seconded and the vote in favor was unanimous.

PUBLIC COMMENTS

Claudette Van Dyne, 7173 Refugee Road, said the legal aspects of the Wal-Mart case is in the hands of private individuals and their personal legal counsel and the prosecuting attorney.

At 6:28 p.m., Mr. George moved to adjourn the meeting, Knapp seconded and the vote in favor was unanimous.


 Fiscal Officer


 President

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 10, 2007

20

The Etna Township Board of Trustees met on July 10, 2007 at the Etna Township Hall to hold a regular meeting. President Knapp called the meeting to order at 7:02 p.m. and the pledge of allegiance was recited. Roll call showed President Knapp, Trustee Burkholder, Trustee George and Fiscal Officer Digel-Barrett present.

President Knapp moved to amend the agenda to add under Old Business – Item G- approve money for MSI meeting, and Item H- motion to approve additional copies of the 2007 township map. Burkholder seconded. The motion to adopt the agenda was made by Mr. George, seconded by Burkholder and the vote in favor of the amendment and motion was unanimous.

ADOPTION OF THE MINUTES

Mr. George moved to approve the June 11, 2007 special meeting minutes. Burkholder seconded and the vote in favor was unanimous.

Mr. George moved to approve the June 19, 2007 regular meeting minutes. Burkholder seconded and the vote in favor was unanimous.

Mr. George moved to approve the June 19, 2007 special meeting minutes. Burkholder seconded and the vote in favor was unanimous.

PUBLIC COMMENTS

Debra Godwin, 63 Trail East, said she was against the 30 year tax abatement for ProLogis, it would rob the schools of needed money and only help the profits of big business,

Mike Fox, 11540 E. Broad Street, said a 30 year tax abatement would be an additional tax on the Pataskala residents because of the additional services required. He is encouraging the schools and the township to refuse this abatement for ProLogis.

Gary Godwin, 63 Trail East, said he did not want to be a tax partner with Pataskala in a JEDD and Etna Township residents should decide if they want another JEDZ. A warehouse community is being developed and the pollution associated with such a development will lower housing values in the area.

T.J. Starkey, 147 Winesap Street, said he had a deck and a fence built two years ago and the zoning inspector at that time said a fence permit was not required. Recently the zoning inspector notified him that his fence was built in the set back and charged him a \$50 late fee because he did not have a fence permit. He was also told because he has a corner lot, the fence can only be 2' high. He would like to have the \$50 penalty removed and to have his fence grandfathered in.

Pam Munce, 11045 National Road, said she was concerned about more industry coming to the area and said it seems that that the residents are opposed to development, even services like a grocery store and questioned what the residents wanted.

Mark Harler, 9458 Lynns Road, said he was for the rezoning of the property at US 40 and Columbia Road and would like to see a grocery store at that site.

Neil Ingle, 71 Trail East, said he was opposed to a partnership with Pataskala for a JEDD and said the township was headed for an infrastructure nightmare.

David Goll, 8995 York Road, said if Etna Township does not partner with Pataskala, then another township will and receive the estimated 2.6 million that could go to our township. The township would have a better chance of receiving money from Pataskala for improving SR310 if we were partners.

David Munce, 11045 National Road, said the traffic is already here from the new housing developments. It seems like everyone has their own personal agenda and wants what is best for them and is not concerned about what is best for the entire community.

Gil Guttentag, 70 Runkle Drive, said the rate of inflation is about 3% and in 30 years it would be 90% and real dollars is not considered when calculating the proposed revenue.

Kathy Johnston, 254 Trail East, said the residents are not against a grocery store, it is the size of the store. Property values in Cumberland Trails have been lowered and the zoning commission voted against the rezoning.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

| | | |
|------|---------------|----|
| Held | July 10, 2007 | 20 |
|------|---------------|----|

Wayne Wirth, 438 Trail West, said he would like to see a grocery store but get the size right, get a contract and do not do a bait and switch.

Linda Cornelia, 59 Trail East, said in California the developers build schools and shopping centers and does not understand why ProLogis is not building for the community.

Trent Stepp, 319 Trail East, said the Wal-Mart store will generate about 10,000 cars a day which is considerably more than what the warehouses will generate in truck traffic. He is in favor of a grocery store on US 40 and Columbia Road but smaller in size than what is being requested.

Park Shai, 170 Potter Lane, Granville said he wanted to bring services to the community and was asking for larger square footage for the grocery store.

Terry Bailey, 180 Trail East, said she would like for Columbia Road to be four lanes and US 40 resurfaced. She is for planned development and traffic flow.

Carl Anstadt, 11 Milkweed Place, said he was against additional warehouses and the community could attract other viable businesses that would contribute to the tax base and help the schools instead of having low income jobs that would be a burden to the township. He is against the partnership with Pataskala.

Brenda Meyers, 10495 Rrefugee Road, said she was opposed to additional warehouses because of the traffic.

Eugene Schaffer, 11719 National Road, said he lives on US 40 and knows about the heavy traffic and has lost three mailboxes recently.

2007 ROAD RESURFACING BID OPENING

Two bids were received:

Neff Paving – bid amount was for \$39,117.50 for roads in Pepper Tree only

Strawser Paving – bid amount for the entire project was \$264,957.53

PUBLIC HEARINGS

A. Ante Properties Ltd request to rezone the northwest corner of SR 40 and Columbia Road from General Business 1 to General Business 2

At 7:57 p.m., Mr. George moved to open the public hearing on Ante Properties Ltd request to rezone the northwest corner of SR 40 and Columbia Road, 23.131 acres, from General Business 1 to General Business 2. Burkholder seconded and the vote in favor was unanimous.

The zoning commission voted 3-2 to deny the rezoning. Licking County Planning Commission also recommended denial of the rezoning request.

Park Shai, one of the owners of the property, said the 65,000 sq ft limitation was too small for a prospective tenant and wanted the GB 2 zoning allowing up to 130,000 sq ft.

Dave Brown, 30 Runkle Drive, asked if Mr. Shai or any of the property owners had made political contributions to any of the trustees. Mr. Shai responded no.

Gil Guttentag, 70 Runkle Drive, said if the township approved the rezoning of his property, then the township would need to do the same for other developers who requested a change. The zoning classifications were done for a reason and need to be followed

Mr. Shai said that when the property was bought, there was only the GB classification and he did not want to shove big box retail in the community.

Wayne Wirth said the community would support the businesses if it is quality retail and what the residents want.

Tom Dixon, Hazelton-Etna Road, had questions on the improvement of Columbia Road, curb cuts and ingress and egress.

Held

July 10, 2007

20

Pam Munce asked if smaller retail stores would be building sidewalks, curbs and turn lanes and was for the development. She said that the residents in Cumberland Trails brought traffic to the area and does not want her property value lowered because of their wants.

Mr. George asked Mr. Shai if he would donate 20' of the road right-of-way and Mr. Shai replied yes.

Gary Godwin said he believes Mr. Shai is a quality developer but the zoning is based on use and the trustees should respect the recommendation of the zoning commission.

Tom Dixon asked if Mr. Shai was willing to pay for a third lane on Columbia Road by his development and was told yes if it is needed.

David Munce said the development would not increase traffic because the traffic is already there and 90% of traffic would be from US 40.

Gil Guttentag said the traffic would be coming from SR 310 and cutting through Cumberland Trails.

Trent Thorenson, 3614 Headley Mills Road, said most of the properties on SR 310 and US 40 were zoned GB 30 years ago and it is difficult to balance the landowners' rights and what the community wants. Believes Mr. Shai has the right to develop his property, it was zoned GB when purchased.

David Pollock, 259 Trail East, said Cumberland Trails is being boxed in by a Wal-Mart and warehouses.

Mr. Burkholder read the LCPC reasons for denial.

Dee Dunlap said work is being done on the land use plan and where retail establishments should be located.

Neil Ingle said retail is described as a huge bucket with a huge hole in the bottom. Retail does not bring tax dollars into the area.

A resident said retail is a needed component of a community.

President Knapp said the township will be working on a commercial PUD.

Mr. Shai said he would like to withdraw the request for rezoning at this time.

Mr. Burkholder said he would not support a variance

At 9:00 p.m., Mr. George moved to close the public hearing, Burkholder seconded and the vote in favor was unanimous.

President Knapp moved to accept Park Shai's request for withdrawal of his rezoning application subject to receiving a written request. George seconded and the vote in favor was unanimous.

B. Section 502 – Zoning Commission Created

At 9:05 p.m., Mr. George moved to come out of recess on the public hearing for Section 502 – Zoning Commission Created. Burkholder seconded and the vote in favor was unanimous.

President Knapp read the letter from the zoning commission that was missing from the last meeting.

At 9:10 p.m., Mr. George moved to close the public hearing, Burkholder seconded and the vote in favor was unanimous.

Resolution 07-07-10-01: Mr. George moved to approve the recommendation of the zoning commission to adopt the text amendment to Section 502 – Zoning Commission Created.

A township Zoning Commission is hereby created which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except for the initial appointments shall be one (1) member each (1), two (2), three (3), four (4), and five (5) year terms. The Board of Township Trustees may appoint up to two (2) alternate members each for a term of five (5) years, The Alternate Members shall meet the same appointment criteria as Regular Members and shall

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 10, 2007

20

take the place of an absent Regular Member at the meeting of the Board of Zoning Commission. Alternate Members may vote on any matter on which the absent Member is authorized to vote. Each member including alternate members shall be an elector and resident of unincorporated Etna Township. Any member or alternate member whom shall cease to reside in the unincorporated portion of the Township and thus loses the qualifications required herein to hold said office, the position held by that person shall be deemed vacant and formal removal pursuant to this section shall not be required. Members or alternate members of the Zoning Commission may be removed for nonperformance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the board, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten days prior to the public hearing, either personally, by registered mail, or by leaving such copy at the member's usual place of residence. The Board of Township Trustees shall fill vacancies through appointment for the un-expired term of the member or alternate member vacating the position. A vacancy shall automatically be declared when a member misses four (4) meetings in succession without just cause or when an alternate member misses four (4) meetings in succession when called upon for duty without just cause.

The Board of Township Trustees shall establish rates of compensation and procedures for reimbursement of expenses incurred in the performance of duties.

Burkholder seconded and the vote in favor was unanimous.

C. Section 504 – Duties of the Zoning Commission and Section 504.1 – Conflicts.

At 9:11 p.m., President Knapp moved to come out of recess on the public hearing for Section 504 – Duties of the Zoning Commission and Section 504.1 – Conflicts. George seconded and the vote in favor was unanimous.

Dee Dunlap, zoning commission chairwoman, explained that the zoning commission would not be the Architectural Review Board but act as reviewing the architectural standards and enforcing compliance.

Gil Guttentag said that developers could apply deed restrictions to satisfy the zoning requirements.

At 9:35 p.m., Mr. George moved to close the public hearing, Burkholder seconded and the vote in favor was unanimous.

Resolution 07-07-10-02: Mr. George moved to accept the recommendation of the zoning commission to amend Section 504 – Duties of the Zoning Commission

- 3) Review all planned unit developments and make recommendations to the Board of Township Trustees as provided in this resolution.
- 4) Review all proposed changes to the official Zoning Map and make recommendations to the Board of Township Trustees as specified in Article 6.
- 5) Review all proposed changes to the Comprehensive Land Use Plan and Future Land Use Map and make recommendations to the Board of Township Trustees.
- 6) Serve as an Architectural Review Board to enforce compliance with any zoning standards adopted and pertaining to landscaping or architectural elements as delegated by the Board of Township Trustees per O.R.C.519.17.

Addition of Section 504.1 – Conflicts

“No member of the Zoning Commission may participate in the hearing or disposition of any matter to which that member has any conflict of interest prohibited by state law, including but not limited to a pecuniary or familial interest relating to any matter before the Commission”

Burkholder seconded and the vote in favor was unanimous

CORRESPONDENCE

- Bernie Caplin, CapOhio – letter from adjacent property owners to Prologis regarding tax abatements
- Licking County Board of Commissioners – regarding drainage problem in Mayflower
- Licking County Health Department – vector control update, notice of violation on Liberty Street, Cedar Park and Palmer Road.
- Ohio EPA – permit issued to an ethanol plant in Newark
- American Pavements – question on road bid

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 10, 2007 20

- District 17 Integrating Committee – training session for grant money
- Ohio Department of Health – information on new smoking rules
- ProLogis – information on ProLogis Phase II

REPORTS

Fiscal Officer

For the month of June

| | Receipts | Expenditures |
|---------------------|-----------|--------------|
| General Fund | 35,338.95 | 41,094.40 |
| MV License Tax | 1,574.70 | 933.11 |
| Gasoline Tax | 15,010.69 | 663.23 |
| Road & Bridge | 12,676.39 | 13,463.79 |
| Special Assessments | 0.00 | 266.66 |
| Misc Debt Service | 0.00 | 2,740.43 |
| Total | 64,600.73 | 59,161.62 |

Funds Total June 30, 2007 - \$1,403,846.35

The property tax estimate from the county for 2008 is \$362,648.78 for the General Fund and \$250,640.54 for the Road and Bridge Fund. The total with state reimbursement is \$619,466.95.

Resolution 07-07-10-03: Mr. Burkholder moved to approve two invoices from Loveland & Brosius, total of \$1003.50, one from Shelly Materials for \$6532.20, one from Kleem for \$324.13 and one for BrewPro for \$150. Knapp seconded and the vote in favor was unanimous.

Mr. Burkholder said he advised Loveland & Brosius that nobody from the township or MSI should be calling for additional services.

Road – written report submitted

Resolution 07-07-10-04: Mr. George moved to approve the expenditure of \$5800 to Kleem for road signs. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-07-10-05: Mr. George moved to approve the expenditure of \$85 for a roller. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-07-10-06: Mr. George moved to approve the expenditure of \$100 for an overdrive switch. Burkholder seconded and the vote in favor was unanimous.

Mr. Burkholder moved to approve a letter for the court. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-07: Mr. Burkholder moved to approve the expenditure of \$2000 to Redskin for 100 tons of 411's. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-08: Mr. Burkholder moved to approve the expenditure of \$300 to Conkle's for service of the 350 and \$500 to Center City International for service on the 4900. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-09: Mr. Burkholder moved to approve the expenditure of \$20 to the Ohio Township Association to advertise sale of old truck. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-10: Mr. Burkholder moved to approve the expenditure of \$300.14 to Kross Tire for tires. George seconded and the vote in favor was unanimous.

Mr. George completed the annual evaluation of Mark Smith and recommended a 3% raise.

Resolution 07-07-10-11: Mr. George moved to approve a \$.50 raise for Mark Smith effective July 29, 2007. Burkholder seconded and the vote in favor was unanimous.

Mr. Burkholder moved to approve August 13th through August 17th as vacation days for Mark Smith. George seconded and the vote in favor was unanimous.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 10, 2007

20

Resolution 07-07-10-12: Mr. Burkholder moved to approve Road Right-of-Way Permit #07-10-07-01 for Embarq at 100 Heritage Drive. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-13: Mr. George moved to approve a \$25,000 bond from Embarq/Sprint to be used for the entire year for Road Right-of-Way Permits. Mr. Burkholder seconded and said they should follow the same protocol as other utility companies. The vote in favor was unanimous.

Resolution 07-07-10-14: Mr. Burkholder moved to approve the expenditure of \$5500 to A & N Contractors for manhole cover repair for the catch basin on York Road and contingent that work is done at two locations in Cumberland Trails at the same time to reduce cost. George seconded and the vote in favor was unanimous.

Resolution 07-07-10-15: Mr. George moved to approve the expenditure of \$770 to KMA Electric for wiring at the garage for an air compressor. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-07-10-16: Mr. George moved to approve the expenditure of \$1800 to Air Technology for a 7 1/2 hp air compressor. Burkholder seconded and the vote in favor was unanimous.

Mr. George informed the Board of rocks in the right-of-way in front of a residence, a safety concern. Mr. George moved to send a letter to the homeowner on South Street to remove the rocks. Burkholder seconded and the vote in favor was unanimous.

Zoning – written report submitted

Mr. Burkholder reported on his meeting with the new owners of Frontier Ranch. No specific plans were given regarding development and the health department report was discussed.

TJ Starkey, 147 Winesap, said the builder for his deck and fence obtained a permit for the deck from the township zoning inspector and was told a permit was not needed for the fence. He was informed recently that he needs to pay \$50 for a fence permit and a \$50 late fee charge. His fence does not meet the setback requirements. Mr. Starkey said that if had gotten a fence permit then his fence would not have been built in the setback.

Resolution 07-07-10-17: Mr. George moved to waive the \$50 late fee for Mr. Starkey. Burkholder seconded and the vote in favor was unanimous.

Mr. Burkholder said he completed the annual review for zoning inspector, Stan Robinson. Mr. Burkholder moved to give Stan Robinson a raise of \$.50 to \$14.00/hr. effective 7/29/07. Mr. Burkholder withdrew his motion so the other trustees could review the evaluation.

OLD BUSINESS

A. ProLogis Park 70 – Etna Phase II

President Knapp said he would contact the trustees if a special meeting will be needed regarding Brian Marsh's email.

B. Motion to notify the City of Pataskala that Etna Township wants to be the participating township in a JEDD agreement with Pataskala

President Knapp moved to notify the City of Pataskala that Etna Township wants to be the participating township in a JEDD agreement with Pataskala. George seconded.

Discussion: Mr. Burkholder said the township has not been presented with an agreement from Pataskala and Pataskala has not addressed the SR 310 corridor and increased traffic flow into Etna Township. The state will not presently fund improvements to SR 310 and I-70. President Knapp said the township can borrow money on the proposed income to be generated to make infrastructure improvements now. Mr. George said that Pataskala will approve this development whether or not Etna becomes the participating township.

Roll Call: Burkholder, no; George, yes; Knapp, yes.
Motion failed, a unanimous vote is needed for passage

C. Motion to authorize the expenditure of \$300 for architect David Hawkins to attend special township meeting to discuss new township hall prints/drawings

Held July 10, 2007 20

Resolution 07-07-10-18: President Knapp moved to authorize the expenditure of \$300 for architect David Hawkins to attend special township meeting to discuss new township hall prints/drawings. George seconded.

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

D. Motion to set special meeting with David Hawkins to finalize to finalize new township hall plans
President Knapp moved to hold a special meeting with David Hawkins on July 24th at 4 PM to finalize new township hall plans. George seconded and the vote in favor was unanimous.

E. Motion to approve contract with MSI Design to complete commercial PUD text for \$7000
President Knapp moved to approve the expenditure of \$7,000 to MSI Design to complete the commercial PUD text. George seconded.

Discussion: President Knapp said he would like to discuss this item at the joint meeting with the zoning commission to seek their recommendation on work performed.

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

F. MSI Design 310 Corridor Plan

MSI Design will present the completed plan on July 25th at a public meeting.

G. Approve money for MSI meeting,

Resolution 07-07-10-19: President Knapp moved to approve the expenditure of \$125 to the Etna Lion's Club for hall rental for the public meeting on the MSI SR 310 Corridor Plan. Burkholder seconded and the vote in favor was unanimous.

H. Motion to approve additional copies of the 2007 township maps

Resolution 07-07-10-20: President Knapp moved to order an additional 500 maps from Municipal Publications. George seconded and the vote in favor was unanimous.

NEW BUSINESS

A. Motion to initiate speed reduction on Smoke Road north of US 40

Resolution 07-07-10-21: President Knapp moved to initiate the process for speed reduction on Smoke Road north of US 40. Burkholder seconded and the vote in favor was unanimous.

B. Motion regarding resolution proposing the consideration of access management regulations for roads in the unincorporated area of the township

Mr. Burkholder read the requirements

Resolution 07-07-10-23: Mr. Burkholder proposed the following:

**RESOLUTION OF THE BOARD OF ETNA TOWNSHIP TRUSTEES
PROPOSING THE CONSIDERATION OF ACCESS MANAGEMENT REGULATIONS
FOR ROADS IN THE UNINCORPORATED AREA OF THE TOWNSHIP**
WHEREAS, the Board of Etna Township Trustees desires to promote traffic safety and efficiency and maintain proper traffic capacity and traffic flow within the unincorporated area of the township; and,

WHEREAS, pursuant to Ohio Revised Code Section 5552.02, the Board has the authority to adopt regulations for the management of access onto township roads; and,

WHEREAS, the Board is of the opinion that regulations for the management of access onto township roads will accomplish its stated goal of promoting traffic safety and efficiency and maintaining proper traffic capacity and traffic flow within the township.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby propose the consideration of access management regulations.

BE IT FURTHER RESOLVED that the Board does hereby request the Licking County Engineer to draft proposed access management regulations.

President Knapp seconded.

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

C. Zoning resolutions

No action taken on ordering new zoning resolution books.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

July 10, 2007

20

D. Best Lighting Products tax abatement

Resolution 07-07-10-24: President Knapp proposed the following:

IN THE MATER OF ENTERING INTO AN ENTERPRISE ZONE TAX ABATMENT AGREEMENT WITH BEST LIGHTING PRODUCTS INC/KATZ HOLDINGS LLC AND THE COUNTY OF LICKING.

WHEREAS: Best Lighting Products Inc./Katz Holdings LLC is desirous of undertaking substantial new investment to commence new construction in and purchase new machinery, equipment and inventory to be located in Etna Township, Ohio, and,

WHEREAS: The project will involve an investment in new construction in the amount of \$600,000 minimum to \$700,000 maximum new building and purchase of new machinery and equipment in the amount of \$25,000 to \$75,000, furniture and fixtures \$25,000; inventory \$1,000,000 minimum to \$2,500,000 maximum for the project at Etna Corporate Park in Etna Township, Ohio at 1213 Etna Parkway, Pataskala, Ohio and,

WHEREAS: As a result of this investment, the company will retain 58 current employees and the addition of 14 new employees by the end of 2010; and

WHEREAS: Etna Township and Licking County are desirous of providing Best Lighting Products Inc/Katz Holdings LLC with the incentives available for the development of this project within said Enterprise Zone; NOW THEREFORE,

BE IT RESOLVED by the Board of Etna Township Trustees, County of Licking, State of Ohio That we do hereby enter into an Enterprise Zone Agreement with Best Lighting Products Inc/Katz Holding LLC and the Licking County Commissioners to provide them with incentives available for the investment in new real and tangible, personal property to retain employment at the facility in Etna Township with the Enterprise Zone under Chapter 5709 of the Ohio Revised Code per agreement on file in the office of Licking County Commissioners. The Enterprise Zone Agreement grants Best Lighting Products Inc/Katz Holding LLC personal property tax exemption on machinery and equipment, inventory, furniture and fixtures, and a real property tax exemption on new construction according to the following schedule in conjunction with the project as outlined in their application:

Years One through Ten 60%

Mr. George seconded.

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

E. LickingCountyEvents.com

President Knapp moved to utilize LickingCountyEvents.com, a free service, as an advertising medium for information and meetings. George seconded and the vote in favor was unanimous.

The trustees reviewed the road bids and decided to award the bid at the next regular meeting.

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

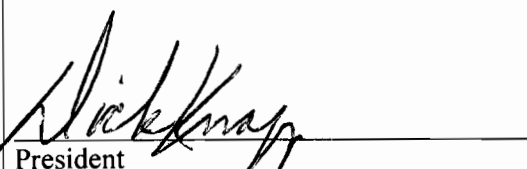
PUBLIC COMMENTS

Eugene Schaffer, 11719 National Road lives across from ProLogis and said he attended the ProLogis BZA hearing on their sign and when he objected to the sign, the BZA went into a closed session for deliberations and said they would make a decision later. Mr. Schaffer said he felt this action violated the Sunshine Law.

Mr. Burkholder said he also had concerns about the BZA not deliberating in public and that the BZA is relying on a public opinion written by Betty Montgomery.

At 12:50 a.m., President Knapp moved to adjourn the meeting, George seconded and the vote in favor was unanimous.


Fiscal Officer


President