

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustee Special

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 7, 2007 20

The Etna Township Board of Trustees met on August 7, 2007 at the Etna Township Hall to hold a special meeting. President Knapp called the meeting to order at 5:00 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.

EXECUTIVE SESSION

At 5:03p.m., President Knapp moved to go into executive session per O.R.C. 121.22 G(3) conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action with the zoning inspector, Stan Robinson and attorney Tony Stucco. George seconded and the vote in favor was unanimous.

At 5:55 p.m., Mr. Burkholder moved to come out of executive session, George seconded and the vote in favor was unanimous.

At 5:55 p.m., Mr. George moved to adjourn the special meeting, Burkholder seconded and the vote in favor was unanimous.

Burton Digel-Barrett
Fiscal Officer

Mike Knapp
President

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The Etna Township Board of Trustees met on August 7, 2007 at the Etna Township Hall to hold a regular meeting. President Knapp called the meeting to order at 7:04 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. President Knapp moved to amend the agenda to add a presentation by Bernie Caplin and to remove items D and E under new business, Mr. Burkholder moved to add an executive session per O.R.C. 121.22 G(1) to consider the compensation of a public employee after the last public comment period. Burkholder seconded the amendment and the vote in favor of the amendment and motion was unanimous.

ADOPTION OF THE MINUTES

Mr. George moved to approve the July 6, 2007 special meeting minutes. Burkholder seconded and the vote in favor was unanimous.

Mr. George moved to approve the July 10, 2007 regular meeting minutes. Burkholder seconded and the vote in favor was unanimous.

Mr. George moved to approve the July 11, 2007 special meeting minutes. Burkholder seconded and said the minutes should reflect that this was a special meeting, not a regular meeting. The vote in favor was unanimous with the correction.

PUBLIC COMMENTS

Neil Ingle, 71 Trail East, requested that the president explain the basic steps for forming a JEDZ and the cost to the township.

Wayne Wirth, 438 Trail West, asked if there was a JEDZ contract and if public hearings were held.

Gil Guttentag, 70 Runkle Drive, asked if a cost benefit analysis had been done on the financial and quality of life implications of the JEDZ as well as the Pataskala JEDD.

Gary Godwin, 63 Trail East, said the school boards and county commissioners have not yet voted on the tax abatements and questioned how the township could move forward.

Terry Bailey, 180 Trail East, asked if Item A under new business could be discussed now.

President Knapp said it could not and the above questions posed by residents would be discussed under item A under new business.

President Knapp said the wording for Item A is incorrect. What he meant to say is for the trustees to discuss taking it to the county prosecutor to see if we could have Etna residents vote on the issue to participate in the JEDD.

Major development presentation by Bernie Caplin of CapOhio

Mr. Caplin proposes to develop 113 acres at the southeast corner of Mink Street and Refugee Road for small to medium size businesses and another 179 acres on the east side of Smoke Road, north of US 40 for larger businesses. At this site, he plans to donate 70 acres abutting Watkins Memorial High School, to the school. About 8 acres are wetlands and the donation of land will save the school an estimated 4 million dollars. He is seeking 100 percent tax abatement for 15 years and would like to form a JEDZ and a TIF.

CORRESPONDENCE

- Norm Kennedy – email regarding public records training
- Licking County Soil & Water Conservation District – notification of Second Annual Urban Expo
- David Hawkins – bid proposal package
- Licking County Health Department – newsletter, notice of cat bite, and notices of violations at Wymer Ave, Liberty Street and Ambrose Bend
- Pataskala Are Chamber of Commerce – notice of educational meeting on ProLogis
- Licking County Board of Commissioners – Resolution 55-5 on reducing speed limit on Pike Street

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- Ohio Department of Commerce, Division of Liquor Control – liquor applications for Dapper Dan and Cumberland Trails
- LCPC – notice of TRC meeting
- Time Warner – change in programming
- MORPC – Transportation Connections publication
- BWC – information on Worker’s Comp University and on a claimant
- Ohio Bureau of Motor Vehicles – June statistics report
- Steve Holloway – letter regarding BZA deliberations
- OTA – Grassroots Clippings newsletter

REPORTS

Fiscal Officer

For the month of July

	Receipts	Expenditures
General Fund	11,214.80	44,248.68
MV License Tax	1,529.39	7,788.01
Gasoline Tax	397.77	6,074.45
Road & Bridge	773.04	23,699.90
Special Assessments	0.00	266.02
Misc Debt Service	0.00	2,740.43
Misc. Capital		<u>34,983.20</u>
Total	13,915.00	119,800.69

Funds Total July 31, 2007 - \$1,297,960.66

Resolution 07-08-21-01: President Knapp moved to not request a public hearing for a liquor application for Trails Limited LLC, a name change from Cumberland Trails Golf Course LLC. George seconded. Roll Call: Burkholder, abstain; George, yes; Knapp yes

Resolution 07-08-21-02: President Knapp moved to not request a public hearing for Dapper Dan’s Pub LLC, a name change from Columbia 40 LLC. George seconded.

Discussion: Mr. Burkholder related an incident of a Columbus police officer, carrying a firearm, arrested for intoxication after leaving this pub. Mr. George said the residents voted for liquor in this precinct.

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

Road – written report submitted

Resolution 07-08-21-03: Mr. George moved to approve the expenditure of \$2,500 to Mason Tree & Landscaping to remove 7 trees in the road right-of-way on Refugee Road west of Mink Street. A copy of insurance and BWC coverage must be submitted before work begins. Knapp seconded and the vote in favor was unanimous.

Resolution 07-08-21-04: Mr. George moved to approve the expenditure of \$366.68 to BrewPro for crack sealer parts. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-08-21-05: Mr. George moved to approve the expenditure of \$1315 to BrewPro for repair of the crack sealer, pump and labor. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-08-21-06: Mr. George moved to approve the expenditure of \$2889.23 for road signs. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-08-21-07: President Knapp proposed the following:

Whereas: Etna Proper was platted in Plat book 2 page 42 of the Licking County plat records.

Whereas: Township Officials have the authority to set speed limits at a speed of 25 miles per hour (mph).

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

That Etna Township Trustees now therefore by means of this resolution set the speed limit to 25 miles per hours (mph) for the streets covered in the above referenced plat.

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George seconded and the vote in favor was unanimous.

Resolution 07-08-21-08: President Knapp proposed the following
BE IT RESOLVED by the Board of Trustees, Etna Township, State of Ohio:
We hereby accept the recommendation to reduce the speed from 55 miles per hour (mph)
to 45 miles per hour (mph) west on Palmer Road from Mink Street to French Lake Drive.
George seconded and the vote in favor was unanimous.

Resolution 07-08-21-09: Mr. George moved to approve the expenditure of \$522.37 to Kimball Midwest
for caps, screws and bolts. Burkholder seconded and the vote in favor was unanimous.

Resolution 07-08-21-10: Mr. George moved to inform the insurance company (PERSO) to deny the
claim for damages from a fallen tree. Knapp seconded and the vote in favor was unanimous.

Resolution 07-08-21-11: Mr. George moved to file the necessary paperwork with the Licking County
Commissioners to vacate 15' of road right-of-way on the east side of Liberty Street between Pike and
Columbus Streets. Burkholder seconded and the vote in favor was unanimous.

President Knapp moved to approve 8/23 and 8/24 as vacation days for Mike Waller. Burkholder seconded
and the vote in favor was unanimous.

Mr. Burkholder said the walk path for the Columbia Road Retail Center has not been corrected and
questioned if the \$2500 bond should be pulled. Mr. George will investigate.

Zoning – written report submitted

Stan Robinson, zoning inspector, discussed refunds for late fees for fence permits when individuals were
told a permit was not needed by a former zoning inspector.

Resolution 07-08-21-12: Mr. Burkholder moved to approve a refund of \$50 to John Fry and \$50 to
Rodney Sparks for late fees. Knapp seconded and the vote in favor was unanimous.

Mr. Burkholder discussed the ambiguous language in the zoning resolution and the work the zoning
commission is doing to rectify it.

JEDZ

Mr. George reported that as of July 31st, there is \$32,254.44 in the JEDZ fund.

Economic Development

The township maps have been distributed and mailed. President Knapp asked that the committee develop
a procedure and cost for selling additional maps.

OLD BUSINESS

A. Discussion of proposal from David Hawkins, architect for township hall
Mr. Hawkins mailed a proposal and Mr. Burkholder said it was not a detailed list of costs.

B. Motion to set date and time for work session for new township hall
President Knapp moved to hold a work session on the new township hall with architect David Hawkins
on August 21st at 5 p.m. Burkholder seconded and the vote in favor was unanimous.

C. Motion to set date and time for work session to complete revisions for employee policy manual
Mr. Burkholder moved to hold a work session to complete revisions for the employee policy manual on
September 4th at 4 p.m. Knapp seconded and the vote in favor was unanimous.

NEW BUSINESS

A. Motion to put question on ballot to voters regarding forming a new JEDZ and participating in
Pataskala JEDD
President Knapp explained the wording should have been discussion and not a motion. He has asked the
county prosecutor if the residents could vote if they would like to see the township participate in
discussions with Pataskala to form a JEDD.

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Mr. Burkholder said that Pataskala has never presented a formal proposal to Etna Township for consideration.

B. Motion to approve print cartridges from Zones

Resolution 07-08-21-13: Mr. George moved to approve the expenditure of \$501.53 to Zones for print cartridges. Knapp seconded and the vote in favor was unanimous.

C. Motion to approve the Board of Zoning Appeals hearing at the Etna United Methodist Church on August 8th and 28th

Resolution 07-08-21-14: Mr. Burkholder moved to approve the expenditure of \$100 to the Etna United Methodist Church for meeting room rental to hold BZA hearings on 8/8 and 8/28. George seconded and the vote in favor was unanimous.

F. Motion to set a special joint meeting with the zoning commission regarding Planned Unit Developments

President Knapp moved to hold a special joint meeting with the zoning commission regarding Planned Unit Developments on August 22nd at 7 p.m. George seconded and the vote in favor was unanimous.

G. Report from Economic Development Committee regarding the "Job Ready Site" Pataskala meeting

President Knapp had given copies of the presentation by the county. The site is in Pataskala.

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

A five minute recess was called.

PUBLIC COMMENTS

David Goll, 8995 York Road, said it would be economical to place all three JEDZ's, ProLogis and two for Bernie Caplin, on the ballot at the same time.

Jim Van Dyne, 7173 Refugee Road, said he was skeptical on the donation of land for the school and doubts a bond issue could be passed.

Neil Ingle said there should be a contractual agreement for the donation.

Gary Godwin said there should be deed restrictions on the donated property and the township should look into truck routes.

At 10:15 p.m., Mr. Burkholder moved to go into executive session per O.R.C. 121.22 (G)1 to consider the compensation of a public employee or official. George seconded and the vote in favor was unanimous.

At 10:27 p.m., Mr. Burkholder moved to come out of executive session. Knapp seconded and the vote in favor was unanimous.

Mr. Burkholder moved to not adjust the Etna Township zoning inspector's salary at this time and for him to remain at his current hourly rate. Knapp seconded and the vote in favor was unanimous.

At 10:30 p.m., Mr. George moved to adjourn the meeting, Burkholder seconded and the vote in favor was unanimous.

Barbara Hylton-Fennell
Fiscal Officer

Dick Knapp
President