

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees Special Meeting

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10143

June 22,

2010

Held

20

The Etna Township Board of Trustees met on Tuesday, June 22nd, 2010 in the Etna Township Community Center/Administration Building for the purpose of conducting a special meeting/public hearing. The meeting was called to order at 6:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Virginia Schaff led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle and Fiscal Officer Walter Rogers present.

Trustee Johnson moved to adopt the agenda. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

The public hearing was to consider a Supplemental Township License Tax per Ohio Revised Code Section 4504.18 for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment.

Trustee Carlisle explained that after review of the township garage it is evident that we need a new township garage. He estimates a new building would cost \$250,000 dollars. The current building is full of equipment. The township will be experiencing financial short falls.

F/O Rogers explained most of the funds are coming down hill. On the issue of Real Estate taxes because of foreclosures, rollbacks, etc. within the township and county as a whole there will be at the minimum a 5% if not a 10% decrease. In the road and bridge fund this would be somewhere in the neighborhood of \$21 to \$22 thousand dollars. In the general fund it will be significantly higher at \$32 to \$35 thousand dollars less. Personal property taxes got rolled back five years ago when the State instituted the new commercial activity tax along with the franchise tax on a five year roll out. The first check from the State of Ohio on the roll back was only one-third of the amount it should have been and the State of Ohio indicated because of their shortage in the budget they could only issue one-third of the amount at this time. That was \$21 to \$22 thousand dollars short that the township may or may not receive later. F/O Rogers looks optimistically at the township coming in this year at \$100 to \$110 thousand less of what we received last year. This is not taking in account that interest on investments is down.

Public Comments –

F/O Rogers swore in the public as a group that wished to speak as follows: Do you solemnly swear or affirm that the testimony you are about to give will be the truth the whole truth and nothing but the truth and that this you do as you shall answer under the pains and penalties of perjury. If so, say I do.

Gil Guttentag 70 Runkle Drive was sworn in. He supports the tax but does have an issue. He would like to see the money in a separate account so they will always be used for what the Trustees are asking for and can be accounted for.

Mark Schaff 7461 National Road was sworn in. He supports the Supplemental Township License Tax and feels that it is needed for the township to maintain the roads. He is fully supportive of good maintenance practices. This tax will be needed to adjust to the shortfalls that will be coming. The increase in tax is not a lot of money for the individual but gives the township significant funds.

Virginia Schaff 7461 National Road was sworn in. She supports the tax and is happy to contribute the five dollars to maintain our township. She feels we have excellent Trustees and supports their decision regarding this tax.

Mark Giesey 18 Burreed Court was sworn in. He represents himself along with the Cumberland Trail Homeowner's Association. The HOA is against the tax because it is to wide spread for what they can do with the money. He feels maintaining roads are fine but not to buy a truck and do nothing with the roads. He asked if there is a step or a plan that the township will follow to spend the \$40 thousand dollars. Cumberland Trails was built ten years ago and the roads need to be paved. He owns five vehicles so this will cost him \$25.00.

Albert Bliss 9655 York Road was sworn in. He is opposed to this tax. It is not defined enough. He feels the original intent of the five dollar tax was for roads not for buildings or vehicles when the State passed it. He stated they should wait for the income from the JEDZ tax.

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~~John Carlisle Jr. 6781 Palmer Road was sworn in. He supports the tax. He feels the township needs money to maintain the roads and equipment. He praised the road crew for the snow removal last year.~~ ²⁰

Trustee Carlisle closed the public hearing. He explained that the Ohio Revised Code defines what this money can be used for. As F/O Rogers pointed out previously the township is going to lose potentially \$20 thousand dollars in the road and bridge fund. The township has put off purchasing another truck this year. The JEDZ money will potentially bring in a lot of money. The JEDZ II has not started and the township has not received any money yet. This board is fiscally responsible. This is cheaper then going to the voters for a road and bridge levy. Trustee Carlisle reviewed some of the postings from The Newark Advocate in support of the tax. The BMV estimates \$48 to \$50 thousand dollars in income. The license plate tax will require residents living in apartments and mobile home parks to pay directly to the township. This tax does not have any administration fees or any funds removed so the township receives 100% of the money. This is an annual fee. The Board of Trustees has the authority to repeal this fee at anytime. The township can only implement a five dollar fee. It is not permitted to put in a timeframe or length of time in the resolution.

F/O Rogers will add a line item under the road and bridge fund for this revenue. The money can not be moved from the road and bridge fund.

Trustee Foor stated Cumberland Trails is one of the more modern subdivisions with curbs and gutters. This causes the cost of paving to go up because you can only add so much asphalt to what is out there before you have to start grinding it away. The five dollar license fee is a nominal fee to impose on the residents.

Trustee Carlisle moved to approve the Supplemental Township License Tax per Ohio Revised Code Section 4504.18 as follows:

WHEREAS, Ohio Revised Code Section 4504.18 provides the Board of Township Trustees of Etna Township, Licking County, Ohio, with the authority to levy an annual license tax upon the operation of motor vehicles on the public roads and highways in the unincorporated territory of the township; and,

WHEREAS, the Board of Township Trustees may levy the annual license tax for the purpose of paying the costs and expenses of enforcing and administering the tax provided for in this resolution; for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment; for paying any costs apportioned to the township under section 4907.47 of the Revised Code; and to supplement revenue already available for such purposes; and,

WHEREAS, the motor vehicle license tax shall be at the rate of five dollars per motor vehicle on all motor vehicles the owners of which reside in the unincorporated area of the township; and,

WHEREAS, no resolution adopted under Ohio Revised Code Section 4504.18 shall become effective sooner than thirty days following its adoption, and such resolution is subject to a referendum in the same manner, except as to the form of the petition, as provided in division (H) of section 519.12 of the Revised Code for a proposed amendment to a township zoning resolution; and,

WHEREAS, The Board of Township Trustees has held two public hearings at the Etna Township Community Center; the first was held on June 18, 2010 at 6pm, and the second hearing was held on June 22, 2010 at 6pm; and,

WHEREAS, The Board of Township Trustees has provided notice of the two public hearings; the first notice was published in The Newark Advocate on the 7th day of June, 2010, and the second notice was published in The Newark Advocate on the 14th day of June, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Board of Township Trustees of Etna Township, Licking County, Ohio has determined that it is necessary to levy an annual license tax upon the operation of motor vehicles on the public roads and highways in the unincorporated territory of the township; and,

BE IT FURTHER RESOLVED that the tax shall be at the rate of five dollars per motor vehicle on all motor vehicles the owners of which reside in the unincorporated area of the township; and,

BE IT FURTHER RESOLVED that the proceeds of the annual license tax shall be used for the purpose of paying the costs and expenses of enforcing and administering the tax provided for in this resolution; for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for

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BE IT FURTHER RESOLVED that the tax shall be at the rate of five dollars per motor vehicle on all motor vehicles the owners of which reside in the unincorporated area of the township; and,

BE IT FURTHER RESOLVED that the proceeds of the annual license tax shall be used for the purpose of paying the costs and expenses of enforcing and administering the tax provided for in this resolution; for the construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts; for purchasing, erecting, and maintaining traffic signs, markers, lights, and signals; for purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment; for paying any costs apportioned to the township under section 4907.47 of the Revised Code; and to supplement revenue already available for such purposes; and,

BE IT FURTHER RESOLVED that this resolution shall become effective thirty days following its adoption unless a valid petition for referendum has been filed with the Board of Township Trustees; and,

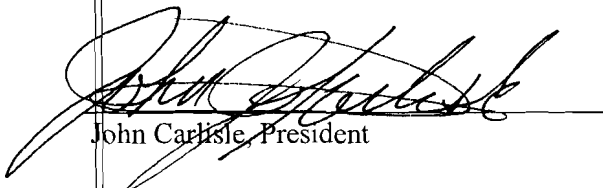
BE IT FURTHER RESOLVED that the license tax imposed in accordance with this resolution shall continue in effect until repealed; and,

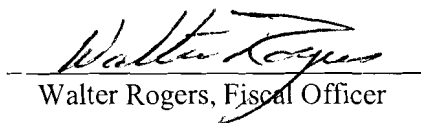
BE IT FURTHER RESOLVED that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including R.C. Section 121.22.

The motion was seconded by Trustee Foor. Discussion: Trustee Foor stated the Trustees need to be committed to revisit this issue if the economy bounces back or the JEDZ money increases. F/O Rogers stated this specific line item should be discussed every December.

The roll call was as follows: Jeff Johnson, no; Randy Foor, yes; and John Carlisle, yes. The motion passed 2-1.

Trustee Johnson moved to adjourn at 6:44 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.


John Carlisle, President


Walter Rogers, Fiscal Officer