

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 7,

2013

Held _____ 20_____

The Etna Township Board of Trustees met on Saturday, December 7, 2013 in the Etna Township Administration Building. The meeting was called to order at 9:00 a.m. by President Carlisle. The roll call showed Trustees Jeff Johnson, John Carlisle, Randy Foor, as present and Fiscal Officer Walter Rogers absent. Township Administrator Rob Platte was acting clerk.

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

Old Business

Trustee Carlisle stated the Licking County Commissioners did not address the concerns the township had with regards to maintaining Taylor Road, that were expressed in a letter drafted by Mr. Platte to the Commissioners. If the annexation was granted then the township wanted the road maintenance for this section of road to be turned over to the City of Reynoldsburg.

RESOLUTION TO ENTER INTO A REPRESENTATION AGREEMENT WITH SCHALLER, CAMPBELL AND UNTIED

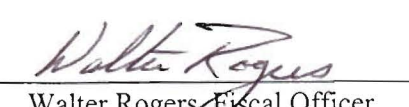
Resolution 13-12-07-01: Trustee Carlisle moved to pass resolution 13-12-07-01 as presented. The motion was seconded by Trustee Johnson. Discussion: The motion has a \$7,000 dollar cap without further action of the board. The motion passed by unanimous affirmative vote.

Resolution 13-12-07-01 was presented as follows: **WHEREAS**, the Etna Township Board of Trustees (the "Board") is authorized by Section 309.09(B) of the Ohio Revised Code to employ attorneys other than the prosecuting attorney for a particular matter to represent the Township and its officers, boards, and commissions in their official capacities and to advise them on legal matters; and **WHEREAS**, Section 309.09(B) of the Ohio Revised Code provides that no such attorney may be employed except on the order of the Board, duly entered upon its Journal, in which the compensation to be paid for the attorney's legal services shall be fixed; and **WHEREAS**, the Board finds it necessary to appoint attorneys to counsel and represent the Township in the matter of an annexation petition filed with the Licking County Board of Commissioners as FILE #3-2013; and **WHEREAS**, the Board wishes to enter into a Representation Agreement with Schaller, Campbell and Untied. **NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF ETNA TOWNSHIP, LICKING COUNTY, OHIO, THAT THE FOLLOWING RESOLUTION BE AND IT HEREBY IS ADOPTED:** **Section 1.** David Q. Wigginton and the law firm of Schaller, Campbell and Untied, 32 North Park Place Newark, Ohio 43055, are hereby employed as the Township's legal counsel to represent the Township and its officers, boards and commissions in their official capacities and to advise them in connection with the matter of an annexation petition filed with the Licking County Board of Commissioners as FILE #3-2013. **Section 2.** The Township Administrator is authorized to enter into and execute a Representation Agreement with Schaller, Campbell and Untied (contained herewith as "Exhibit A"). **Section 3.** The Representation Agreement specifies the compensation to be paid for the legal services as fixed, and shall not exceed Seven Thousand Dollars (\$7,000.00) without further action of this Board. **Section 4.** The Township Administrator is directed to send a copy of the executed Representation Agreement to the law firm specified in Section 1. **Section 5.** It is found and determined that all formal actions of this Board concerning and pertaining to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of the Board, and any of its committees, that resulted in such formal action were in meetings open to the public, in accordance with all legal requirements including Ohio Revised Code §121.22. **Section 6.** This Resolution shall take effect at the earliest time provided by law.

Trustee Johnson moved to adjourned at 9:13 a.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.



John Carlisle, President



Walter Rogers, Fiscal Officer