

RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 5, 2005

Held

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The Etna Township Board of Trustees met on April 5, 2005 in the Etna Township Hall to hold a regular meeting. The meeting was called to order at 7:04 p.m. by President Burkholder and the pledge of allegiance was recited.

Roll call showed Mrs. Siddens, Mr. George, President Burkholder and the clerk present.

ADOPTION OF THE AGENDA

Mr. George moved to adopt the agenda. Siddens seconded.

Mr. George moved to amend the agenda to move payment of the bills after correspondence. Siddens seconded.

Roll Call on amendment: Siddens, yes; George, yes; Burkholder, yes.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

ADOPTION OF THE MINUTES

Mr. George moved to approve the March 1, 2005 meeting minutes. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Mrs. Siddens moved to approve the March 15, 2005 meeting minutes. Burkholder seconded

Roll Call: Siddens, yes; George, abstain; Burkholder, yes.

President Burkholder moved to approve the March 29, 2005 special meeting minutes. Siddens seconded.

Roll Call: Siddens, yes; George, abstain; Burkholder, yes.

PUBLIC COMMENTS

Richard Lord introduced Rhonda Loomis, office manager for the Southwest Licking Community Water and Sewer District (SWLCWSD). Ms Loomis was hired to improve customer service and spoke about the new Geographical Information Systems (GIS). Intent is to share data of GIS with connecting entities.

Marta Murphy, 8736 National Road, said her property, adjacent to Longwood Crossing, has access to Route 40, is for sale and would solve the problem of the emergency access to Route 40 for the developer. The Murphys' will not give the developer a right-of-way across the front of their yard which would decrease their property value. The house and 1.49 acres is for sale.

Steve Holloway, Chairman of the BZA, displayed his proposed sign to be placed at locations that are before the board for a variance consideration. Quotes were given.

Richard Lord, Representative for the SWLCWSD, gave his report at this time. He is working with the Van Dyne's on storm water runoff and the district is looking into stopping the annexation of 123.5 acres at Refugee and Summit Road by Reynoldsburg. The district purchased property on Mink Street for a million gallon water tower. Mrs. Siddens spoke about an additional hydrant on Laurel Drive in Jardin Manor and said the number of hydrants in Longwood Crossing should be checked since the fire requirements have changed since the development was approved.

Jim Van Dyne, 7173 Refugee Road, said when the sewer line was constructed through Frontier Ranch, from Watkins to York Road, dirt piles were left behind which could cause a flooding problem for his property.

Dee Dunlop, 970 Columbus Street, expressed concerns on the closing of Columbus Street at Route 310 and the widening of Route 310. Her nail salon may not exist after the widening and she does not want an ugly guardrail closing Columbus Street but would like to see an aesthetic treatment to match the park.

Grant Snider also expressed concerns on the closing of Columbus Street.

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CORRESPONDENCE

- Ohio Division of Liquor Control - new permit for Duke Station
- Licking County Commissioners - Resolutions 47-142B, 47-263, 47-309, 47-317
- Licking County Planning Commission (LCPC) regarding lot encroachment in Etna proper; replat of lots 13 - 17 in Brandy Mills; conditional approval of Etna Corporate Park North; and staff report for Joseph Olson
- Licking County Board of Health - mosquito control for 2005
- Ohio Bureau of Motor Vehicles - February statistics report
- Licking County Prosecutor's Office - JEDZ income tax procedure and road and bridge tax levy information
- Ohio EPA - public meeting
- Licking County Health Department - violation notice being referred for legal action
- Licking County Office of Homeland Security and Emergency Management - additional money received and township can be reimbursed \$1580 for installation of siren; temporary help and mitigation grant
- Crawford Insurance Company - claim settled for Kenny and Misty Rowe for \$500.
- Licking County Aging Program - survey
- Connie Klema - regarding Longwood Crossing
- Sunoco - regarding credit cards
- CLFP - newsletter
- Ohio National Road Association - design handbook
- Time Warner - 2004 Annual Report
- Ohio Township Association - Grassroots Clippings newsletter
- Licking County Veterans Service Commission - new address
- LCPC - Local Government Fund Task Force
- Shelly Materials - Taylor Road plant will open April 7th
- Licking County Township Association - Spring meeting
- North American Salt Company - new address
- MORPC - 2005 annual meeting luncheon
- National Business Institute - seminar information
- OPERS - newsletter
- Licking County Department of Job and Family Services - newsletter

At 8:23 p.m., President Burkholder moved for a recess. George seconded and the vote in favor was unanimous.

PAYMENT OF BILLS

Mr. George moved to pay the bills. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

Listing of checks are at the end of the minutes

OLD BUSINESS

A. Motion to retain Loveland & Brosius for legal services for Taylor Road project

Resolution 05-04-05-01: President Burkholder moved to retain the law firm of Loveland & Brosius for the Taylor Road project not to exceed \$10,000. George seconded.

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

B. Purchase orders requested by the road crew

Resolution 05-04-05-02: Mrs. Siddens moved to purchase two strobe lights and master switches from Ace Truck Equipment, not to exceed \$100. Burkholder seconded.

Roll Call: Siddens, yes; George, yes; Burkholder, yes.

C. Location of severe weather siren

Mr. George said he would like to place the siren on the northeast corner of the township garage. A 60' pole will be installed 10' into the ground and the siren will be 50' above ground, the

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maximum height for the siren to perform efficiently.

Mrs. Siddens expressed concerns about the placement of the siren, operating at 127 decibels, at the garage. She felt the magnification could be detrimental to the surrounding neighborhood. She would like to review the CBG-171 document for the federal regulations and for Ralph Anderson from BAC Communications to give his approval of the placement.

President Burkholder moved to table this item. George seconded.
Roll Call: Siddens, yes; George, yes; Burkholder, yes.

D. Estimates for road department.

President Burkholder moved to table this item. George seconded.
Roll Call: Siddens, yes; George, yes; Burkholder, yes.

E. Cameron Chase subdivision final plat and subdivision deficiencies.

Correspondence was received from M/I Homes that they may pursue legal action. President Burkholder said he attended the LCPC meeting and there are still about 15 outstanding items that have not been addressed in the earlier phase of the subdivision. According to the DLZ Engineering report, only two or three items on the punch list were corrected. Jerry Brems, LCPC director, said he would not sign off on the final plat until all items were addressed.

F. Cumberland Chase condos

G. Cumberland Trail, approval of letters regarding green space

Several prepared letters were received from Craig Paynter regarding building on the driving range which is part of the green space. One letter is to Mr. Whalen with MAS Cumberland and one to the statutory agent for Columbia Road, LTD.

Resolution 05-04-05-03: President Burkholder moved to approve the letters as presented, except to change the name of the signer from President Burkholder to Craig Paynter, and to send a copy to Ethel Runkle Cochran, the Licking County Prosecutor and LCPC. George seconded.

Discussion: Mrs. Siddens objected saying she just received copies of the letters tonight and did not have time to review them.

Roll Call: Siddens, abstain; George, yes; Burkholder, yes.

H. Longwood Crossing, discussion of amendment process

President Burkholder and Mr. George said the requested amendment needs to go through the whole process of the zoning commission, LCPC and come before the trustees. Mrs. Siddens said the amendment should be heard by the BZA to protect the township if the decision is litigated.

Resolution 05-04-05-04: Mr. George moved to send a letter to Connie Klema that the amendment request for the emergency access road should start with the zoning commission and for the request to go to LCPC and for the trustees to have the final vote. Burkholder seconded.
Roll Call: Siddens, no; George, yes; Burkholder, yes.

Mike Whitehead, 9501 Lynns Road, attorney with the same law firm as Connie Klema, questioned if the fire district had independent control to review the proposed amendment or if the trustees advised the fire department not to review the plans for the emergency access.

Mr. George said Ms. Klema was told by the fire chief that the fire district will never approve a plan that was not first approved by the trustees.

I. Part-time Zoning Inspector Job Description & training (draft)

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~~President Burkholder said he would like to present some proposed amendments to the zoning resolution regarding the position of the zoning inspector.~~

President Burkholder moved to remove this item from the table. George seconded
Roll Call: Siddens, abstain; George, yes; Burkholder, yes.

President Burkholder moved to remove this item from the agenda. George seconded.
Roll Call: Siddens, abstain; George, yes; Burkholder, yes.

J. Motion to approve Dallas Maynard's accumulated comp time
Computation not complete

K. Memorandum for a copy of the Ohio Attorney General letter to Rachael Siddens
President Burkholder said since he did not receive a copy of the letter from Mrs. Siddens, he obtained a copy of the letter directly from the Ohio Attorney General's Office. Mrs. Siddens had requested an opinion on alleged actions by the zoning commission. The Attorney General's Office responded that they do not provide opinions to individual township officers, boards or commissions, only those directly from the county prosecutors.

At 9:17 p.m., Mr. George left the meeting due to his ill health.

L. Tree in road right-of-way at 38 Nantucket
Mrs. Siddens said the problem was resolved, the homeowner will move the tree in thirty days.

M. Resolution on competitive bidding
Mrs. Siddens said there is a previous resolution on competitive bidding.

N. Letter to Steve Ferris from Licking County Soil and Water regarding Watkins Grove
Issue has not been resolved

O. Maronda Homes re-plat in Brandy Mills
Some owners still need replats and will contact LCPC directly.

P. Letter from Licking County Prosecutor's Office regarding JEDZ
Public hearing was set for May 3, 2005

Q. Memorandum regarding South Fork of the Licking River
No follow up to the letter has been taken.

R. Lynns Road - Elite Indoor Boats and Storage
Item was requested by Mr. George but due to his ill health, Mr. George left the meeting earlier.

NEW BUSINESS

A. Board of Zoning Appeals yard signs
Mrs. Siddens said she felt the quote was excessive and wanted more quotes.

President Burkholder moved to table this item. Siddens seconded
Roll Call: Siddens, yes; Burkholder, yes.

B. Grant Snider, Route 310, has concerns on closure of Columbus Street
Discussed under public comments

C. Jeff Kennedy, 10428 Refugee Road, guardrail at Summit Road and Refugee Road
Mr. Waller had suggested "Stop Ahead" signs and Mrs. Siddens said the township does not

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have the authority to erect a guardrail.

D. Motion to complete five employee evaluations prior to April 19, 2005 to then discuss/record Resolution 05-04-05-05: Mrs. Siddens moved to complete five employee evaluations prior to April 19, 2005. Burkholder seconded.

President Burkholder moved to amend the motion for the president to complete the evaluations for the zoning department and secretary and for Trustee George to evaluate the three road employees. Siddens seconded.

Roll Call on amendment: Siddens, yes; Burkholder, yes.

Roll Call: Siddens, yes; Burkholder, yes.

E. Debris clean up

Mrs. Siddens reported that due to the warmer weather, many residents were piling the debris from the winter ice storm into the township road right-of-ways. She suggested notifying residents that they could bring their debris to the township garage for disposal within a certain time limit.

President Burkholder said it was not the township's responsibility to clean up debris dumped into the right-of-way by homeowners. Violators should be prosecuted. He could support a community clean-up day where Rumpke could donate some dumpsters.

President Burkholder moved to table this item. Siddens seconded.

Roll Call: Siddens, no; Burkholder, yes.

F. Brandy Mills over flow pipe

Mrs. Siddens reported that the site manager informed her the pipe was replaced.

G. Approve letter from Licking County Emergency Management regarding FEMA Resolution 05-04-05-06: Mrs. Siddens moved to appoint Barbara Digel-Barrett, clerk, as the designated agent for the Public Assistance Grant Program administered through the Ohio Emergency Management Agency. President Burkholder seconded the motion.

Roll Call: Siddens, yes; Burkholder, yes;

H. Reynoldsburg annexations

President Burkholder said Reynoldsburg City Council passed a resolution that they could provide services to the 123.5 acre parcel on Refugee and Summit Road.

I. Cumberland Links - dirt mound

The dirt mound is not properly seeded or maintained and President Burkholder will address this issue at the next LCPC meeting.

REPORTS

A. Clerk's financial report

March 2005

	Receipts	Disbursements
General Fund	\$ 18,102.27	\$ 31,036.46
MV License Tax	1,377.26	154.79
Gasoline Tax	6,998.50	3,758.88
Road & Bridge	-	10,122.36
Special Assessments	-	248.02
Total	\$ 26,478.03	\$ 45,320.51

Funds Total at March 31, 2005 - \$1,015,633.15

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B. Road report

Written report submitted.

President Burkholder objected to the price for a new hot water tank for the garage. Mrs. Siddens said she ordered the tank from Carter Lumber with her \$750 allowance. Burkholder said he was not contacted about the need for a new tank.

G. Parks and Recreation

H. Cemeteries

Mrs. Siddens reported that the fence at the park needs to be repaired due to a traffic accident and the signs at the cemeteries are fading and need to be replaced.

Resolution 05-04-05-07: Mrs. Siddens moved to approve the expenditure of \$50 from Carter Lumber for fence posts; \$402 to H.W. Martin for Round-up and weed and feed; and \$400 to Wheelsport for bar oil, spark plugs and saw blade. Burkholder seconded.

Roll Call: Siddens, yes; Burkholder, yes.

President Burkholder moved to advise Mr. George about the need for new cemetery signs. Siddens seconded.

Roll Call: Siddens, yes; Burkholder, yes.

ANNOUNCEMENTS AND TRUSTEES COMMENTS

President Burkholder said it was good to have Mr. George back and hopes he recovers quickly.

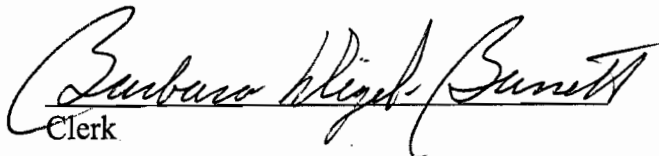
PUBLIC COMMENTS

Claudette Van Dyne, 7173 Refugee Road, said it is the property owners responsibility to clean up the storm debris not the township's responsibility. As a taxpayer of the township, she said she has a problem with paying a trustee and not being able to put creditability and trustworthiness into a trustee who would deliberately make accusations to the Ohio Attorney General about a commission board when they had no knowledge about what was said or done.

Neil Ingle, 71 Trail East, said he agrees that the amendment request for Longwood Crossing should go through the entire zoning process again and a fee should be paid. He also agrees with Mrs. Van Dyne that the property owners should clean up their storm damage debris, companies can be hired to do the job if the homeowners are unable to do the work themselves.

President Burkholder said the sheriff's department should be called and a request made for the township to be patrolled for speeding in subdivisions and illegal dumping of trash.

At 10:03 p.m., President Burkholder moved to adjourn the meeting. Siddens seconded. The vote in favor was unanimous.


Clerk


President

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2238	VW	04/05/2005	DAN BRAVARD		\$390.00
2239	VW	04/05/2005	VINCE COLBURN		225.00
2240	VW	04/05/2005	MICHAEL A. KERNER		225.00
2241	VW	04/05/2005	TINA TAYLOR		200.00
2242	VW	04/05/2005	JIM VAN DYNE		300.00
2243	VW	04/05/2005	FREDERICK COX		165.00
2244	VW	04/05/2005	DAVID GOLL		150.00
2245	VW	04/05/2005	STEVE HOLLOWAY		165.00
2246	VW	04/05/2005	JEFFREY JOHNSON		125.00
2247	VW	04/05/2005	CHERYL A. ROGERS		150.00
2248	VW	04/05/2005	OHIO DEPT OF JOB AND FAMILY SERVICES		1,353.29
2249	VW	04/05/2005	AMERICAN ELECTRIC POWER		190.33
2250	VW	04/05/2005	COLUMBIA GAS CO.		715.53
2251	VW	04/05/2005	SWLCWSD		125.53
2252	VW	04/05/2005	NEXTEL COMMUNICATIONS		41.53
2253	VW	04/05/2005	SPRINT		289.20
2254	VW	04/05/2005	GORDON FLESCH COMPANY, INC.		41.92
2255	VW	04/05/2005	SECURITY OPERATIONS SYSTEMS INC		60.00
2256	VW	04/05/2005	STEPHEN L. FERRIS		76.95
2257	VW	04/05/2005	JOSEPH E. OLSON		400.00
2258	VW	04/05/2005	DICKMAN DIRECTORIES INC.		86.02
2259	VW	04/05/2005	POSTMASTER		44.40
2260	VW	04/05/2005	DALLAS W. MAYNARD		261.10
2261	VW	04/05/2005	PAUL GEORGE		213.20
2262	VW	04/05/2005	PHILLIP M. WALLER		40.00
2263	VW	04/05/2005	LOVELAND & BROSIUS, LLC		668.95
2264	VW	04/05/2005	OHIO FIRE AND SAFETY		338.05
2265	VW	04/05/2005	MEDICAL MUTUAL OF OHIO		4,286.99
2266	VW	04/05/2005	REDSKIN TRANSPORT		3,023.72
2267	VW	04/05/2005	MIDLAND CO-OP, INC.		1,117.60
2268	VW	04/05/2005	CARGILL INC - SALT DIVISION		1,763.64
2269	VW	04/05/2005	SHELLY MATERIALS INC.		371.15
2270	VW	04/05/2005	PRAXAIR DISTRIBUTION INC.		100.86
2271	VW	04/05/2005	CENTER CITY INTERNATIONAL TRUCKS, INC.		35.08
2272	VW	04/05/2005	RHOMAR INDUSTRIES, INC.		1,096.64
2273	PY	04/05/2005	GARY L. BURKHOLDER	- GLB	735.72
2274	PY	04/05/2005	MARK J. SMITH	- MJS	417.00
2275	PY	04/05/2005	PHILLIP M. WALLER	- PMW	782.51
2276	PY	04/05/2005	PAUL W. GEORGE	- PWG	752.81
2277	PY	04/05/2005	STEPHEN L. FERRIS	- SLF	350.02
2278	PY	04/05/2005	OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM		3,562.50
2279	PY	04/05/2005	PARK NATIONAL BANK		2,072.98
2280	PY	04/05/2005	TREASURER OF STATE OF OHIO		838.60
2281	PY	04/05/2005	OHIO SCHOOL DISTRICT INCOME TAX		134.57
2282	VW	04/05/2005	AMERICAN ELECTRIC POWER		467.22
EFT			Laura J. Brown		330.07
EFT			Barbara Digel-Barrett		995.63
EFT			Dallas W. Maynard		460.07
EFT			Rachael D. Siddens		752.81
Total					31,489.19

I do hereby certify that the funds for payment of the above obligations were lawfully appropriated and are on hand or are in the process of collection.

Barbara Digel-Barrett
Clerk