

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 5th, 2008
20

The Etna Township Board of Trustees met on Tuesday August 5th, 2008 in the Etna Township Hall for the purpose of conducting a regular meeting. The meeting was called to order at 7:03 p.m. by President Knapp. Claudette VanDyne led the prayer and then the pledge of allegiance was recited. Roll call showed Jeff Johnson, Paul George, Dick Knapp, and Laura Brown present. Fiscal Officer Tina Taylor was absent.

Paul George moved to adopt the agenda. Jeff Johnson seconded and the vote in favor was unanimous.

Paul George moved to approve the July 15th, 2008 regular meeting minutes. Jeff Johnson seconded and the vote in favor was unanimous.

Paul George moved to approve the July 28th, 2008 special meeting minutes. Jeff Johnson seconded and the vote in favor was unanimous.

Public Comments

Mark Schaff 7461 National Road presented facts regarding Joe Schaff and High Point Park. Joe Schaff had a budget of approximately \$140,000 thousand dollars composed of a \$60,000 grant from Ohio Department of Natural Resources, \$60,000 grant from the Trustees, and approximately \$15-20,000 from the Schaff Family grant for the gazebo to complete the park. Mark Schaff supports renaming the park Joe Schaff Memorial Park.

Virginia Schaff 7461 National Road read a letter of support to rename the park to honor Joe Schaff from Dave Olson.

Sarah Schaff Ray 7461 National Road spoke in support of renaming the park in honor of Joe Schaff.

Judy Ruff 11 Spikerush Court stated the entire cul-de-sac in Spikerush Court is a problem not just the neck.

Gil Guttentag 76 Runkle Drive discussed the 310 corridor plan. Stated there are non-motorized vehicles and non-licensed vehicles parked in Cumberland Trails that are creating a safety hazard.

Mary Turner 6238 Palmer Road discussed Joe Schaff and his family. She supports renaming the park after Joe.

Roger Digel-Barrett 533 Ballman Road spoke in support of Joe Schaff and renaming the park in honor of Joe.

Gary Godwin 63 Trail East discussed the safety issues in Spikerush Court and the non-motorized non-licensed vehicles parked that are creating a safety hazard.

Steve Hunziker 10246 Loop Road supports the Schaff family and renaming the park after Joe.

Betty Warner Duncan 8937 Hazelton-Etna Rd ancestor donated the park to the township. The family had stipulations on the park. She discussed the children playing in the streets and suggested play equipment for the park. She wants the park kept High Point Park.

Francis Messer 934 Pike Street stated the park is wonderful and suggested leaving the name High Point Park in memory of Mr. Schaff. The park was named High Point because it is the highest Point.

Dan Duncan 9172 Smoke Road is Betty Duncan's son. He stated Joe did a good job on the park and would like it to remain High Point Park in memory of Mr. Schaff. It is the highest Point.

Claudette VanDyne 7173 Refugee Road supports the Schaff family, the beautiful park, and renaming it to honor Joe Schaff.

Alice Beougher 13255 National Road discussed the park and stated the park would not be here if it wasn't for Joe Schaff. She supports renaming the park to Joe Schaff.

Brian Snider 9172 Smoke Road likes the name High Point Park because of the history of the name. Joe Schaff named the park High Point Park.

Doug Moreland 2057 River Road stated Bowling Green Township is looking to Etna as an example for a comprehensive plan.

Discussion with Licking County Assistant Prosecutor Eric Fox regarding Township/Zoning Litigation

Eric Fox did advise that until everyone's signature is on the settlement agreement it is technically not final and not filled with the court. Paul George verified with Eric Fox that he recommends they approve the proposed settlement agreement. Dick Knapp discussed the agreement with Gil Guttentag.

Resolution 08-08-05-01: Paul George moved to approve the proposed settlement agreement resolving Licking County Common Pleas Case #'s 07CV 664, 665, 1127, and 1128; and further authorizing Trustee Dick Knapp to execute the settlement agreement on behalf of the Board of Trustees. Jeff Johnson seconded; roll call: Johnson, yes; George, yes; and Knapp, yes; motion passed 3-0.

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Discussion with Chris Harkness, Zoning Administrator regarding Etna 310 Zoning Plan Dick Knapp discussed the meeting regarding the 310 Plan and follow-up. Dick Knapp suggested having Chris Harkness meet with MORPC, LCATS, ODOT, and Licking County Planning Commission regarding the 310 Plan to pull out the elements from the plan that will work for the township. The Trustees are in agreement to proceed. Dick Knapp also discussed meeting with the developers and their plans for State Route 310. Paul George has a meeting scheduled with a developer and some members of the Economic Development Committee with him at this meeting.

Discussion regarding Summit Road w/Reynoldsburg City Engineer Jim Miller will be on the August 19th meeting.

Discussion regarding renaming High Point Park – Dick Knapp discussed the letters both asking to rename the park and to leave the name alone. Dick Knapp also submitted a list of phone calls in support of renaming the park. A number of signatures asking the name remain High Point Park were submitted (Six pages). Dick Knapp stated the current plaque in the park is not correct and does not reflect that Lyman Terrill plotted the town of Cartridge and later referred to as Etna Commons. When the property transferred in 1833 or 1834 it was Lyman Terrill who wanted it to remain the Commons. It became Etna Township property and it has been in the Trustees control since. In the early nineties it became High Point Park through Joseph Schaff's work.

John Carlisle 6767 Palmer Road was a Trustee when High Point Park was transformed. He stated when they applied for the grant through the State of Ohio they needed to affix a name. Joe came up with the name of High Point Park. In 1992 the park was finished.

Sarah Schaff Ray 7461 National Road referenced Morris Schaff's book which is where they got the idea of this Point being the highest Point.

Virginia Schaff 7461 National Road stated when Joe died of liver cancer in March of 2004 he stated he wanted to be remembered by the work he did in the park and he wanted the park to be named after him.

Mary Turner 6238 Palmer Road stated Joe was in World War II and served his country.

Mary Campbell 136 Pebble Creek stated Joe put a lot of work into the park and was very humble. She suggested a plaque in the park to recognize Joe in stead of renaming the park.

Tom Dixon 8467 Hazelton-Etna Road stated Mr. Terrill started everything and suggested a plaque. He does not think you should forget the person that started the park and the Terrill Warner family. He remembers watching the children playing ball in the park. He likes the name High Point Park.

Mark Schaff 7461 National Road discussed the near injuries with the children for the use of the park at that time. He also thanked Freddie Latella for wanting the park named after his father.

Earl Warner 345 Needle Drive stated his father Lyman Warner would drive by and stated the park was put in for the children to play in. He wants the park to remain High Point Park.

Sarah Schaff Ray stated Joe Schaff lived in Etna until he graduated and went into the service. In 1981 he came back to Etna Township.

Mark Schaff stated his father was born on the family farm that has been here since 1840. He graduated from Etna High School and then served in the Navy and then came back and contributed to the township.

Roger Digel-Barrett 533 Ballman Road stated the high Point in Etna Township is Summit Road.

John Carlisle stated five people were part of the park, Nick Broyles, Ken Jacks, Joe Schaff, Mike Waller, and himself. The park was decided by the Trustees because two children were hit on 310. The school two blocks away would allow the kids to play there. The Trustees had to address the drainage issue in the park. The Licking County Prosecutor's office approved everything regarding the park including the name. John stated that even when Joe got sick he still finished the park. The Trustees wanted to name the park after Joe and he did not want the park named after him. John Carlisle does feel the park should be named after Joe Schaff. The gazebo was approved later because it was an accessory structure. They could not build a town hall there.

Gary Godwin 63 Trail East as an outsider he can see both sides the work of Joe Schaff and the family that donated the land. The park was done by a humble group of men. He liked the idea of compromise.

Dan Duncan 9172 Smoke Road does not want this to turn into a popularity contest and would like the park to remain High Point Park.

Freddie Lattella 184 Hawthorne Road stated this should not be a popularity contest but wants them to do the right thing and rename the park after Joe Schaff.

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Brian Snider 9172 Smoke Road stated the park was named High Point Park and wants it to stay that way. He discussed the name of the park changing every few years.

Alice Beougher 13255 National Road discussed Joe Schaff 's work in the township and the way he cared about people. She wants the park named after him.

Gil Guttentag 70 Runkle Drive stated Joe Schaff did not want the park named after him and maybe the compromise would be High Point Park in honor of Joe Schaff.

Paul Clark 7730 National Road discussed Etna and history. He discussed the veterans and the people that saved this country. He felt Joe was an honorable man and sees nothing wrong with a plaque. Plaques remain and names of parks change.

Betty Warner Duncan 8937 Hazelton-Etna Road would like a plaque for Joe Schaff and Lyman Terrill and leave the parks name High Point Park.

Joanne Carlisle 6731 Palmer Road stated parks do not all get renamed. She is in favor of renaming the park.

Earl Warner stated if it wasn't for Lyman Terrill Joe would not have had the land to build the park.

Brian Snider stated the Lyman Terrill family donated the land for a public square.

Gilbert Guttentag discussed the Mayor signs and politicians. He suggested a plaque to honor Joe Schaff.

Roger Digel-Barrett discussed a man who is deceased and this is for his memory.

The Trustees will review the new information provided this evening and discuss the first meeting in September 2nd agenda. Jeff Johnson moved to table the issue until the September 2nd Trustee meeting. Paul George seconded and the vote in favor was unanimous.

The board recessed from 8:42 p.m. to 8:48 p.m.

New townhall/community center update Paul George stated Licking County Building Codes requested some changes on the drawings from Mr. Hawkins. The estimate for the cost of the building needs to be addressed. Paul George will check with Licking County Prosecutor's office on whether this needs discussed in executive session.

Parking Regulations After board discussion regarding the parking issues in Spikerush Court and the draft resolutions from Eric Fox, Licking County Prosecutor's office the following resolutions were passed. Dick Knapp read the entire recommendation from Eric Fox during the meeting.

Resolution 08-08-05-02: Dick Knapp moved the adoption of the following:

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the regulation; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio are necessary for the unrestricted use of the residents of Etna Township; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio are necessary for the unrestricted use of emergency vehicles serving the safety needs of the residents of Etna Township; and,

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, is permitted, under Ohio Revised Code Section 505.17(A), to make regulations and orders as are necessary to control all vehicle parking within the township.

NOW, THEREFORE, BE IT RESOLVED that no person shall park a vehicle on the public roadway or right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio. Paul George seconded. The motion passed unanimously.

Resolution 08-08-05-03: Dick Knapp moved the adoption of the following:

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the regulation; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio are necessary for the unrestricted use of the residents of Etna Township; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio are necessary for the unrestricted use of emergency vehicles serving the safety needs of the residents of Etna Township.

NOW, THEREFORE, BE IT RESOLVED that any person who parks a vehicle on the public roadway or right-of-way of Spikerush Court, Etna Township, Licking County, Ohio, in violation of previously enacted Resolution 08-08-05-02, shall not be considered to have committed a criminal offense for any purpose.

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BE IT FURTHER RESOLVED that any person who parks a vehicle on the public roadway or right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, in violation of previously enacted Resolution 08-08-05-02, shall not be arrested as a result of the commission of the violation.

BE IT FURTHER RESOLVED that a violation of Resolution 08-08-05-02 shall be handled pursuant to Ohio Revised Code Chapter 4521.

Paul George seconded. The motion passed unanimously.

Resolution 08-08-05-04: Dick Knapp moved the adoption of the following:

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the regulation; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of the residents of Etna Township; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of emergency vehicles serving the safety needs of the residents of Etna Township.

NOW, THEREFORE, BE IT RESOLVED that any person causing a vehicle to be parked on the public roadway or right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, in violation of previously enacted Resolution 08-08-05-02, shall be fined \$100.00 dollars. The required fine shall be paid to the Clerk of Courts, Licking County, Ohio.

BE IT FURTHER RESOLVED that the Clerk of Courts, Licking County, Ohio shall forward half the money to the Board of Township Trustees of Etna Township and half of the money to the Board of County Commissioners of Licking County, Ohio.

BE IT FURTHER RESOLVED that the offender will be assessed an additional penalty of \$500.00 dollars if the offender fails to answer any of the charges of the violation in a timely manner.

Jeff Johnson seconded. The motion passed unanimously.

Resolution 08-08-05-05: Dick Knapp moved the adoption of the following:

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the regulation; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of the residents of Etna Township; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of emergency vehicles serving the safety needs of the residents of Etna Township.

NOW, THEREFORE, BE IT RESOLVED that any person causing a vehicle to be parked on the public roadway or right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, in violation of previously enacted Resolution 08-08-05-02 shall pay the applicable fine of \$100.00 dollars, or otherwise answer to the charges of the violation, within thirty (30) days after demand has been made by the Clerk of Courts, Licking County, Ohio.

Paul George seconded. The motion passed unanimously.

Resolution 08-08-05-06: Dick Knapp moved the adoption of the following:

WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the regulation; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of the residents of Etna Township; and,

WHEREAS, the public roadway and right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, are necessary for the unrestricted use of emergency vehicles serving the safety needs of the residents of Etna Township.

NOW, THEREFORE, BE IT RESOLVED that any vehicle parked on the public roadway or right-of-way of Spikerush Court commencing from Trail East south 100 feet on Spikerush Court, Etna Township, Licking County, Ohio, in violation of previously enacted Resolution 08-08-05-02, shall be impounded.

BE IT FURTHER RESOLVED that the owner of any vehicle so impounded pursuant to this resolution, may obtain the release of such vehicle upon the payment of any fines and penalties, in addition to an impound and storage fee, which in no case shall exceed one thousand (1,000) dollars.

Paul George seconded. The motion passed unanimously.

The passed resolutions will be enforced on September 4th, 2008. These will be forwarded to the Prosecutor's Office and Licking County Sheriff's office. Dick Knapp discussed deed restrictions for some neighborhoods would enforce boats and motor homes.

Gil Guttentag stated homeowner's associations do not have jurisdiction of public roads. He discussed the safety issues of the non-motorized trailers along the public road and boats being parked on the road.

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Dick Knapp and Mike Waller will have more information by the next meeting.

Safety Speed Tables Dick Knapp reported on the speed table in Brandy Mill. The board discussed other areas in the township for more speed tables. Etna Township Road Crew built the speed table.

Road Report

Mike Waller provided a written road report that was reviewed.

Resolution 08-08-05-07: Dick Knapp moved to approve \$600.00 to Baker Automotive for 55 gallons of oil. Paul George seconded and the vote in favor was unanimous.

Paul George moved to approve Mark Smith's vacation request for August 11, 12, 13, 14, and 15. Jeff Johnson seconded and the vote in favor was unanimous.

Paul George moved to approve Mike Waller's vacation request August 21 and 22. Jeff Johnson seconded and the vote in favor was unanimous.

Dick Knapp discussed the curb and gutter and sidewalk repairs that were quoted from B&D Concrete estimated at \$2,433.50. This will be researched regarding the sidewalk repairs and discussed at the next meeting.

Dick Knapp will provide the total cost for repairs done in Zellers Acres at the next meeting.

JEDZ II – The JEDZ II is passing.

Water & Sewer Report - David Goll provided the water and sewer report. Dick Knapp request minutes from the SWLCW&S meetings. They meet weekly.

Parks and Recreation – The volunteer committee will be working on rules and regulations for the park.

Correspondence

- Mark VanBuren JEDZII support letter
- Licking County Commissioner Resolution Palmer Road boundary line
- Chester, Willcox & Saxbe
- Licking County Engineer 2008 Mileage Inventory
- Time Warner Cable – Digital TV Transition
- OPERS Newsletter
- Licking County Planning Commission Newsletter
- Licking Memorial Health Systems Newsletter
- ADS
- Columbia Gas of Ohio – Customer Service Line Maintenance for South Street
- Columbia Gas of Ohio – Customer Service Line Maintenance for Town Hall
- OPERS newsletter
- Ohio Department of Public Safety License Tax Statistics Report
- Ohio Township Association Grassroots
- OPERS Employee Outreach for second quarter
- Ohio Department of Natural Resources development of abandoned mine lands

Fiscal Officer Report

FISCAL OFFICER'S REPORT AUGUST 01, 2008

	Receipts	Expenditures
General Fund	10,695.92	25,599.42
MV License Tax	1,497.48	1,063.98
Gasoline Tax	9,576.76	732.01
Road & Bridge Fund	416.98	21,464.86
Special Assessment	0.00	267.51
Misc. Special	10,977.00	0.00
Misc. Debt	<u>0.00</u>	<u>2,740.43</u>
Total	33,164.14	51,868.21

Funds Total JULY 31, 2008 \$1,279,023.40

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Resolution 08-08-05-08: Paul George moved to approve \$6.00 a month to Embarq for McAfee Total Protection Service for two computers. Jeff Johnson seconded and the vote in favor was unanimous.

Resolution 08-08-05-09: Paul George moved to approve the \$499.98 to Staples for the software. Jeff Johnson seconded. Discussion: Adobe Dreamweaver CS3 is \$399.99 and Adobe Acrobat 8.0 upgrade is \$99.99. The vote in favor was unanimous.

Paul George moved to approve Laura Brown's vacation request for August 15th, 2008. Jeff Johnson seconded and the vote in favor was unanimous.

Resolution 08-08-05-10: Paul George moved to approve the refund to Watkins Memorial Athletics. Jeff Johnson seconded. Discussion: This is a non-profit organization. The amount of the fee was \$190.00 for a zoning permit. The vote in favor was unanimous.

Resolution 08-08-05-11: Paul George moved to approve an appropriation to Account 2901-910-910-0000 for \$10,977.00. Jeff Johnson seconded. Discussion: This is needed to transfer the FEMA Grant money to the appropriate account that the funds originally came out of. The vote in favor was unanimous.

Resolution 08-08-05-12: Paul George moved to authorize the \$50.00 charge to the Etna United Methodist Church for the rental for the Comprehensive Plan Open House. Jeff Johnson seconded and the vote in favor was unanimous.

Resolution 08-08-05-13: Paul George moved to Southwest Ohio Purchasers for Government (SWOP4G) membership dues for \$50.00. Jeff Johnson seconded. Discussion: This is for the salt contract. The vote in favor was unanimous.

Resolution 08-08-05-14: Paul George moved to approve annual maintenance for ZonePro-ZP in the amount of \$135.00. Jeff Johnson seconded and the vote in favor was unanimous.

Resolution 08-08-05-15: Paul George moved to approve the Annual Dues for MORPC membership in the amount of \$2,196.00. Jeff Johnson seconded and the vote in favor was unanimous.

Public Comments

Claudette VanDyne 7173 Refugee Road stated in Columbus the property owner are responsible for the sidewalks.


Neil Ingle 71 Trail East had questions and concerns regarding the parking restrictions on Spikerush Court.

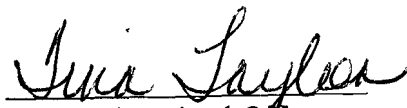
Gary Burkholder 254 Trail East requested a copy of the settlement agreement. He also had concerns with the parking restrictions on Spikerush Court and the 310 Corridor Plan and requested they implement plan. He also requested a Specification Book.

Tom Dixon 8467 Hazelton-Etna Road discussed the 310 Corridor meeting and when are the recommended changes going to be made.

Paul George moved to pay bills. Jeff Johnson seconded and the vote in favor was unanimous.

Jeff Johnson moved to adjourn at 10:25 p.m. Paul George seconded and the vote in favor was unanimous.


Dick Knapp, President


Tina Taylor, Fiscal-Officer