

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 2,

2012

Held

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The Etna Township Board of Trustees met on Tuesday, October 2, 2012 in the Etna Township Administration Building. The meeting was called to order at 7:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Mike Waller led The Pledge of Allegiance. The roll call showed Trustees Jeff Johnson, John Carlisle, Randy Foor, and Fiscal Officer Walter Rogers present.

Trustee Johnson moved to adopt the agenda as presented. The motion was seconded by Trustee Foor. Trustee Foor moved to amend the agenda to add an Executive Session 121.22 (G) as item VII f. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote. The motion to adopt the agenda as amended passed by unanimous affirmative vote.

Trustee Johnson moved to adopt the September 4, 2012 regular meeting and September 15, 2012 regular meeting minutes. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Public Comments – None

Reports

Road Department – A written road report was presented.

Zoning Department – A written zoning report was presented.

Chris Harkness presented the resolutions that need to be passed to apply for OPWC funding to pave Russell Heights and Refugee Roads. The Russell Heights application will be the first priority with the funding request being \$113,024.00. The Refugee Road application is for \$197,508.00.

Resolution 12-10-02-01: Trustee Carlisle moved to adopt the resolution as presented for Russell Heights. The motion was seconded by Trustee Johnson. Discussion: These resolutions will authorize John Carlisle to sign the application to apply to OPWC for the funds and if the funds are granted to enter into any agreements as necessary. The motion passed by unanimous affirmative vote.

Resolution 12-10-02-02: Trustee Carlisle moved to adopt the resolution as presented for Refugee Road. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Chris Harkness presented a draft Street Tree Policy for the Trustees to review which will be discussed at a later time. The policy is drafted to follow the same process as any other work in the right-of-way which requires a Road Right-of-way Permit along with a fifty dollar permit fee.

Chris Harkness discussed the draft pet regulations. This was an issue last spring but the calls have slowed down. Most of the calls were coming from residents living in subdivisions. The current Zoning Resolution does not directly regulate this issue. Chris Harkness would like the language in the Zoning Resolution to be clearly spelled out; either yes the township permits this use or no they do not. The NAICS Codes are really set up for business uses. Any regulation would still be subject to agriculture exemptions which are currently five acres or more. Chris will provide more information to the Trustees for their review.

Economic Development – Mark Schaff discussed the beautification project. The committee has been working on the Water Overlay District to protect the aquifers. Mark Schaff discussed the WorkEnomics group for Licking County.

JEDZ 1– The JEDZ1 board will meet in November.

Resolution 12-10-02-03: Trustee Foor moved to appoint the three current members which are John Carlisle, Bob McKnight, and Dick Knapp to the Joint Economic Development Zone 2 board for the two year term from October 2012 to October 2014. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Water and Sewer - Gary Burkholder reported the District has approved an agreement with the Village of Alexandria.

Cemetery – Trustee Johnson discussed three different options to plot the Etna Cemetery. First option would be to plot the entire cemetery; second option would be to plot just the active section of the cemetery into three sections; and third option was the center section of the active area. This company plotted the cemetery located on York Road for Harrison Township. Trustee Johnson recommended doing just the center section of the active area of the cemetery. The Trustees discussed the different options. The Trustees will try to obtain more quotes.

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Old Business

Road Maintenance Project Bids – Two of the bids came in over budget. Trustee Carlisle discussed the bids with Licking County Engineer, Bill Lozier, who would like to review the bids and also had concerns with paving Cumberland Trail this late in the year due to the cold temperatures. Bill Lozier recommended we reject all the bids and re-bid this next year. The township will not lose the Issue 1 funds if this is not paved until next year.

Trustee Carlisle moved to reject all bids. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

New Business

Trustee Foor moved to set October 31, 2012 from 6:00 p.m. to 8:00 p.m. for beggar's night. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

50% Load Weight Reductions

Trustee Carlisle stated this has been passed the last three years. This resolution will be forwarded to the Licking County Engineers' office then onto the County Commissioners.

Resolution 12-10-02-04: Trustee Carlisle moved to adopt the resolution as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

The resolution was as follows: In the matter of reduced load limits on the following roads: Columbia Rd, Smoke Rd, Taylor Rd, Palmer Rd, Refugee Rd, Summit Rd, Pike St, Tollgate Rd, Trail East, Brandy Mill Dr, Laurel Dr, Longwood Crossing Blvd, Longwood Dr, Imperial Dr, and Prince Dr; that the load limits on all roads requested and designated by the County Engineer, William Lozier, and on file with this Board, be reduced by 50% from the maximum total weight and axle loads permitted by the State Law; and be effective November 1, 2012 to April 15, 2013.

Snow Emergency

Trustee Carlisle stated the snow emergency is the same as last year.

Resolution 12-10-02-05: Trustee Carlisle moved to adopt the Snow Emergency Resolution as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The resolution was as follows: In the matter of adopting a snow emergency authorization to restrict parking on the roadway or right-of-way of any township street in Etna Township, Licking County, Ohio. WHEREAS, Ohio Revised Code Section 505.17(A) provides the Board of Township Trustees of Etna Township, Licking County, Ohio, with the authority to make regulations and orders as are necessary to control all vehicle parking within Etna Township; and, WHEREAS, Ohio Revised Code Section 505.17(A) provides the Board of Township Trustees with the authority to adopt a general snow-emergency authorization, allowing the President of the Board, or some other person designated herein, to issue an order declaring a snow emergency, and limiting or prohibiting parking on any township street or highway during the snow emergency; and, WHEREAS, Ohio Revised Code Section 505.17(A) indicates that any snow emergency authorization shall specify the weather conditions under which a snow emergency may be declared; and, WHEREAS, Ohio Revised Code Section 505.17(E) provides that any person who violates a regulation or order adopted in accordance with R.C. 505.17(A) is guilty of a minor misdemeanor; and, WHEREAS, Ohio Revised Code Section 505.17(D) provides the Board of Township Trustees, or its designated agent, with the authority to order into storage any vehicle parked in violation of a regulation or order adopted in accordance with R.C. 505.17(A); and, WHEREAS, the Board of Township Trustees of Etna Township, Licking County, Ohio, has determined the public safety and welfare would be served by the authorization. NOW, THEREFORE, BE IT RESOLVED that the Board of Township Trustees of Etna Township, Licking County, Ohio hereby authorizes the President of the Board of Trustees to issue an order declaring a snow emergency, and limiting or prohibiting parking on any township street or highway where permanent signs giving notice are properly posted. BE IT FURTHER RESOLVED that in the event the individual identified above is either incapacitated or otherwise unable to issue the necessary order, the Board of Township Trustees hereby authorizes the Vice President of the Board of Trustees to issue an order declaring a snow emergency, and limiting or prohibiting parking on any township street or highway where permanent signs giving notice are properly posted. BE IT FURTHER RESOLVED that this resolution shall remain in full force and effect for the following duration: November 1st, 2012 to October 31st, 2013; BE IT FURTHER RESOLVED that the weather conditions under which a snow emergency may be declared are as follows: Snow Emergency Classifications **LEVEL 1:** Roadways are hazardous with blowing and drifting snow. Roads may also be icy. Motorists are urged to drive very cautiously. **LEVEL 2:** Roadways are hazardous with blowing and drifting snow. Roads may also be very icy. Only those who feel it is necessary to drive should be out on the roads. Contact your employer to see if you should report to work. Motorists should use extreme caution. **LEVEL 3:** All roadways are closed to non-emergency personnel. No one should be driving

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during these conditions unless it is absolutely necessary to travel or a personal emergency exists. All employees should contact their employer to see if they should report to work. Those traveling on the roads may subject themselves to arrest. BE IT FURTHER RESOLVED that parking shall be regulated on the following township streets or highways during a snow emergency: All the roads within the unincorporated area of Etna Township and/or the attached list. BE IT FURTHER RESOLVED that parking on the township streets or highways listed directly above will be regulated as follows: Parking is prohibited on all roads and road right-of-ways during the snow level 1 emergency or greater. BE IT FURTHER RESOLVED that any order issued in accordance with this authorization shall become effective two (2) hours after an announcement is made to the local news media; and, BE IT FURTHER RESOLVED that any person who violates this resolution is guilty of a minor misdemeanor; and, BE IT FURTHER RESOLVED that the fines levied and collected under this resolution shall be paid into the township general revenue fund; and, BE IT FURTHER RESOLVED that the Board of Township Trustees hereby designates Road Department Superintendent to be its agent for the purposes of ordering into storage any vehicle parked in violation of this resolution; and, BE IT FURTHER RESOLVED that the Township Fiscal Officer is hereby directed to publish the following notice: In accordance with Etna Township Board of Trustees Resolution #12-10-02-05 adopted October 2, 2012, the President of the Board of Trustees is authorized to issue an order declaring a snow emergency, and limiting or prohibiting parking on any township street or highway where permanent signs giving notice are properly posted. BE IT FURTHER RESOLVED that the Township Fiscal Officer is hereby directed to publish the aforementioned notice once a week for three consecutive weeks as follows: Week 1: October 11, 2012; Week 2: October 18, 2012; Week 3: October 25, 2012; BE IT FURTHER RESOLVED that the Township Fiscal Officer is hereby directed to post this resolution in five conspicuous public places in Etna Township for a period of thirty (30) days; 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.

Exotic Animals

Trustee Carlisle reported that the township has received numerous letters from residents, business owners, and elected officials opposing this item. Trustee Carlisle and Gary Burkholder had a meeting yesterday with the Governor's office regarding this issue. The Governor's office feels this facility would be safe and secure. The Governor's office stated they sent two letters to the township regarding the Exotic Animal location but the township did not receive the letters. The Department of Agriculture did call today to set up a viewing of the facility. Trustee Carlisle invited Director Daniels to be the Featured Speaker in November but has not received a confirmation on his attending. The Licking County Prosecutor's office did not feel the township has standing but the township could seek outside legal counsel. Dan Evers recommended the township contact attorney Scott Phillips to discuss representing the township in this issue.

Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Fiscal Report

September 1, 2012

	Receipts	Expenditures
General Fund	89,820.10	24,856.96
MV License Tax	5,857.27	9,364.84
Gasoline Tax	9,191.16	6,802.66
Road & Bridge Fund	0.00	12,829.67
Cemetery	0.00	0.00
Special Assessment	0.00	346.09
Misc. Special	0.00	0.00
Misc. Debt	0.00	0.00
Road Right of Way Permit	<u>2,500.00</u>	<u>7,500.00</u>
Total	\$107,368.53	\$61,700.22

Funds Total September 30, 2012 is \$1,724,991.21

The Township received \$86,161.04 for their portion of the 2011 JEDZ taxes.

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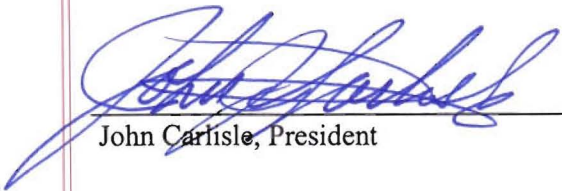
2012

Held _____ 20____

Trustee Foor moved to go into Executive Session at 8:07 p.m. per O.R. C. 121.22 (G) (1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Foor moved to come out of Executive Session at 8:25 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Foor moved to adjourn at 8:26 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.


John Carlisle, President


Walter Rogers, Fiscal Officer