

## RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 3,

2013

Held

20

The Etna Township Board of Trustees met on Tuesday, September 3, 2013 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 Mr. Tague led The Pledge of Allegiance. The roll call showed Trustees Jeff Johnson, John Carlisle, Randy Foor (arrived at 7:04), and Fiscal Officer Walter Rogers present.

Trustee Johnson moved to adopt the agenda. The motion was seconded by Trustee Carlisle.

Trustee Carlisle moved to amend the agenda to include an executive session as item XI a. and under new business item f the water tower at the corporate park. The motion was seconded by Trustee Johnson. The motion passed by unanimous affirmative vote.

The motion to adopt the agenda as amended passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the August 6, 2013 special meeting minutes. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the August 6, 2013 regular meeting minutes. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

#### Public Comments

James Duffy of 27 Daisy Drive discussed the trailers on the property that was the old Lynd's Fruit Farm. Rob Platte has already issued violations for this property. There is a property on Hawthorn with an old horse trailer in the front yard.

#### Reports

**Road Department** – The Road Report was provided.

**Administrator's Report** – The Administrator's Report was provided.

**Economic Development Report** – Mark Schaff reported that the committee continues to work on the JEDD map to forward onto the Trustees.

**Water and Sewer** – Gary Burkholder will be requesting the Trustees support for the Ohio Public Works Commission application for water and sewer improvements. Trustee Carlisle stated the Trustees would support the Water and Sewer District regarding the water and sewer for Taylor Road. He also reported that to date 69% of all tap fees that the District has collected has been in Etna Township.

#### New Business

##### Load Weight Limit Reductions

Trustee Carlisle explained the resolution is to reduce load limits on the following streets in Etna Township, Licking County. This resolution will be forwarded onto the Licking County Engineer.

**Resolution 13-09-03-01:** Trustee Carlisle moved the following as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Resolution 13-09-03-01 was presented as follows: **WHEREAS**, Ohio Revised Code §5577.07(B) authorizes the county commissioners to reduce the weight limits on roads or highways as the condition of the road or highway justifies; and **WHEREAS**, the Board of Trustees of Etna Township, Licking County Ohio, has determined the following list of roads, in their entirety, to be in need of the maximum weight of vehicle reduction: Brandy Mill Drive, Prince Drive, Columbia Road, Refugee Road, Duncan Drive, Smoke Road, Imperial Drive, Stirling Way, Laurel Drive, Summit Road, Longwood Crossing Blvd., Taylor Road, Longwood Drive, Tollgate Road, Palmer Road, Trail East, Pike Street, Zellers Lane – All. **WHEREAS**, the Board of Trustees of Etna Township, Licking County, Ohio, requests that the Licking County Board of Commissioners reduce the maximum weight of vehicle and load by 50% (fifty per cent), for the time period of November 1, 2013 through April 15, 2014. **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:** That the Board of Trustees of Etna Township, Licking County Ohio has determined the following list of roads, in their entirety, to be in need of the maximum weight of vehicle and load reduction: (Same roads as above). **BE IT FURTHER RESOLVED** that the Board of Trustees request that the Licking County Board of Commissioners reduce the maximum weight of vehicle and load on the above listed roads by 50% (fifty per cent), for the time period of November 1, 2013 through April 15, 2013,



September 3,

2013

Held

20

**Snow Emergency Authorization**

**Resolution 13-09-03-02:** Trustee Carlisle moved to adopt a snow emergency authorization to restrict parking on the roadway or right-of-way of any township street in Etna Township as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Resolution 13-09-03-02 was presented as follows: To adopt 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, by the Board of Trustees of Etna Township, Licking County, Ohio, That the following resolution be and it hereby is adopted:** 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 1<sup>st</sup>, 2013 to October 31<sup>st</sup>, 2014. **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 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 the 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 #13-09-03-02 adopted September 3, 2013, 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 10, 2013; Week 2: October 17, 2013; Week 3: October 24, 2013 **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.



## RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 3,

2013

Held

20

Trustee Foor moved to re-appoint Dick Knapp, Bob McKnight, and John Carlisle to the Joint Economic Development Zone 1 Board for the two year term from September 2013 to September 2015. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

### Road Repaving

Trustee Carlisle moved to ask the Licking County Engineer to prepare specifications and estimates for Willowbrook Subdivision, New England Acres and Russell Heights for Issue I applications. The motion was seconded by Trustee Johnson. Discussion: The Transportation Improvement Plan was reviewed. The motion passed by unanimous affirmative vote.

### Nomination to NRAC

Rob Platte explained the Natural Resources Assistance Council (NRAC) for District 17. There is a vacancy on this board.

**Resolution 13-09-03-03:** Trustee Foor moved to nominate (Rob Platte) as presented in the resolution before the Board. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Resolution 13-09-03-03 was presented as follows: To nominate Township Administrator Rob Platte to the District 17 Natural Resources Assistance Council (NRAC). **WHEREAS**, the Etna Township Board of Trustees (the "Board") desires to nominate township administrator Rob Platte to the vacant seat on the Ohio Public Works Commission District 17 NRAC; and **WHEREAS**, Etna Township (the "Township") is a qualified entity under Ohio Revised Code §164.21 A (1); and **WHEREAS**, it is in the best interest of Etna Township and its residents to nominate Mr. Platte to the District 17 NRAC Committee. **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:** That the Board nominates township administrator Rob Platte to the vacant seat on the Ohio Public Works Commission District 17 Natural Resources Assistance Council. The Board authorizes the administrator to submit this letter of nomination, a nomination form, and a statement of qualifications to the District 17 Liaison by the October 4, 2013 deadline.

### Water Tower Logo

Trustee Carlisle spoke with Brian Marsh of ProLogis regarding the Etna Township Logo on the water tower. ProLogis will pay half of the total cost. The total cost is \$25,000 and the other half will be reimbursed by the JEDZ Board.

**Resolution 13-09-03-04:** Trustee Carlisle moved to adopt as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Resolution 13-09-03-04 was presented as follows: To authorize the Township Administrator to enter into an agreement with Architectural Graphics Inc. (AGI) for the revision and update of the Corporate Park Water Tower Logo. **WHEREAS**, the Etna Township Board of Trustees (the "Board") has received a proposal from AGI to update and replace the township logo on the corporate park water tower (the "Logo"), in the amount of \$24,192.91 (twenty-four thousand, one hundred ninety two dollars, and ninety-one cents); and **WHEREAS**, the update and replacement of the Logo is in direct conjunction with Prologis' update and replacement of the Prologis logo; and **WHEREAS**, Prologis has offered to pay up to 1/2 (one half) of the township's expense for the Logo; and **WHEREAS**, at the August 2, 2013 JEDZ Board meeting, the JEDZ Board moved to reimburse the township's expense for the Logo, up to the amount of \$24,192.91 (twenty-four thousand one hundred ninety two dollars and ninety-one cents); and **WHEREAS**, the Board finds it beneficial and needed to update and replace the current Logo. **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 that:** Section 1. The Board of Trustees, Etna Township, Licking County, Ohio, (the "Board") finds that it is beneficial and needed to update and replace the current Logo and accepts the proposal submitted by AGI. Section 2. The Board authorizes and directs the township administrator to execute an agreement with AGI in an amount not to exceed \$12,500.00 (twelve thousand, five hundred dollars). Section 3. The Board accepts, with thanks and appreciation, the offer from Prologis to pay up to half of the township's expense for the Logo. Section 4. The Board directs the Fiscal Officer to pay the Logo invoice from the township's General Fund.



September 3,

2013

Held

20

**Public Hearing**

President Carlisle recessed the regular meeting and opened the public hearing for AM-13-04, map amendment to rezone from Medium Density Residential District (R-3) to Single Family Residential (RS) for Willow Creek Condominiums off of Palmer Road, Pepper Tree Subdivision off of Pike Street and 1387, 1363, 1355, 1331, 1273, 1259, 1245, 1231, and 1217 Pike Street and text amendments to the Zoning Resolution to Article – 8 and Article – 9 to remove the Medium Density Residential District (R-3) language.

President Carlisle read the letter of recommendation from the Zoning Commission which recommended the Board of Trustee’s approve the map and text amendment AM-13-04.

Trustee Foor asked if any property owners were present. The questions from Joelene and Timothy Dixon of 1217 Pike Street were addressed.

Trustee Johnson moved to adjourn the public hearing. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

**Resolution 13-09-03-05:** Trustee Foor moved to accept the recommendation of the Zoning Commission as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Resolution 13-09-03-05 was presented as follows: **WHEREAS**, the Etna Township Board of Trustees (the "Board") held a Public Hearing on September 3, 2013 at 7:15 p.m. at the Township Hall to hear the proposed Medium Density Residential District (R-3) Zoning Map and Zoning Resolution amendments (AM 13-04), recommended by the Etna Township Zoning Commission; and **WHEREAS**, the Board is in agreement with the proposed amendments as presented by the Zoning Commission in the Public Hearing. **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 THAT:** The Etna Township Zoning Map shall be amended to change the former Medium Density Residential District (R-3) areas to the current Single Family Residential District (RS).

The Etna Township Zoning Resolution shall be amended to remove the R-3 language from Articles 8 and 9. The Board authorizes and directs the Zoning Inspector to submit all necessary documents to the Licking County Planning Commission for review and execution.

**Announcements & Trustee Comments – None**

**Fiscal Report**

August 1, 2013

	Receipts	Expenditures
General Fund	\$156,582.25	\$53,321.20
MV License Tax	\$6,386.19	\$2,802.77
Gasoline Tax	\$9,044.20	\$829.45
Road & Bridge Fund	\$98,616.87	\$11,623.32
Cemetery	0.00	0.00
Special Assessment	\$156.11	\$358.22
Misc. Special	0.00	0.00
Misc. Debt	0.00	0.00
Misc. Capital Projects	\$3,163.16	0.00
Road Right of Way Permit	0.00	0.00
Total	\$273,948.78	\$68,934.96

Funds Total August 31, 2013 is \$1,966,387.58.

Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee Foor. Discussion: Trustee Carlisle discussed the Maronda and Dominion Homes checks. F/O Rogers explained this is for the road right-of-way bond checks. The check for the auditor is to pay for the recent audit. The motion passed by unanimous affirmative vote.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 3,

2013

Held

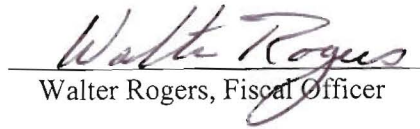
20

Trustee Carlisle moved to go into Executive Session at 7:29 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 Johnson moved to come out of Executive Session at 7:54 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Johnson moved to adjourn at 7:54 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

  
John Carlisle, President

  
Walter Rogers, Fiscal Officer