

## RECORD OF PROCEEDINGS

Minutes of

Meeting

## Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held August 5, 2016

The Etna Township Board of Trustees met on Friday, August 5, 2016 in the Etna Township Administration Building for the purpose of conducting a special meeting. The meeting was called to order at 3:00 p.m. by President Carlisle. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers present.

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

**New Business**

Trustee Carlisle reported on issues with the construction of the new garage. There were issues with the piers and the epoxy bolts. Jason Deskins did correct the issues by 11:00 a.m. The Rutherford team left at 10:00 a.m. and never returned. Rutherford Construction has sent a bill for mobilization for the work and downtime. Trustee Carlisle requested a representative at the meeting today and they did not send one.

The township did not receive a Booking Confirmation letter just an email stating they would be on-site Monday. Rutherford has not provided Proof of Insurance.

Trustee Carlisle stated they were not on-site on Monday, just one foreman, Darren. Rutherford Construction is wanting paid for downtime for three days. On Tuesday there were two employees on-site in addition to Darren. The other employees have not been on the job site. Rutherford stated they are at the motel waiting to be called out. On Tuesday and Wednesday Mike Waller did notice someone had been on-site after he had left for the day. B&D Concrete has done everything the township has requested.

The Trustees recessed from 3:28 p.m. to 3:43 p.m.

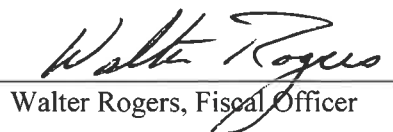
Trustee Johnson moved to go into executive session at 3:43 p.m. per O.R.C. 121.22 (G) (3) conferences with an attorney for the public body concerning disputes involving the public body that are the subject to pending or imminent court action. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote. The Licking County Prosecutor's Office, Austin Lecklider, was available for discussion.

Trustee Johnson moved to come out of executive session at 4:20 p.m. The motion was seconded by Trustee Foor and passed by unanimous vote.

Trustee Carlisle moved that the Prosecuting Attorney be directed to act in accordance with and represent Etna Township and to send out any and all information and requests of this Board to Rutherford Construction Corporation in regards to any change orders or extra costs that they may have incurred and that the Fiscal Officer is directed to issue a check not to exceed \$5,900 dollars as negotiated by the information that was provided by the Prosecutor's office in regards to Change Order One with Rutherford Construction Company. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Johnson moved to adjourn at 4:22 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

  
John Carlisle, President

  
Walter Rogers, Fiscal Officer

The resolutions as presented are on file with the Fiscal Officer.