

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 3,

2017

Held

20

The Etna Township Board of Trustees met on Tuesday, October 3, 2017 in the Etna Township Administration Building for the purpose of conducting a regular meeting. The meeting was called to order at 7:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Mark Schillig led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle and Fiscal Officer Walter Rogers present.

Trustee Carlisle moved to adopt the agenda. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the September 16, 2017 regular meeting minutes as presented. The motion was seconded by Trustee Foor. The roll call was as follows: Jeff Johnson, abstain; Randy Foor, yes; and John Carlisle, yes.

Public Comments - None

Reports

Road Report - A report was provided. Trustee Foor discussed AEP requesting approval to relocate a pole on Columbus Street to the corner of the park. The Trustees do not want the pole located in the park. There are storm drains and utilities in this area.

Water & Sewer - Trustee Carlisle stated the reports are in the file.

Fire District - Trustee Johnson reported they are receiving bids for a Fire Station on Morse Road. The Kirkersville Fire Station should be done soon.

Cemetery - Trustee Foor discussed a request to purchase a cemetery plot by making payments to the township. The Prosecutors office provided information regarding this issue. The lot would cost \$650.00. The opening and closing would be charged at the time of burial. The Trustees discussed the four payments due in one year and the restrictions presented. The Trustees discussed drafting a contract or placing a hold on the lot for a year. Randy Foor will work with the Prosecutor's office on a contract.

Parks & Recreation - Trustee Foor discussed a request to place a memorial bench in the park. The Trustees discussed it looking more like a memorial and not a bench. Trustee Foor will work with Mr. Brag and report back to the Trustees.

JEDZ - Nothing to report.

PUBLIC HEARING AT 7:05 P.M.

Trustee Carlisle opened the text amendment to the Zoning Resolution to Article 9 – District Regulations regarding NAICS Code 447110 Gasoline Stations with Convenience Stores in Local Business and NAICS Code 722330 Mobile Food Services in General Business District.

The township was approached regarding gasoline stations not being permitted with the convenient stores in the Local Business District. The Zoning Commission started the process to add gasoline stations. The Zoning Commission recommends removing the mobile food services use in the General Business District until the Zoning Office can draft language for Mobile Food Services. Mobile Food Services will remain as a permitted use in the Manufacturing District.

Gasoline Stations are permitted in General Business and Accommodation Business Districts.

Public Comments -

Mark Schillig representing Shai Commercial Real Estate for Englefield Oil Company approached the township regarding the convenient stores being a permitted use but not gasoline stations. They did not apply for a rezoning because they are not asking for all the uses in the General Business District. General Business at this location might be deemed as spot zoning. The store would be similar to the Duke/BP station in the City of Pataskala. This location is not in the Wellfield Protection Area.

This use would be for gasoline stations with convenient stores. The other gasoline stations with convenient stores in the township have approximately 1.5 acres or larger. The other properties located in the township that are zoned Local Business District were discussed.

Mark Schaff of 7461 National Road has concerns with gasoline stations and contamination of the aquifers. Mark Schaff discussed the history of the gasoline station at the corner of York Road and US 40. Mark Schaff believes the aquifer runs under this property. The Wellfield Protection Area does not cover the entire aquifer. There is only an eight foot protection area to the aquifer.

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The Zoning Commission had concerns with the contamination issues surrounding gasoline stations during the Zoning Commission hearing and Park Shai explained the EPA regulations.

The Trustees will review the text amendment further and check into the natural resources that may be affected.

Trustee Carlisle moved to recess the public hearing. The motion was seconded by Trustee Johnson. Discussion: Trustee Foor discussed some legal concerns from Licking County Planning Commission. The motion passed by unanimous affirmative vote.

PUBLIC HEARING RECESSED ON AUGUST 19, 2017

Trustee Carlisle opened the public hearing for Text amendment to the Zoning Resolution to Article – 2 Definitions, Article 9 – District Regulations, and Article 10 – Supplementary District Regulations sections regarding Accessory Structures.

The color coding in the document presented was explained. The red text is being removed, green text is being added, and purple text was from the recommendation of the Licking County Planning Commission.

The Zoning Commission was approached by Rob Platte regarding the definition of Accessory Structures in the current Zoning Resolution.

Trustee Carlisle closed the public hearing. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Resolution 17-10-03-01: Trustee Foor moved "Resolution to adopt the recommendation of the Zoning Commission to amend Article 2, Article 9, and Article 10 of the Zoning Resolution" as presented (Exhibit A). The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Old Business -

Disposal of Inventory

Trustee Foor discussed the process to sell inventory using the internet. Trustee Foor reviewed this with the Licking County Prosecutor's Office. A brief description of the item will be advertised on the Etna Township website. The percentage will be enough to cover the township's cost. The link will be "equipment for sale". The bidding will be accepted for thirty days. This policy will need to be adopted every year during the organizational meeting.

Resolution 17-10-03-02: Trustee Foor moved to adopt the "Etna Township Internet Auction Policy. The motion was seconded by Trustee Carlisle. Discussion: This is a three part process and Trustee Foor will discuss the other steps at the next meeting. The motion passed by unanimous affirmative vote.

New Business

Reduce Load Limits

Resolution 17-10-03-03: Trustee Foor moved "Resolution to reduce load limits on the following streets in Etna Township, Licking County, Ohio" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

OPWC Resolution

Resolution 17-10-03-04: Trustee Foor moved "Resolution to authorize Randy Foor to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or local transportation improvement program(s) and to execute contracts as required" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Health Insurance

Trustee Johnson discussed the staffing at Ohio Insurance Company and concerns with them. Trustee Johnson has discussed insurance companies with the Fire District and Harrison Township. The township will obtain a quote regarding health insurance.

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Announcements and Trustee Comments -

Trustee Johnson discussed hiring another part-time employee that could cover zoning and help in the road department. Trustee Carlisle would like to think about the issue and place it on the next agenda. The Trustees discussed office coverage. The Trustees will review the job description.

Trustee Foor discussed a motion from the Licking County Prosecutor's Office regarding Rutherford Construction.

Trustee Foor moved that the Board hereby authorizes Austin Lecklider, Assistant Licking County Prosecuting Attorney, to conduct a settlement negotiation, on or before Friday, October 13, 2017, with the attorneys representing Rutherford Construction as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle met with MORPC regarding transportation needs from Newark to the Amazon Site. He meet with the Far East Traffic Study today.

Fiscal Officer Report

September 1, 2017

	Receipts	Expenditures
General Fund	\$7,083.68	\$24,480.40
MV License Tax	\$3,008.49	\$4,049.41
Gasoline Tax	\$9,581.30	\$4,378.97
Road & Bridge Fund	\$0.00	\$9,683.11
Cemetery	\$0.00	\$0.00
Special Assessment	\$0.00	\$280.81
Misc. Special Revenue	\$1,360,767.43	\$1,360,767.43
Misc. Debt Services	\$0.00	\$0.00
Misc. Capital Projects	\$0.00	\$0.00
Road Right-of-way Permit	<u>\$0.00</u>	<u>\$0.00</u>
Total	\$1,380,440.90	\$1,403,640.13

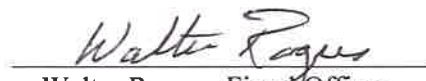
Funds Total September 30, 2017 is \$2,741,811.68

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

Trustee Johnson moved to adjourn at 8:11 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.



John Carlisle, President



Walter Rogers, Fiscal Officer

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