

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held _____ September 1, _____ 20 _____ 2020

The Etna Township Board of Trustees met on Tuesday, September 1, 2020 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 Josh DiYanni led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers present. The Public Hearing Requirements were read.

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

Trustee Carlisle moved to table the minutes from August 26, 2020. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Reports

Road Department and Zoning Department - Reports were submitted.

Water and Sewer, Fire District, Cemetery, Parks & Recreation, - There was nothing to report.

JEDZ1 & 2, and JEDD's - The JEDZ boards met Friday. The JEDZ1 board passed a resolution to pay for the paving over at the garage at just a little under fifty thousand dollars. JEDZ2 agreed to pay up to one hundred thousand dollars or half of the cost for the new boom mower which should come in at around one hundred and ninety thousand dollars.

Old Business -

7691 Palmer Road - Violation

John Singleton stated on August 5, 2020 the letters were mailed to the property owner and parties involved which included Fairfield Savings and Loan. The township received a request from the attorney representing Fairfield Savings and Loan for a public hearing in regards to the demolition on the property. They are actively proceeding with foreclosure on the property.

Bryan Everitt of 144 East Main Street is an attorney representing Fairfield Savings and Loan. The bank just became aware of the condition of this property. The bank has secured the property. The property is scheduled to be mowed. They are asking that the township hit pause on this and allow them to proceed with cleaning up the property as they move forward with the foreclosure process.

John Singleton explained the process after the filing of foreclosure. Resolution 20-08-04-02 was passed regarding this nuisance.

Bryan Everitt explained that automatic payments were being received after the owners of the Trust had passed away and the bank was just made aware of the condition of this property. The bank is aware of the water in the basement and is having an appraiser inspect the property.

Trustee Carlisle moved to extend this thirty days on Resolution 20-08-04-02 and requested they stay in contact with Mr. Singleton with updates. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

New Business -

Accept the amounts and rates as determined by the Budget Commission

Fiscal Officer Roger reviewed the amounts that were determined by the Budget Commission for a total of \$1,358,505.00. These are fixed mills and do not change.

Resolution 20-09-01-01: Trustee Carlisle moved resolution "Accepting the amount and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Extension of Faneuil Hall Road

Trustee Carlisle stated the township has received a request to extend Faneuil Hall Road in the New England Acres Subdivision. The Licking County Prosecutor's Office stated it is the township responsibility to extend the road. The township received two quotes; the one from Blackhawk Trucking is for \$3,710.00 to do the excavation site work and from Shelly Company to pave it from the property line east to Nantucket and to put in a butt joint for \$8,754.95 as long as this work is scheduled with the paving on Shannon Drive.

Trustee Carlisle moved to approve Blackhawk Trucking not to exceed \$4,000.00. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

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Trustee Carlisle moved to have Shelly do the paving not to exceed \$10,000.00. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

OPWC Funding for Orchard Glen and Pepper Tree for 2021

Trustee Carlisle explained this is the same application that was submitted last year.

Resolution 20-09-01-02: Trustee Johnson moved "Resolution to Authorize John Carlisle 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". The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Muskingum County Water Shed Conservancy District Letter of support

The Muskingum County Water Shed Conservancy District is requesting a letter of support for a grant they are applying for to update their 1980 Watershed Plan. This includes Licking, Perry, Fairfield Soil and Water Conservation Districts. This does not cost any money and is just a letter of support.

Trustee Foor moved to send the letter of support as discussed to the Muskingum Water Shed Conservancy District. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

AC at Garage

Trustee Carlisle discussed getting air condition installed at the garage. The township received two quotes, one from Advanced Air for \$35,600 dollars and one from United Refrigeration for \$30,000 dollars.

The township has applied for the CARES Act Funding which would allow the township to apply the money to this expense from Covid-19. If the township does not use the money it will need to be returned.

The installation of air conditioning would not change the number of people permitted at the meeting under the social distancing rules.

Trustee Carlisle moved to accept the quote from United Refrigeration Service in the amount of \$30,000.00 for air conditioning over at the garage. The motion was seconded by Trustee Johnson. Discussion: The Trustees discussed the extra costs to run electric and cost for utilities. The air conditioning will only be used during the extra public meetings and expenses can be submitted for the Cares Act Funding. The motion passed by unanimous affirmative vote.

Fiscal Officer's Report

August 1, 2020

	Receipts	Expenditures
General Fund	\$304,717.50	\$163,971.17
MV License Tax	\$3,940.57	\$520.12
Gasoline Tax	\$16,194.29	\$2,515.51
Road & Bridge Fund	\$427,124.25	\$23,721.20
Cemetery	\$0.00	\$0.00
Special Assessment	\$0.00	\$292.27
Misc. Special Revenue	\$0.00	\$0.00
Misc. Debt Services	\$0.00	\$0.00
Misc. Capital Projects	\$199,220.58	\$199,220.58
Road Right-of-way Permit	<u>\$0.00</u>	<u>\$0.00</u>
Total	\$951,197.19	\$390,240.85

Funds Total August 31, 2020 is \$5,024,192.20

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

Announcements and Trustee Comments - none

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Public Comments

Denver Haught of 105 Deerpath Court discussed issues with the No Parking Regulations on Ravines Edge Court and does not understand why the township installed the No Parking Signs. Trustee Carlisle stated the township received numerous complaints about residents not being able to receive their mail or access their driveways. Trustee Johnson discussed the regulations from the West Licking Fire District and they need a ninety-six foot radius to turn the equipment. There are safety issues when the Road Department is plowing the snow. The township will be looking at all of the cul-de-sacs.

Joint meeting with the Zoning Commission

Trustee Carlisle explained the township received some complaints from the applicants of a recent public hearing. The Trustees would like to know if the Zoning Commission understands what their function is.

Chairman of the Zoning Commission Josh DiYanni explained what he believes is the function of the Zoning Commission. They review the recommendations from the Licking County Planning Commission and John Singleton, they are to make sure the application complies with the Etna Township Comprehensive Plan. They hold a public meeting where there will be public concerns to take in consideration and to ultimately make a recommendation to the Board of Trustees. They will approve as is or place some conditions on it. If they feel it does not fit with the Comprehensive Plan they will deny the application. The steps during the Public Hearing would be the board members have reviewed the packet they received, the applicant will present an overview, if we have questions we will review them, the public will speak, if there are any concerns the applicant will respond. Then there is time for more questions and discussion then the public hearing will be closed and they will go to a vote.

Trustee Carlisle explained that the Zoning Commission has a packet that was supplied by the developer which is usually given to the Zoning Commission prior to the hearing so they can review at home. When the members receive the packet they are supposed to go thru the text line item by item and make notes about what fits and what does not fit. The Trustees do this individually. After the public hearing the members should go through the text together and discuss if what they are requesting fits. The uses that do not fit the area should be stricken if the majority of the board agree and then recommend to the Trustees to remove.

Trustee Carlisle explained that if the township is sued because they do not meet their timeline of thirty days to schedule their public hearing after receipt of the recommendation by the Zoning Commission and it is challenged it will go to the Zoning Commission's decision and they are the deciding body. That is why this is so important for the Zoning Commission to review.

Trustee Carlisle discussed grand standing prior to the vote and explained that the Zoning Commission cannot do this or refer to the concerns in a member's neighborhood. The decision cannot be made over the roads because they are not governed by the township; they are governed by the Licking County Planning Commission. The water issues and drainage does not have anything to do with Zoning. The function of the Zoning Commission is to act on the use of the land. The Trustees would like to know the reasons why they voted the way they did especially if the application was denied. The Zoning Commission cannot vote by emotions. The decision the township needs to make on a rezoning is for the majority of the residence in the township and not the minority.

Trustee Foor wanted to let them know that Trustee Johnson is the liaison to the Zoning Commission and is available for any questions or concerns that they may have. All of the Trustees are available if they have any questions or concerns because they want what is best for the township. Trustee Foor wanted to confirm that the Zoning Commission is receiving the same packet as the Trustees receive. The Trustees discussed the information that is given between the boards. Trustee Carlisle stated the packet from the applicant is required to be the same packet once the applicant has submitted. The Trustees can amend the text when approving the rezoning.

Trustee Foor requested the Zoning Commission provide some bullet points on why they approved or denied the rezoning. Trustee Carlisle said they can also direct questions to John Singleton and have him compile the answers and send it out to the Zoning Commission so that they all can see the answers. Trustee Johnson provided the Zoning Commission with some information that is basically the Ohio Revised Code regarding the timeline of the rezoning and their duties on the Zoning Commission. Trustee Johnson also explained that when approving PUD's the approved text will become a new section in the book and they are all different. With a PUD the text will govern what can be done on the Development Plan.

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The Zoning Commission needs to decide if it will be the best use of the land. When they approve the Preliminary Development Plan and the Final Development Plan they need to make sure it complies with the text that was approved.

The Zoning Commission also has to use the Etna Township Comprehensive Plan and map when approving the rezoning and writing the articles in the Zoning Resolution. They need to make sure everything fits.

Dave Olson discussed the Technical Review Committee and requested to be involved earlier in the process. The group discussed the Technical Review Committee and their function. There are two members of the Zoning Commission assigned during the Organizational Meeting in March to serve on the Technical Review Committee and they rotate during the year. The Trustees would like to utilize this option.

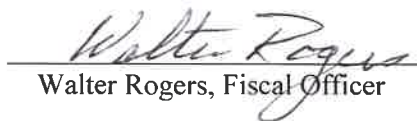
Trustee Carlisle recommended they attend the Trustees public hearing to see how the meeting is conducted, the questions that are asked, and how the public is handled.

The Trustees also let the Zoning Commission know that they can contact the Licking County Prosecutor's Office with any concerns for a legal opinion when needed.

The Trustees thanked the members for serving.

Trustee Johnson moved to adjourn at 8:12 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.


John Carlisle, President


Walter Rogers, Fiscal Officer