

# RECORD OF PROCEEDINGS

Minutes of

Meeting

## Etna Township Trustees Special Meeting

GOVERNMENT FORMS &amp; SUPPLIES 644-224-3338 FORM NO. 10148

Held \_\_\_\_\_ February 17, \_\_\_\_\_ 20 \_\_\_\_\_ 2021

The Etna Township Board of Trustees met on Wednesday, February 17, 2021 at the Etna Township Garage for the purpose of conducting a special meeting. The meeting was called to order at 5:00 p.m. by President Carlisle. Jeff Johnson led the invocation and John Carlisle led The Pledge of Allegiance. Trustee Carlisle read the Public Meeting Requirements. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers were present.

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

Trustee Carlisle moved to adopt the minutes of the January 20, 2021 special meeting minutes, January 25, 2021 special meeting minutes, and the February 2, 2021 regular meeting minutes as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**Public Comments – none**

**New Business**

John Albers and Sean McCarter were present to provide the information on the JEDD's.

**JEDD1**

Sean McCarter presented a resolution to approve a Tax Increment Financing (TIF) Agreement with AHS Etna, LLC which formally was TPA2. This is the site where the Ashley Furniture is going in. The Trustees previously approved a TIF Resolution and Development Compensation Agreement (DCA) for this site. This is an agreement pursuant to the TIF to reimburse the developer for certain allowed infrastructure cost. There will also be reimbursements made through the JEDD. The Trustees discussed the process for disbursements to AHS Etna, LLC.

**Resolution 21-02-17-01:** Trustee Carlisle moved "Resolution approving a Tax Increment Financing Agreement with AHS Etna, LLC" as present. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Sean McCarter presented the information for the Grant Agreement from the State of Ohio. The is to assist with the construction of the extension of Global Way. This reimbursement agreement is between the township and Ohio Development Services Agency.

**Resolution 21-02-17-02:** Trustee Carlisle moved "Resolution approving the Grant Agreement with the State of Ohio Development Services Agency" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Sean McCarter presented the Road Construction and Loan Agreement with AHS Etna, LLC and Etna Township. The agreement provides that the contractor will build the road, Global Way Extension. There will also be a Promissory Note that goes with this. The agreement contains hold harmless language to protect the township.

**Resolution 21-02-17-03:** Trustee Carlisle moved "Resolution approving a Road Construction and Loan Agreement with AHS Etna, LLC" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Sean McCarter presented the Promissory Note with AHS Etna, LLC for \$1,210,314 dollars. This note is for AHS Etna, LLC the amount to build the Global Way extension. The note is repaid thru the 629 funds and reimbursements from the TIF and JEDD. This helps with the infrastructure obligations.

**Resolution 21-02-17-04:** Trustee Carlisle moved "Resolution approving a Promissory Note with AHS Etna, LLC" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**JEDD2**

Sean McCarter presented the Tax Increment Financing Agreement for Core5 Southgate. This relates to the road expenses for the Southgate Site.

**Resolution 21-02-17-05:** Trustee Carlisle moved "Resolution approving a Tax Increment Financing Agreement with C5 Etna 1, LLC" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**JEDD4**

John Albers provided an update on the JEDD4 regarding to the Petco Property, which is included in JEDD4 area and subject to the income tax. The TIF, Reimbursements Agreement, nor a DCA with the Petco Developers was not done.

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A template has been finalized for the New Community Authority charge generally and the Petco Project directly. These will be implemented to help with the cost of the infrastructure the developer has already occurred.

### JEDD7

Sean McCarter presented the DCA for JEDD7. This is a fifty-three acre site developed by Scannell for a distribution center. The property has been subdivided with a remainder piece of forty acres. This is a fifteen year, fifty percent CRA. The previous CRA's were one hundred percent. This project did not receive any tax abatements because the school did not want to participate. The CRA is with Licking County and the TIF is with the township.

**Resolution 21-02-17-06:** Trustee Carlisle moved "Resolution Providing for Acceptance and Approval of the Development and Compensation Agreement" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

John Albers reviewed JEDD 7. The distributions are different because the School District does not want to participate. The township will be reimbursed for all the cost to establish the district. The distribution of the net revenue is twenty percent to the City of Reynoldsburg, thirty percent to the board improvement account for thirty years but if the developer has repaid their infrastructure cost prior to that time it drops to twenty percent, and Licking County receives fifteen percent for 30 years and then ten percent and the TID receives five percent for projects the township approves and the township receives the remainder.

This evening the Trustees will approve the contract as to formal content and set a public hearing date more than thirty days in the future. The final contract will be approved at the public hearing.

**Resolution 21-02-17-07:** Trustee Carlisle moved "Resolution Providing for Acceptance of the Etna-Reynoldsburg Joint Economic Development District – 7 Contract in its Present Form and for a Public Hearing on the Contract" as presented. The motion was seconded by Trustee Johnson. Discussion: The dates for the public hearing will be filled in when scheduled. The motion passed by unanimous affirmative vote.

Sean McCarter reviewed the TIF Agreement for the JEDD7 area for the Scannell Property on the land value. This is a ten year TIF.

**Resolution 21-02-17-08:** Trustee Carlisle moved "Resolution approving a Tax Increment Financing Agreement for JEDD 7 (Scannell)" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

### JEDD Board Appointments

The township representative, position number two, on the JEDD Boards 1, 2, and 3 expired in August of 2020 and need to be re-appointed. This was the position that John Carlisle was appointed to. The renewal term is a four year term for all the JEDD Boards.

Trustee Foor moved to appoint John Carlisle to position two for JEDD Boards 1, 2, and 3 for the four year term. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The board recessed and reconvened at 6:15 p.m.

### Public Hearing at 6:00 p.m.

Trustee Carlisle opened the public hearing for the application for Property Owner JBW Properties for parcels 010-016854-00.000, 010-016872-00.000, and 010-016866-00.000 from Planned Mixed-Use Development District to Planned Mixed-Use Development District (PMUD).

Michael Shannon representing the applicant provided an overview of the application. The original PMUD was for 181 Condominiums on private streets. The property owners met with a large number of neighbors to address their concerns. The main modifications are from condominiums to single family residence, from 181 condo units to 157 single family homes. The roads are public roads. The square footage has been modified from minimum 1,000 square feet to 1,200 square feet. There will be an emergency access only to Runkle Drive. The widths on lots 90-98 on the southern boundary were increased from 53 to 65 and with the buffer zone it protects the lots on Runkle Drive. The typo's found by John Singleton were addressed regarding Street Tree Policy and Parking. The side yard setbacks are five on one side and ten on the other to total fifteen. The applicant implemented all of the requests from the Zoning Commission.

The map for the development was discussed. The property to the east is staying as it is in the original zoning. The zoning amendment only applies to the west side.

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Skip Weiler with JBW Properties was present for any questions. They have met with the adjacent property owners and made modifications.

### Public Comments

Dan Rensch of 78 Runkle Drive discussed the 2011 rezoning application. Mr. Rensch has concerns with the proposed density, school overcrowding, traffic, crime, and property values. This is the smallest lots they have found in Etna Township. The lots behind Runkle Drive start at 65 feet in width and taper to the 52 feet.

Mark Evans of 91 Old North Church has concerns with the small lots sizes and feels the comprehensive plan proposes a rural atmosphere. He has concerns with school impact.

Bob Van Hoose of 84 Runkle Drive has stated most of the homes in the community are 1,750 to 1,800 square foot to start and goes up to 3,000 square feet. These homes will be from 1,200 to 1,700 square feet. He has concerns with the size of the homes, traffic, and schools. The proposed green space is wasted space.

The applicant and property owner waived the twenty day requirement to render a decision.

Trustee Carlisle moved to close the public hearing for the JBW rezoning as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The Trustees will review the text amendment and will come back on March 2, 2021.  
The Trustees scheduled Pulte for February 24, 2021 at 5:00 p.m.

### New Business Continued

#### Inventories and disposals as presented and to certify to Licking County

**Resolution 21-02-17-09:** Trustee Carlisle moved "Resolution to Certify the Township Inventory to the County Engineer" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The township sold the 1997 Tractor, the 1998 Tiger Ditcher Head, and the 2008 Tiger Boom Arm Mower. The township traded in the 2012 GMC 2500 Truck.

**Resolution 21-02-17-10:** Trustee Carlisle moved to approve the disposal. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

#### Licking County Engineer's Office Road Paving Estimates

Trustee Carlisle would like the estimates to pave approximately eight miles of roads. Once the township receives the estimates the Trustees will determine which roads to pave.

Trustee Foor moved to request the Licking County Engineer's Office to provide road estimates. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

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

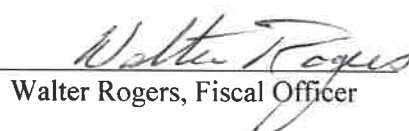
### Announcements and Trustee Comments

Trustee Carlisle reported on the Broyles appeal to the court. The township lost the appeal and have thirty days to appeal the courts decision. Trustee Carlisle has discussed this issue with the Licking County Prosecutor's Office.

Trustee Carlisle moved to allow Trustee Carlisle to enter into an engagement agreement with Maguire Schneider and Hassay in Columbus Ohio to represent the township to appeal the decision of the judge to the fifth district. The motion was seconded by Trustee Johnson. Discussion: The billing rate is \$250 per hour. The notice to appeal has to be filed by February 26<sup>th</sup>. The motion passed by unanimous affirmative vote.

Trustee Johnson moved to adjourn at 6:50 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.