

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

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

Held June 7, 20 2022

The Etna Township Board of Trustees met on Tuesday, June 7, 2022 in the Etna Township Administration Building for the purpose of conducting a regular meeting. The meeting was called to order at 6:00 p.m. by Trustee McKee. President McKee read the Ethical Principles and Parliamentary Procedures. Jeff Johnson led the invocation and Rozland McKee led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Mark Evans, Rozland McKee-Flax and Fiscal Officer Julie Varian present.

Trustee McKee moved to adopt the agenda. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans had items to add to the agenda, but the agenda remained as presented. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Trustee McKee moved to adopt the minutes of the March 15, 2022. The motion was seconded by Trustee Johnson. Discussion: The minutes were corrected to add the information requested by Trustee Evans regarding Refugee Road and TPA. The motion passed by unanimous affirmative vote.

Trustee Johnson moved to adopt the March 29, 2022 special meeting minutes without the corrections that Mr. Evans submitted. The motion was seconded by Trustee McKee. Discussion: Trustee Evans feels if the township is going to follow Robert's Rules of Order the motions that were made should be recorded in the minutes because they were not withdrawn. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Public Comments –

Judy Cafmeyer of 29 Roma Court is proud to be a resident of Etna Township and looks forward to working with the Comprehensive Land Use committee and discussed the Solar Farms and her concerns with them and HB450 which is proposing Community Solar along with HB429 which will affect Etna Township and provided the Trustees with a copy of the Newark Advocate article regarding the legislation.

Ron Sabatino owner of the Cumberland Trail Golf Course stated the fuel and alternative fuel is a thing of the future and considering solar farms under a conditional use. Mr. Sabatino discussed a Resident Appreciation Day with fireworks as was done in the past. He will need this decision in the near future.

Deb Altman of 26 Orchard Glen discussed the seventeen residents that have been impacted by the Storage One business and discussed the lights, beautification barrier, and feels the zoning regulations have not been followed along with the fence and pond not being maintained. Bill Vance will get with Deb Altman to see what can be done. The township will notify the Health Department on the mosquitos.

Public Hearing

Trustee McKee opened the public hearing at 6:20 p.m. for the text amendment submitted by Etna Township for Article 18 Planned Residential Conservation District (PRCD) Section 1804 Permitted Uses Item A and Section 1806 PRCD Development Plan Standards Item K.

The legal notice for the Zoning Commission hearing was in the Pataskala Standard on April 28, 2022 and for the Trustees hearing it was in the Pataskala Standard on May 26, 2022. The application was submitted to the Licking County Planning Commission for a non-binding recommendation on April 11, 2022. The Planning Commission Board met on April 25, 2022. The LCPC Board voted to provide a non-binding recommendation of Conditional Approval. The Zoning Commission recommendation to the Board of Trustees to approve the application with the recommended modifications from the Licking County Planning Commission was received on May 17, 2022.

John Singleton provided a written Staff Report and reviewed the recommended amendment along with the Licking County Planning Commissions non-binding recommendation of Conditional Approval. The amendment to Section 1804 adding the language "A minimum of 25% of the total allowable density shall be single-family detached residential dwelling units" and recommended that the township approve this text amendment. On the text amendment to Section 1806 adding the language "These connections shall be emergency access only where residential stub streets lead to existing neighborhoods without sidewalks and/or adequate roads." should not be considered for adoption and it is recommended to deny this amendment because it conflicts with the Licking County Subdivision Regulations and Access Management Regulations along with being contrary to the adopted Etna Township Comprehensive Plan.

The Zoning Commission recommended to the Board of Trustees to approval the text amendment with the modifications set forth in the Licking County Planning Commission's Staff Report.

Trustees Comments

Trustee Evans stated for the record he was the one that brought forth the recommended text amendments. The recommendations during the Pulte Rezoning were to make them emergency only access. On the LCPC Staff Report in Item 2 it also recommends the existing standard should likely be removed from the text. This item was not discussed during the Zoning Commission public hearing and was not a part of the original text amendment and was not advertised to remove it.

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Public Comments –

Judy Cafmeyer of 29 Roma Court discussed the connectivity between Royal Acres and Preserve at Royal Oaks where one subdivision has sidewalks and one does not and it appears to work in this development between the old and new subdivisions.

John Singleton explained that the proposal was to make all connections emergency only when one development has sidewalks and the other does not to create a safer environment. However Licking County along with the Township's Comprehensive Plan requires connectivity.

Ryan Davis of 8807 Watkins Road is on the Comprehensive Plan Committee and inquired if this was for a specific application. With the township being in the process of updating the Comprehensive Plan why is this being amended at this time. John Singleton explained this was initiated by the Board of Trustees back in April. Ryan Davis inquired on the process and John Singleton explained typically the Trustees will discuss the amendment and either table it or vote on it this evening.

The Trustees were presented with an Exhibit A for the Resolution showing the text amendment as originally submitted. The Trustees discussed the process and whether to close or recess the public hearing.

Trustee Evans moved to close the public hearing at 6:35 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The Trustees discussed the recommended text amendment. The twenty-five percent single-family homes is one part of the text amendment, and the interconnectivity is the other part. The Trustees discussed safety between developments having sidewalks versus not having sidewalks.

The Trustees will have John Singleton get clarification from the Licking County Planning Commission regarding the removal of the entire item k section regarding interconnectivity. The Trustees will make a decision at their June 21, 2022 meeting.

Bill Lozier - Pike Street Project

Bill Lozier provided a drawing showing the Pike Street Project. Bill Lozier discussed the application that was submitted to have the roadway put on the Federal Aid System would make it eligible for Federal Funds to help pay for construction. After it is eligible for Federal Funds an application can be submitted to MORPC. It will require accommodations for bicycles which would be a ten-foot pathway on one side of Pike Street. The original plan was for two seven-foot sidewalks on both sides, lighting and an eight-foot parking lane. Beginning at SR310 Phase one would go east eighteen hundred feet and Phase Two would go west to US40. One of the questions would be to continue this in two phases or submit the entire project. This would be for the MORPC Attributable Funds. For Phase One the rough estimate is at 1.5 to 2 million dollars. The rest of the project will have the same parking lane. The right-of-way is eighty feet which is forty feet on each side of the road at the edge of old Etna and then going to US40 it is sixty-foot road right-of-way. It will drop to two lanes outside of Etna Proper without parking lanes. This project will also have curb and gutters. The township will have a twenty percent match which could be funded by other sources such as OPWC. Bill Lozier stated the paving conditions and drainage were the reasons for this project along with the beautification project for Etna. The Trustees discussed this connecting to the proposed Highpoint Development with Mr. Sabatino and whether this development will have to contribute to this project. The TID requires the project to support economic development. When this project started the Highpoint Development was not approved. The roundabout for the Highpoint Development is along SR310. Bill Lozier explained OPWC grants will usually be funded every two years. If awarded the MORPS funds will not be funded for a couple years. The township can apply for OPWC for Etna Proper this year because it needs paved. The sidewalk will go to the stream heading east and will not go to US40. The scoring points for MORPC was discussed. The streetlights are proposed at the intersections and can be shielded for the residents and will be part of the public discussion. Not all of the decision will be done in a public meeting and President Rozland McKee is the point person. The information can be shared with all three Trustees outside of a meeting. The application due date is July 15th with August 17th for feed back and September 28th for final application.

Reports

Parks and Recreation

Trustee McKee moved to approve an additional \$4,200 dollars for surveying to meet the Licking County Planning Commission requirements to S.A. England Surveying to purchase properties for the park. The motion was seconded by Trustee Johnson.

Discussion: This will finalize the lot splits. John Singleton explained that due to a requirement by Licking County Planning Commission the surveyor had to do additional work. The motion passed by unanimous affirmative vote.

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Road Report - A report was provided by Don Copley. The Road Department has been repairing roads and have completed their first mowing. Trustee Evans stated the report from Pavement Management Group should be received in the near future.

Zoning Report – Due to the power outage today a written report was not provided. Trustee Evans inquired on the violations at the Storage One Facility. John Singleton explained Storage One is being sold. Trustee Evans discussed the violations at the Blue Monkey and Mr. Singleton explained that he can not use the pictures provided by Trustee Evans.

Operations Report – Bill Vance is still working with staff and is willing to assistant residents with their concerns and will look into the Storage One and the Blue Monkey. Mr. Vance stated to Trustee Evans that there are situations that took place in the past of Mr. Evans doing. Mr. Vance chooses not to work with hostile individuals individually, and he works for the Board of Trustees and if the Board of Trustees directs him to work with him individually, he will have to consider it.

Water & Sewer – Mr. Vance explained they had an opportunity to work with the Water and Sewer District regarding the sewer capacity. The funding to increase the sewer capacity will be worked on. Trustee Evans stated he has been working with Rob Platte on sewer capacity. The Developer should pay for the capacity issues and not the community.

Fire District – Nothing to report at this time.

Cemetery - Nothing to report at this time.

JEDZ1&2 and JEDDs – Bill Vance is working on the JEDD's and learning about these agreements. They will continue to work with Peter Griggs regarding the JEDDs. Trustee Evans would like to see some of the appointees be replaced specifically John Carlisle and Roger Walters. Bill Vance stated the facts are being determined to have educated discussions with the Trustees. Trustee Evans stated he has two binders full of facts.

Fiscal Officer Report

F/O Varian does not have a report at this time.

The Trustees discussed the MORPC dues for 2022 and 2023. F/O Varian requested the Trustees pass a motion to be a member of MORPC for 2022 and 2023 for the purchase order.

Trustee Johnson moved that Etna Township join MORPC for the years 2022 and 2023. The motion was seconded by Trustee McKee. Discussion: It was not paid in December 2021 and in the future, this should be done annually possibly in the organizational meeting. The motion passed by unanimous affirmative vote.

Motion to pay the bills and approve purchase orders

Resolution 22-06-07-01: Trustee McKee moved to approve purchase orders as presented. The motion was seconded by Trustee Johnson. Discussion: The payment for the surveyor is included in this along with the payment to Bill Vance. The motion passed by unanimous affirmative vote.

Trustee McKee moved to pay the bills as presented. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans requested Bill Vance itemize his bill similar to the attorney bills. Bill Vance feels it is itemized. Trustee Johnson stated there are a lot of items on his bill. F/O Varian stated the contract does say an itemized bill and what was resubmitted was acceptable to her. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Old Business

Scannell/Fedex Buffering Update

Bill Vance reported on the meeting with the property owners on Lynns Road regarding Scannell/Fedex. He met with representative of Scannell. They discussed the lighting, storm water, height of the wall, and buffering. The township should receive information back from Scannell mid-June. John Singleton stated they started removing the buildings on the east side of Tollgate Road today.

Cell Phone Policy

Trustee McKee moved to approve the cell phone policy. The motion was seconded by Trustee Johnson. Discussion: Who determines the type of phone purchased and the plan was discussed. It will be brought to the board and the phone and plan will be approved at that time. Trustee Evans inquired if the person who has the phone will have to provide the phone upon request. The motion passed by unanimous affirmative vote.

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New Business -

New Community Authority (NCA)

Trustee Evans explained that Ice Miller was hired by the previous board to create the NCA which is a partnership that requires one residential subdivision. Rob Sabatino is the developer of the residential subdivision. The cost to the township for the creation of the NCA will be reimbursed to the township. The NCA is working on an Intergovernmental Agreement. Trustee Evans stated Mr. Carlisle appointed three members, but Mr. Evans feels the board should appoint those members and Licking County appointed four members. The township has been paying the bills for Kip Wahlers with Ice Miller but will get reimbursed for the expense. Trustee McKee discussed the need for a township liaison. Trustee Evans stated he has been involved in this since the beginning and does not mind continuing with this. There is an August deadline for it to be implemented on the tax bills. The funds were initially to go towards the township park. Ron Sabatino stated they have made all their comments towards the documents and Kip Wahlers has them and are prepared to approve them to concept and recommends the Trustee approve to form and any future modifications can be made. This should have been approved years ago and the township has lost revenue and August is a deadline for collecting taxes. Trustee Evans was concerned that the commercial money is not used towards residential. Trustee Evans feels he should continue to represent that board on the NCA.

Trustee Johnson moved to appoint the Board President to be the Trustee liaison for the New Community Authority (NCA). The motion was seconded by Trustee McKee. Discussion: This will be whoever the Board President is at the time. Trustee Evans feels this is appropriate and it will impact the community. Trustee Johnson discussed Trustee Evans relationship with Mr. Sabatino. Trustee Johnson is looking for someone that gets along. Trustee Evans feels he works with everyone. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Licking County Engineer Request for Engineering Assistance – Lake Land Hills

Trustee Evans moved to approve the township request for Engineering Assistance from the Licking County Engineer for Lakeland Drive. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans stated this is an on-going issue that needs resolved. The motion passed by unanimous affirmative vote.

Announcement and Trustee Comments –

Trustee Evans discussed Laurel Drive, live streaming, social media, the Zoning Violations and Mr. Singleton not working with him, the West Licking Development Group CIC, the Consultant's duties and not including Mr. Evans, solar farms, and the Storage One issues and requested that everyone work together for the township.

Mr. Vance stated that just because it was said in a public meeting does not make it true. The Fiscal Officer takes care of the Public Records requests, and he updates everyone on the board. Mr. Vance will reach out to Mr. Evans when he needs to.

Trustee Johnson stated he is going to support his employees and feels they do a fine job and have done everything he has ever asked them to do and have his 100% backing. They do a good job contrary to what other people say.


Executive Session

Trustee Johnson moved to go into executive session at 8:27 p.m. per O.R.C. 121.22 (G)(1) to consider the compensation of a public employee. This is to conduct Laura Brown's employee review. The motion was seconded by Trustee McKee and passed by unanimous affirmative vote.

Trustee McKee moved to come out of executive session at 8:37 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Johnson moved to approve a raise for Laura Brown, a two dollar raise to \$23 dollars per hour. The motion was seconded by Trustee McKee and passed by unanimous affirmative vote.

Trustee McKee moved to adjourn at 8:38 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.



Rozland McKee, President



Julie Varian, Fiscal Officer

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