

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

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

Held August 2, 20 2022

The Etna Township Board of Trustees met on Tuesday, August 2, 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. 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 requested public comments be moved before the presentations and recommended the items under Road Report be moved to new or old business. The agenda remained as presented. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Trustee McKee moved to recess at 6:04 p.m. The motion was seconded by Trustee Evans. The motion passed by unanimous affirmative vote.

Trustee McKee moved to come out of recess at 6:07 p.m. The motion was seconded by Trustee Evans and passed by unanimous affirmative vote.

Trustee McKee moved to approve the minutes from the July 5, 2022, meeting as presented. The motion was seconded by Trustee Evans and passed by unanimous affirmative vote.

Presentations

Larry Taylor, Trebel Energy Etna Township Aggregation Program Draft Agreement

Larry Taylor stated the aggregation program between Etna Township and Trebel started in 2013. Mr. Taylor provided information regarding the programs and stated the residents in the electric program have saved over two hundred and fifty thousand dollars in the past twenty-five months. Trebel is requesting a new EMA (Energy Consulting and Management Agreement) which will give Trebel Energy the ability to make some quick decisions that will benefit the residents. Trustee McKee forwarded the contract to the Prosecutor's Office and there were four recommended modifications.

Trustee Evans inquired on the fees from electric and gas that Trebel adds onto the supplier fee. Larry Taylor does not believe it is in Trebel's best interest to divulge their business practices and did not provide. Trustee Evans feels that is important for transparency and we should know the fees. The fee is noted on the original agreement that was adopted. Larry Taylor explained that the fee is determined when they agree at the time to enter into a contract based on the market. Trustee Evans stated it is at 2 mils for the electric and he has been asking around and this is about four times other companies fees, and it is the same with the gas. Trustee Evans has spoken to a company that will do it for a half mil. Larry Taylor stated Trebel represents one hundred and sixty some communities because they do the right thing and are in business to make money. Trustee Evans and Larry Taylor discussed the fees and percentages that are charged to the residents in the township. Larry Taylor stated the current electric contract ends September of 2023. The lengths of the contracts were discussed and having them align with the aggregation programs. Trustee Evans stated Liberty Township chose not to renew with Trebel. Larry Taylor feels the request regarding fees should be a Board of Trustees request. Trustee Evans feels per their contract the fees need to be provided.

Trustee Johnson verified that the set price is shopped around before it is locked in and inquired on the opt in and opt out options for the residents. The process was discussed and if a resident is already signed up with a supplier then they are not automatically moved over to this one. It would usually be within thirty days to opt in or out to a program. The PUCO has a permanent opt out option along with Trebel.

Trustee Evans discussed the contract terms with Trebel exclude discussions with any other programs which limits the Trustees to negotiate with other companies where other contracts allow for it.

The Trustees discussed the contract could be a three year with the utility but the contract with Trebel is a five year term. Larry Taylor confirmed that a five year term is being proposed to all of their clients.

The Trustees have to vote on the negotiated rate for Trebel to lock in. The Trustees discussed current gas rates and whether it is a benefit at this time to lock in with Trebel.

Larry Taylor feels Trebel has saved the community money for the past nine years, have earned the business, and have done a great job for the residents. Trustee Evans has concerns with their fees and the contract is very one sided towards Trebel and would like the opportunity to talk with other companies.

Larry Taylor provided the pros and cons to renewing and right now the market is currently extremely volatile. The market rates were discussed and once the rate is locked in it will be good for the length of the contract.

The residents voted for the aggregation programs. The Trustees discussed doing more research on the contract. Trustee Evans requested Trebel waive the requirement that the Trustees are not permitted to reach out to other programs.

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Trustee Evans moved to table for further consideration in the future. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Townhall Security Cameras – Rob Blevins with Security Operations Systems

Bill Vance spoke to Rob Blevins today and he does appreciate the township's business and is interested in providing security services to the township. Trustee Evans will talk to Rob Blevins individually.

Public Comments –

Gary Burkholder 254 Trail East discussed attending the Licking County Planning Commission meeting and there was a great presentation regarding development in Etna Township. The Scannell property was discussed during their meeting and the issues with this development and provided documents to the Fiscal Officer for the record. Mr. Burkholder suggested an internal review to verify if they are compliant.

Terry Dunlap, Violet Township Trustee in Fairfield County, discussed that they are a home rule township and that Etna Township is not. Mr. Dunlap discussed the truck issues and requested the Trustees pass a resolution for posting "no thru trucks" for Tollgate Rd. They are also contacting the Licking County Engineer for help with the trucks on Mink Street. Mr. Dunlap requested enforcement on Nantucket also.

Chuck Bundy of 10254 Tollgate Road spoke with Mr. Dunlap this week regarding this issue. Mr. Bundy discussed making Etna Township a Home Rule Township if the township has over 18,000 residents.

Rachel Zelazny of 10141 Tollgate Road discussed the Aggregation Program and the fee should be disclosed. Mrs. Zelazny thanked the staff for their help regarding the storm water issues. The truck traffic is an issue and they turn around in her driveway.

Judy Cafmeyer of 29 Roma Court discussed the Community Advisory Committee meeting related to the future of Etna Township and discussed the rural concept of Etna Township. The committee will be conducting another survey in the near future. She discussed the need to establish Etna Township as an Exclusionary Zone for the Solar Farms and when she discussed this it was positively received by the CAC and she requested the Trustees pass a Resolution. She thanked Trustee Evans for the paving presentation.

Bill Black of 13398 Palmer Road discussed a phone call he received from Arizona regarding available land for apartments and rentals.

Judy Newman of 9630 Lynns Road stated Scannell is taking too much time on the improvements and responding to Mr. Vance. She would like to see the wall moved back and be the same height across the property.

Ashley King of 75 Trail East is excited for Community Day and prefers the public comments after the presentation. Mrs. King discussed the security cameras, sewer issues, and Laurel Drive.

Reports

Road Report - A report was provided by Don Copley.

Using the state bid network to preserve the roads.

Resolution to authorize Asphalt Rejuvenator Agreement

Trustee Johnson stated the township did the reclamite back in 2008 and it made it look nice for a year but did not do much for the roads. Trustee Evans stated Violet Township and the City of Reynoldsburg both suggested using the reclamite because it will extend the useful life of the road instead of just crack sealing and allowing it to degrade to the point of replacement. It is about eleven cents per foot versus seven to twelve dollars per foot for replacement. Trustee Evans and Don Copley inspected roads in Violet Township to view how reclamite worked. Trustee Evans does not know how it was evaluated or compared in the past and he is basing his recommendation on the Paving Management Consultant and a lot of research. Trustee Johnson does not believe the reclamite in the past helped with the cracking. The Trustees discussed milling, capping, and paving. The reclamite works on the roads that have been recently paved.

Resolution 22-08-02-01: Trustee Evans moved to authorize asphalt rejuvenator agreement in the amount of \$154,730.20 with Pavement Technology Inc. Trustee Johnson seconded. Discussion: The amount of paving was discussed and the available budget. It will not seal cracks. Trustee Evans this is going thru a state bid, the state approves the amount, and this is material delivered and applied. The County Prosecutor gave the approval being a specialty application and if the township did bid it out they are the only ones in the area that apply it. This is tracked through the Pavement Management Group. Trustee Johnson is not a believer but is willing to try this again. This would be for 18% percent of the roads. There will be no need to re-stripe. Don Copley explained they went to a subdivision with little traffic and inspect the roads but did not know if this would work. The Trustees discussed the roads that are heavily traveled. The motion passed by unanimous affirmative vote.

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OPWC Application

Trustee Evans stated the Engineer is two weeks out for the estimates. The Licking County Engineer, Jared Knerr, recommended paving the alleys at the same time as the roads in Etna Proper. The Engineer requested the roads for OPWC Applications by August 16th. Trustee Evans proposes applying for Etna Proper East and West, allies and roads, for OPWC without Pike Street. The application is due November 4th, 2022. If awarded it will be paved in the spring of 2023.

Trustee Evans recommends East side of Pike Street and Etna Crest Blvd for paving this year.

Trustee Evans moved to direct Jared Knerr to proceed with Etna Proper East and West for the OPWC application requirements. The motion was seconded by Trustee McKee. Discussion: The roads will be brought back for approval from the Board of Trustees. The motion passed unanimous affirmative vote.

Zoning Report – A Zoning Report was provided by John Singleton. The lights have been adjusted on the Blue Monkey and the Motel and they are better.

Trustee Johnson discussed secure the Zoning Files with a steel roll up door and provided an estimate of \$750 dollars. The Trustees discussed locking the doors, securing the records, and discussed files disappearing. Trustee Evans stated that files have been hidden from him.

Trustee Johnson moved to authorize \$750 dollars to KSS Global LLC to install a roll up door in the Zoning Office. The motion was seconded by Trustee McKee. Discussion: Trustee Evans discussed a glass divider. John Singleton explained this will also provide a sound barrier. The motion passed by unanimous affirmative vote.

Trustee Johnson moved to accept the resignation of Steven Shaloo effective August 12, 2022. The motion was seconded by Trustee McKee. Discussion: He will be missed. The motion passed by unanimous affirmative vote.

Management Consultant's Report –

Bill Vance reported on Scannell, the Fedex site, regarding updates from Dan Harrington. Mr. Harrington has received the letter from Licking County regarding the issues. There have been discussions on how high the wall needs to be raised along with storm water. These issues being addressed prior to moving forward with building two were discussed.

Bill Vance reported on Tollgate Road they worked with Licking County representatives regarding the soil and water issues and have a meeting on August 10th.

Bill Vance reported that Storage One has new owners and the tree plantings and buffering need to occur. Enhancing communications with Licking County and the township will help in the future.

Water & Sewer – Mr. Stepp provided a report. Trustee Evans inquired on sewer capacity concerns. Mr. Vance stated they did request a meeting with the Chairman of the Board.

Cemetery - Nothing to report at this time regarding the cemetery.

Parks – Trustee McKee reported during a site visit to the park property they got stuck.

Trustee McKee moved to authorize \$1,219.80 to Trails West for tires for the truck that we have here in Etna. The motion was seconded by Trustee Evans. Discussion: The current tires are basic street tires. Trustee Evans discussed an all terrain vehicle instead of tires. Don Copley feels the tires are needed. The motion passed by unanimous affirmative vote.

Fire District – Trustee Johnson reported on the bids for the new firehouse were received and had to be re-bid. The agreements have been reached with Union Township and Hebron to bring them into the District. This will increase support to the east side of the District. A levy renewal is on the ballot in November which is being modified into a continuing levy.

JEDZ1&2 and JEDDs – Trustee Evans seen JEDD8 discussion on a Peter Griggs invoice. Trustee McKee is not aware of anything being worked on in JEDD8. Bill Vance discussed the attorney for Southwest Licking Community Water and Sewer District discussing items with Peter Griggs. Peter Griggs will be contacted regarding this issue.

Fiscal Officer Report

F/O Varian reported on permitting different access levels to the UAN and there will be no additional costs. There will need a modification to the IT here where everyone can tie into the network. If F/O Varian is able to print the check register that would be sufficient to Trustee McKee and Trustee Johnson. The Trustees discussed leaving the UAN with only F/O Varian having access for security reasons.

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Motion to pay the bills and approve purchase orders

Resolution 22-08-02-02: Trustee Evans moved to approve purchase orders as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

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

Old Business

Consideration of Harassment Training Proposal

Trustee McKee moved to authorize up to \$500 dollars to Fischel Downey for Harassment Training. The motion was seconded by Trustee Johnson. Discussion: This in house training is tentatively scheduled for August 15, 2022, at 9:00 a.m. This is mandatory training. The training for the elected officials will be re-scheduled. The motion passed by unanimous affirmative vote.

Announcement and Trustee Comments –

Trustee Evans announced the blessing box fundraiser tomorrow with Chipotle.

Trustee Evans discussed Laurel Drive and he provided information and would like to discuss prior to receiving signatures. Trustee McKee feels the township needs signatures before moving forward. Trustee Evans feels discussion needs done with the residents regarding the cost.

Trustee Evans reached out to Lt. Carlson regarding the vehicle purchases.

Trustee Evans discussed a basketball hoop at the park and a request for a new one. The basketball hoop currently at the park belongs to a resident.

Trustee Evans announced his August 25, 2022 open house for public input regarding Pike Street. Trustee McKee stated she is heading up that project and is working with Bill Lozier. Trustee Evans would like to provide transparency to the residents. Trustee Evans would like to have the full board involved and requested a special meeting for that evening. Trustee McKee wants to be in compliance with ODOT and they are the lead on this project.

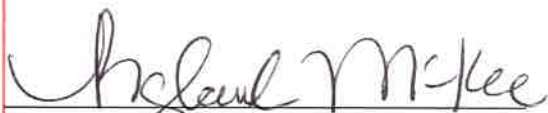
Trustee Evans discussed the Solar Exclusionary Zone and he will work with Judy Cafmeyer to move this issue forward. Trustee McKee has also been involved in this issue. Judy Cafmeyer also brought this concern to the CAC meeting and made Trustee Johnson aware of this issue.

Trustee Evans discussed increasing the limit for Peter Griggs invoices for 2022.

Trustee McKee moved that only one person who has access to their own email and the IT Company have access to those emails and passwords only. The motion was seconded by Trustee Johnson. Discussion: F/O Varian would like to check with the records commission regarding this. The IT Staff will be permitted to access the emails if needed because someone leaves. Trustee Johnson has never had access to Laura's email, Mr. Singleton's, other Trustees and Trustee Johnson does not want access. Trustee Johnson stated this never kept him from doing his job. The emails need to be provided in regard to public records request. Trustee Evans feels files and emails have been hidden from him. Trustee Evans verified with the Prosecutor's office regarding a Trustees right to records. The Board discussed Trustee Evans' concerns with items being hidden from him. Trustee Evans admitted to coming into the office after hours and going thru the employee's desk. Former Gary Burkholder did not have access to emails when he was a Trustee but has concerns with public records request not being filled and agrees with Trustee Evans. Trustee Evans hates to file a lawsuit but he will. F/O will discuss this issue on her on with legal counsel. Roll call: Evans, no; Johnson, yes; and McKee, yes; Motion passed 2-1.

Trustee McKee moved that no décor be removed from the walls without board vote. The motion was seconded by Trustee Johnson. Discussion: This is regarding the plaque with Trustee Carlisle's picture. Roll call: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Trustee Johnson moved to adjourn at 8:39 p.m. The motion was seconded by Trustee McKee. The roll call was as follows: Evan, yes; Johnson, yes; and McKee, yes; motion passed 2-1.



Rozland McKee, President



Julie Varian, Fiscal Officer

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