

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

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

Held _____ September 7, _____ 20 _____ 2022

The Etna Township Board of Trustees met on Wednesday, September 7, 2022, in the Etna Township Administration Building for the purpose of conducting a special 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 had requested items that were time sensitive for the agenda that were not added. With this being a Special Meeting items cannot be amended. The motion passed by unanimous affirmative vote.

Trustee McKee moved to approve the minutes from the August 23, 2022 special meeting as presented. The motion was seconded by Trustee Johnson.

Trustee Evans moved to amend the minutes. The motion was seconded by Trustee McKee. Discussion: Trustee Evans requested the minutes to reflect in the minutes his concern with the drop box allowing for fishing and to add the resident's comments regarding a relative that had something fished out of a drop box. The minutes did reflect that the Trustees discussed concerns with fishing. The roll call to amend the minutes was as follows: Evans, yes; Johnson, no; and McKee, no; motion failed 2-1.

The roll call to adopt the minutes as presented was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

Presentation - Andrew Leitch with Burnham & Flower who represent OTARMA

Mr. Leitch provided a summary of coverages for Etna Township along with member benefits and programs. OTARMA re-evaluates the Statement of Values every five years and the township did an appraisal a few years ago. Mr. Leitch explained under the supplemental coverages the personal automobile (deductible) actual cost is that if someone is driving their own personal vehicle and have an accident OTARMA will cover the individual's deductible provided they have full coverage on the vehicle because you are doing township business.

Public Comments – With a special meeting the public comments are limited to agenda items.

President McKee explained the importance only addressing items on the agenda because it is a Special Meeting and the legal issues with not following these rules.

Michelle Hamilton of 7671 Palmer Road discussed the building use request from the teacher's association. The request was to use the township building once a month prior to the school board meeting and Trustee Johnson denied the building use. The Trustees discussed the building use request approvals and this particular request. The teacher's association is a not-for-profit group.

Dr. Paula Ball of 143 Carnation Place is the president of the Southwest Licking Education Association and lives in Etna Township. Dr. Ball discussed when the township building was built her understanding was it was set up for non-profits to use the building. Dr. Ball inquired on why the building use request was denied and explained this use would be for approximately thirty teachers and the previous building use involved a lot of teachers. Dr. Ball feels this request meets all the criteria to use the building. After being denied the use the secretary reached out Trustee Evans and Trustee Evans has personally reserved the building. The meeting start time of 4:00 was discussed and they are willing to adjust the start time if needed. This is the night of the School Board meeting and the teachers are requesting to meet here prior to that meeting.

Teresa Ogershok of 484 Trail West discussed the AEP utility easement and how it will affect the layout of the park property and discussed requesting AEP to help with lines or lighting that the township needs.

Gary Burkholder of 254 Trail East discussed the Joint Economic Development Zones meetings and learned during the meeting that there will be three vacancies in October and inquired on when it will be opened up for residents to apply for those appointments. Mr. Burkholder discussed the Scannell and Rhino Storage deficiencies and stated these have been ongoing and requested a timetable and construction plans. Mr. Burkholder submitted a document for the official record and provided it to F/O Varian regarding the deficiencies with Licking County Subdivision Regulations and the violations with them.

Aleshia Zacker of 79 Trail East discussed her public records request for the receipt from Staples regarding the Pike Street Project showing it being paid for out of township funds and being tax exempt along with the receipt for the signs purchased by Trustee Mark Evans. Trustee Mark Evans used his personal rewards number for the purchase at Staples. Trustee Mark Evans stated it was not an official meeting but was a township event. Mr. Evans purchased the water and cookies personally and all the township expenses were provided to the Fiscal Officer and were purchased under the organizational motion permitting Trustees to expend \$2,500 dollars a month between meetings and for emergencies.

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Fiscal Officer Report

F/O Varian reported the township received eight hundred thousand dollars from the State of Ohio for the 629 Grant and she has re-issued a seven hundred and fifty thousand dollar check to the developer that installed the roads for that grant and the township will benefit fifty thousand dollars from that grant which covers the administration costs. Trustee Evans stated he completed the annual reports earlier this year and there are two other 629 Grants out there waiting on road dedications and then the township can close out all the loans and paperwork for Global Way part one. The check, contract, and purchase order are all attached.

Motion to pay the bills and approve purchase orders

Resolution 22-09-07-01: Trustee Evans moved to approve purchase orders. The motion was seconded by Trustee Johnson. Discussion: The amounts regarding the grant were confirmed and it was explained that the township has a loan agreement with the developer that paid for the expenditure as the road is built and then when the grant is received the township receives the money along with fifty thousand for the administration cost. The process of approving the purchase order and paying bills was discussed. F/O Varian explained that when the Trustees approve the purchase orders they are approving the spending of those funds. The motion passed by unanimous affirmative vote.

F/O Varian explained the process for approving the payment of bills. When she creates a purchase order she is certifying that those funds have been appropriated already in the budget, that those funds can be spent on the purchase order items. The Trustees approve those purchase orders authorizing the expense of those items therefore also authorizing the Fiscal Officer to issue those funds at any point. This can be a regular purchase order or a blanket purchase order. The process was discussed along with the charges on the credit card statements. The Trustees discussed viewing the receipts and statements every month. F/O Varian has created a binder for the Trustees to review. F/O Varian stated all of the funds that are paid on the credit card statement have already been authorized by this board in public by a resolution. The January 4th organizational meeting authorized \$2,500 dollars for expenses between meetings and emergencies which is authorization also.

Trustee McKee moved to pay the bills as presented. The motion was seconded by Trustee Johnson. Discussion: The bills have been reviewed. Trustee Evans stated that F/O Varian is fixing the prior mess that was left by the prior Fiscal Officer left us, she is doing what is proper here and just because your oversight doesn't mean she is deficient in anyway. Trustee McKee stated that Trustee Evans accuses the previous board on a regular basis on committing a crime in regards to our budget and the report back from the auditor's office showed there was nothing there. F/O Varian asked Trustee McKee if she knows how a blanket purchase order works. Trustee McKee does understand how a blanket purchase order works and stated that she brought someone in to work with Mrs. Varian. F/O Varian stated that person had many findings on her audit report which Trustee McKee stated no she did not. Trustee McKee stated she is a thirty some year veteran. The process was discussed and what the Trustees feel they are approving. F/O Varian explained to have an efficient process when she is aware of a bill coming she creates a purchase order and it is approved by the board and when the bill arrives she can issue the funds to efficiently and quickly pay that bill. Because this entire board has approved those funds to be expended for that item. If it is a blanket order and there are four more bills that come throughout the year she already has the authority thru the resolution that was approved to issue those funds because there is still some left on that purchase order. So the Trustees will not see another purchase order and the check will go out because she has already been granted the authority to do so. F/O Varian stated this is why the Trustees do not see every electric bill. F/O Varian explained the need for payment of bills on the agenda is for the checks that did not have a purchase order approved and the Trustees see the check register every month. The Trustees discussed whether they have been seeing the check register every month. The Trustees discussed whether they needed to have access to UAN and the process they would like to see. The roll call was as follows: Evans, yes; Johnson, yes; and McKee, no; motion passed 2-1.

Management Consultant's Report

Mr. Vance reported on the Scannell property and they are interested in building a spec building and they do understand the raising of the height of the wall will be a topic of interest and they are willing to explore opportunities to assist the township. Scannell has successfully built a wall in accordance with their approvals, they built a sound wall. They agree that a sound wall is not sufficient to take care of the lighting issues. They will work with the township to resolve those issues. They are mobilizing resources to resolve the Licking County identified storm water

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deficiencies. Scannell is also willing to working with adjacent property owners by donating fast growing trees, if they are receptive to locations on their private property.

Trustee Evans stated the trees are a part of the original buffering. Trustee Evans has concerns with the push for the second building since they have been trying to address these issues with them since last November with any real movement or resolve. Trustee Evans reported that the County has issued two violations letters which have not been complied with and the sound wall was supposed to be built prior to the building and it was not so he does not want to rely on any promises. Trustee Evans does not feel the township should be considering any economic incentives for the second building until these deficiencies are addressed. Trustee Evans believes the last board was negligent in allowing that placement of the wall where it is. Trustee Johnson stated he takes exception to that and is tired of Mr. Evans saying the last board was negligent, the last board was corrupt, and that last board was everything else.

Mr. Vance and Mr. Singleton met with the project manager for the Rhino Storage (Previously Storage One) site. The project manager understands that the trees required to be planted five years ago need to be installed. The project manager will be providing the township a plan and understands how important the maintenance of that property is and the concerns with the lighting.

New Business

President McKee reported on the Case Closing Memo from the Ohio Auditor of State's Special Investigations Unit dated August 9th 2022 stated based on our investigation, we did not find any theft or fraud committed by former Trustee John Carlisle. They recommended closing the preliminary audit and investigation as no criminal activity has been found. The investigation has now been concluded and this matter is considered closed. President McKee stated the case is closed and wants the township to move forward and do great things for the residents.

Building Use

Trustee Johnson discussed the Building Use Form and when scheduling the building for a use the form needs to be filled out. The Trustees discussed whether a Trustees can sign out the building for another group to use without filling out the form. The Trustees discussed the building use request from the Southwest Licking Education Association. Trustee Johnson was appointed to approve the building uses during the organizational meeting and it was discussed bringing the uses to the full board. At this time Trustee Johnson remained the person approving uses.

Trustee Evans moved to approve the use of the school teachers association to use the building every third Thursday from 4:00 to 6:45 p.m. The motion was seconded by Trustee Johnson. Discussion: Trustee McKee confirmed with the prosecutor's office and the Trustees do not want to deviate from the process which always required filling out the form. The teachers have filled out the form. Trustee McKee was not aware of the teacher's building use request. The roll call on the motion was as follows: Evans, yes; Johnson, no; and McKee, no; the motion failed 1-2.

The Trustees discussed meetings in the township building and when uses are approved during the hours the building is open at times would be distracting. The request is for the third Thursday so they can go over to the School Board Meeting. The teachers explained what this use is for and whether it would be distracting during this time. The teachers explained why they are not able to use a school facility for this use. Trustee Johnson stated the teachers did explain this all to him.

Trustee Evans moved to approve the school teachers association meeting for the third Thursday of every month starting at 4:00 p.m. to 6:45 p.m. and the time can be adjusted if needed. Trustee McKee seconded the motion. The roll call on the motion was as follows: Evans, yes; Johnson, no; and McKee, yes; the motion passed 2-1.

Trustee McKee moved to appoint myself as the liaison to the JEDZ and JEDD Boards. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans inquired on the JEDZ Board reimbursement requests from the Board Improvements Accounts, current board members, and stated he has attended the meetings and is over the roads so he feels he should be the liaison. Trustee Johnson asked Trustee Evans if he was able to get the JEDZ Board to approve any of the reimbursement requests and discussed Trustee Evans relationship with John Carlisle. Trustee Evans stated he is professional. Trustee Johnson verified that Mr. Evans does not like John Carlisle and does not want him on the board but wants him to approve items for the township and feels Mr. Evans is not the person to be liaison because he does not get along with anyone over there. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; the motion passed 2-1.

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The Ohio Township Association (OTA) has a Trustee Webinar on September 20, 2022. The webinar is titled "Where the Trustee Responsibility ends and Fiscal Officer Begins" and costs \$20.00 to attend. Trustee McKee will be attending to better understand her role as a Trustee. The elected officials received the information also and Trustee Evans and F/O Varian have signed up.

Old Business –

AEP Utility Easement Request

Zoning Inspector John Singleton has reached out to the Licking County Prosecutor's Office and AEP. The agent that handles the easements and rights-of-way for AEP will be back in the office on Monday, September 12, 2022. There was discussion on the value of the land and impact on developing the park. The township staff will continue to work on the easement request and report back to the Board of Trustees.

Licking County Sheriff's Contract and Vehicle Purchases

Bill Vance and President McKee met with Lieutenant Carson regarding the public safety services provided by the sheriff's office. Lieutenant Carson will be providing the township with a proposal to extend the contract an additional three years which will include additional vehicles for the additional officers. Mr. Vance anticipates receiving the proposal by the end of September. The current contract expires December 31, 2022. The Trustees discussed who the point of contact is with the sheriff's department which is the president of the Board of Trustees. President McKee is working with Bill Vance the Management Consultant. The sheriff's department is having issues receiving a delivery date for the patrol vehicles. It will be four deputies for forty hours a week.

SWLCWS – Sewer Capacity Negotiations

Trustee McKee sent correspondence to the Southwest Licking Community Water and Sewer District regarding sewer capacity negotiations for Etna Township and is awaiting a response from the District. The township is waiting for a final figure for the new sewer plant. Trent Stepp is the township representative.

Harassment Training

President McKee reported that she along with F/O Varian, the employees, and Bill Vance completed the mandatory Discrimination and Harassment Training led by Attorney Ben Albrecht on August 29, 2022. Trustee Johnson will take the training on-line and Trustee Evans took the training on the 18th.

Resolution to extend Langel Park Land Purchase Agreement – Proposed Amendment

The township was presented with a proposed amendment to extend the Langel Park Land Purchase Agreement. David Hodge was present representing the property owner and explained they are still working with the Licking County Planning Commission. The sewer services and development plan are not resolved. The new lift station was discussed and is not completed. The surrounding development capacity concerns were also discussed. It has been a long and complex process.

Resolution 22-09-07-02: Trustee McKee moved to adopt "Resolution authorizing the amendment of the real estate purchase contract with the Langel Family" to substitute February 15, 2023 in place of September 1, 2022 deadline, and authorize President of the Board Rozland McKee-Flax and/or her designee to execute any and all documents necessary or desirable to amend the purchase contract for the purposes of extending the Contract's deadline as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Rescind Resolution 22-02-15-01 for Electronic Signatures for Purchase Orders and Checks

President McKee stated on February 15, 2022 F/O Varian presented a process to use electronic signatures for purchase orders, warrants, and electronic fund transfers for the Trustees. Trustee McKee would prefer to sign these documents going forward.

Resolution 22-09-07-03: Trustee McKee moved to rescind resolution 22-02-15-01 authorizing Fiscal Officer Varian to use the digital signatures on purchase orders, warrants, and electronic fund transfers for Trustees. The motion was seconded by Trustee Johnson. Discussion: Trustee Johnson verified that this will rescind signature for the entire Board of Trustees. The Trustees discussed seeing what is being paid and being able to review what their signatures are being used on. F/O Varian has spoken to her legal counsel and feels this will create an entirely new work flow creating issues with the payment of bills and possible late fees, interest expense, and employees not being paid on time. F/O Varian does not expend funds without prior authorization and does not understand why they would want to reduce efficiency. The procedure was discussed and what will be created by removing the electronic signatures. The roll call on the motion was as follows: Evans, no; Johnson, yes; and McKee, yes; motion passed 2-1.

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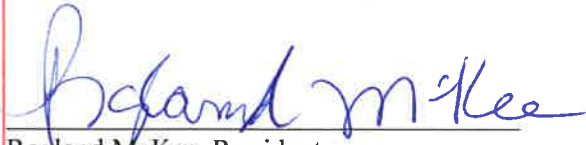
GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 1014B

Held September 7, 2022

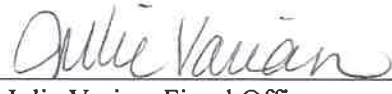
Announcement and Trustee Comments –

Trustee Evans feels what this chairman is doing is improper and the F/O has done an incredible job getting the township books in order. Trustee Evans stated the books were in shambles, the prior audit had so many violations, so many late fees, interest charges, shut off notices and here we are trying to move forward and we are just moving back. Mr. Evans discussed the agenda items and calling for Special Meetings and notifying him.

Trustee Johnson moved to adjourn at 8:05 p.m. The motion was seconded by Trustee McKee 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.