

## RECORD OF PROCEEDINGS

Minutes of

Meeting

## Etna Township Trustees Regular Meeting

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

Held October 4, 20 2022

The Etna Township Board of Trustees met on Tuesday, October 4, 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 several items be added to the agenda, but the agenda remained as presented. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

**Public Comments –**

Vicki Helsel of 9646 Lynns Road has been working with Bill Vance regarding issues with the Scannell development and is inquiring on the delays and has concerns with the township working with the developer on the next building. The request is for a taller wall and trees to block the lighting and sound. She stated Fedex has planted trees but not on the side of the property that abuts to hers. Her understanding is Mr. Vance is still working on the wall and some trees. She has provided pictures.

Judy Cafemyer of 29 Roma Court discussed the following three issues: declaring Etna Township as an exclusionary zone from large Solar and Wind Companies, the noise resolution proposed by another resident, and the potential hazard of battery energy storage systems. She sent emails to the Trustees requesting a Special Meeting regarding these issues and only heard back from one Trustee in support and did not receive a response from Trustee Johnson or McKee. She requested that Save Hartford LLC be invited to speak at a meeting. President McKee is very familiar with Save Hartford LLC and they have been invited to attend a meeting. Trustee McKee also recommended that Judy Cafemyer invite them to the CAC Land Use meeting and to talk to the Zoning Inspector. Trustee McKee referenced that during a previous meeting Trustee Evans stated he would work with Judy Cafemyer on the resolution to present to the Trustees. There was a discussion on requesting them to come and speak at a meeting.

Ryan Davis of 8807 Watkins Road confirmed that Jeff Johnson did not request Refugee Road be on the agenda. Trustee Johnson did not request it to be on the agenda but referenced item D regarding Refugee Road that is on this evening's agenda. Mr. Davis inquired on the process for a community member to have an item or topic be placed on the agenda. Mr. Davis discussed the discrimination on the board.

Shelly Marie Ipacs of 114 Royalty Drive discussed the Refugee Road Project and feels it is great that the township is working with the City of Pataskala.

Bill Black of 13398 Palmer Road requested being considered for the JEDD boards and sees the appointments are on the agenda. Mr. Black would like to be considered for the appointment.

Doris Caceres Schumick of 9136 Mink Street requested three times for the noise ordinance be placed on the agenda. Mr. Evans has also requested the noise ordinance be on the agenda. She discussed the Ethical Principles Statement on the agenda and does not like the comments made during the meetings. She does not feel it is ethical and was not comfortable with Trustee McKee taking pictures outside after the last meeting.

Gary Burkholder of 254 Trail East concurs with all the comments made this evening and posed a question for Trustees McKee and Johnson regarding suppressing the will and voice of residents of this community and Trustee Evans. Mr. Burkholder inquired why Scannell, Rhino Storage, Management Consultant update, and reports are not on the agenda.

Ashley King of 375 Trail East does not feel it is fair to point out one person following the harassment policy because the stuff said on Facebook is against the harassment policy from what she has seen. Ashley King discussed the Pike Street meeting that Mr. Evans held and feels that it was premature to hold the meeting from an email that she requested from the people working on the project. During the Pike Street meeting a lot of questions were not able to be addressed because the meeting was premature. One of the questions was how Pike Street would connect to the development at the end of Pike Street and Ashley stated it was confirmed during a CAC meeting that they are in negotiations with the developer.

John Kennard of 10785 Palmer Road responded to all the negatism to all the farmers in Etna Township. They didn't want Walmart, housing developments, no more commercial warehouses, and now they are opposing solar farms and windmills. The farmers that do not want to farm or can't farm anymore need to be able to do something with their land. Mr. Kennard proposes that everyone that lives in Etna Township, unless you have lived in your house for four generations, that you cannot sell it because he likes the color of the house and living next to you. This is what he believes the community is saying to the farmers. He also addressed the divide in the meeting room between supporting one of the Trustees versus the other two Trustees and referenced transparency and want to see his transparency. He referenced the MS Engineer study for forty-three thousand dollars to do a bicycle and pedestrian study.

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### New Business

**Resolution 22-10-04-01:** Trustee McKee moved “Resolution appointing member to the Joint Economic Development Zone 2 (JEDZ2) Board under Section 1 to appoint Rozland McKee, Necol Washington, and Jeff Haygood for the term of 10-20-2022 to 10-19-2024 and Section 2 appointing Chuck LaRosa as the alternate for the term of 10-20-2022 to 10-19-2024.” Trustee Johnson seconded the motion. Discussion: Trustee Evans discussed Trustee McKee appointing herself to the board and not advertising for the community to apply so the Board can seek the best individuals to sit on the boards. Trustee Evans did not receive a second on his motion to table. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Mr. Vance provided information regarding the insurance proposal regarding the Group VSP Renewal and adding a Group Accident Plan.

Trustee Johnson moved to approve the Group VSP Renewal and adding a Group Accident Plan and to direct the President of the Board Trustee McKee to execute OPEC Plan #6 VSP Benefits Summary to increase benefits and reduce the monthly Etna Township Group Rate from \$260.48 to \$255.69. Trustee McKee seconded the motion. Discussion: This will enhance the group plan. The Trustees discussed whether this enhancement would be considered an increase in benefits. This issue was verbally discussed with Frank Harmon and he does not consider it an increase in benefits. Trustee Evans has an opinion from the Licking County Prosecutor’s Office that does consider it an increase. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Mr. Vance presented the proposal for Safe Routes to School proposal from Neighborhood Strategies LLC for fifteen hundred dollars to advise the township on writing the preliminary letter of introduction and the grant application process.

Trustee McKee moved to authorize Neighborhood Strategies Safe Routes to School planning grant application proposal for fifteen hundred dollars. Trustee Johnson seconded. Discussion: Trustee Johnson verified what services the township receives for the fifteen hundred dollars. Trustee Evans feels that Safe Routes to School is important he feels the township should look bigger and discussed the MS Consultant proposal and the need for a Comprehensive Transportation Plan. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Trustee McKee moved to call for a 6 p.m. October 18, 2022, Special Meeting of the Board of Trustees for the purpose of discussing the Licking County TID Refugee Road Phase 2 Intergovernmental Agreement. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans inquired how the Trustees can have a Special meeting when there is a Regular meeting scheduled and discussed the Refugee Road Project and all the delays. Trustee Evans tried to add Refugee Road IGA 2 to the Regular Meeting on October 18 at 6:00 p.m. but did not get support. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

### Old Business

#### JEDD Board Appointments

**Resolution 22-10-04-02:** Trustee McKee moved “Resolution appointing members to the Joint Economic Development District Boards under section 1, JEDD1 appointing Necol Washington to JEDD1 position 3 for the term 8-30-2022 to 8-29-2026; under Section 2 JEDD2 appointing Necol Washington to JEDD2 position 3 for the term 8-21-2021 to 8-20-2025, appointing Rozland McKee to JEDD2 position 4 for the term 8-21-2022 to 8-20-2026. Under Section 3 JEDD3 appointing Necol Washington to JEDD3 position 3 for the term 8-21-2021 to 8-20-2025, appointing Rozland McKee to JEDD3 position 4 for the term 8-21-2022 to 8-20-2026. Under Section 4 JEDD4 appointing Rozland McKee to JEDD4 position 2 for the term 8-30-2021 to 8-29-2025 and Necol Washington to JEDD4 position 3 for the term 8-30-2022 to 8-29-2026. Under Section 5 JEDD7 appointing Rozland McKee to JEDD7 position 4 for the term 8-31-2021 to 8-30-2025.” The motion was seconded by Trustee Johnson. Discussion: Trustee Evans inquired if these are compensated boards at one hundred dollars a meeting and feels it is in appropriate for Trustee McKee to appoint herself and he does not even know Necol Washington and has not seen her resume. Trustee Evans did not receive a second on his motion to table and to advertise to seek members of the community to serve on the JEDD board. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

#### Palmer Energy Aggregation Program – Mr. Tim Bubb

Tim Bubb, Licking County Commissioner, is here this evening to share information on aggregation and how it can benefit the residents. This is an opportunity for communities to decide to buy their fuel on the open market for electricity and natural gas. The residents of Etna Township chose several years ago to participate in an aggregation program.

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The township is currently in a contract until next year. Mr. Bubb shared what the county has done in terms of aggregation and wanted to share other options to get the best deal for the residents of Etna Township to save money. All of the County Buildings have joined under the umbrella of Palmer Energy with approximately sixty-six other counties in Ohio in aggregating. Mr. Bubb has been doing this with Palmer Energy for around ten years and have done a number of aggregation contracts saving tens of thousands of dollars in natural gas cost and electric cost in their buildings in the county and millions across the state of Ohio. On the primary ballot in May of 2022 seven municipalities in Licking County were on the ballot and six of them approved aggregation. The six were the county seat of Licking County, City of Newark, City of Heath, City of Johnstown, the Villages of Saint Louisville, Hanover, and Alexandria. The City of Pataskala was very close and they might put it back on the ballot again. The six municipalities will be done under the county umbrella for the paperwork. Tim Bubb feels the aggregation program will be eventually offered state wide. Mr. Bubb recommends the township look at their options when the contract expires and he has been working with Palmer Energy for a decade. Palmer Energy is the only aggregating company that is authorized to represent these programs by both the Ohio Municipal League, which is all the Cities, and the County Commissioners Associations of Ohio, which is all eighty-eight counties. Tim Bubb stated that Licking County does not make one penny from participating and only saves money by participating in the program. Tim Bubb introduced John Leutz, County Commissioners Association of Ohio and Phill Dysard, Account Manager with Palmer Energy.

Trustee Evans inquired on the contracts required for their aggregation terms with Palmer Energy offers. Phill Dysard stated they offer twelve, twenty-four, and thirty-six months for the aggregation programs. John Leutz explained they run the CCO Energy Program and they have a long term contract with Palmer Energy to serve as their consultant. The key distinction that they bring to the table is that we control our own program. They will put it out to bid and then bring back the total results with a twelve, twenty-four, or thirty-six month contract period. Palmer Energy works with the County Commissioners Association and the Municipal League and this gives a larger pool to save money by grouping more communities together.

Trustee Evans explained that the township currently is working with a company that has a five year contract but the aggregation contract is only three years and Trustee Evans has concerns that the contract is longer than the aggregation contract so it creates overlapping which extends the contract.

Trustee Evans inquired on the fees from Palmer Energy. John Leutz explained that for electricity it is .00045 or 45 hundredths cent per kilowatt hour and for gas it is five cents per mcf which is .0005 for ccf. Trustee Evans states the township is paying for electric .002 which is incredibly higher. Trustee Evans stated he has concerns with transparency with the current supplier with fees. Trustee Evans feels this is a good opportunity for the township to join a larger group. Trustee Evans does not feel the Trustees should extend the contract without looking at other providers.

Tim Bubb thanked the Trustees for allowing him to be on the agenda this evening.

Trustee Evans moved pursuant to our current contract with Trebel Energy Section 6A, the board requests and receives from Trebel Energy a copy of all fee rates charged and compensation received for the Etna Township Electric and Gas Aggregation terms since the initial 2013 contract to ensure compliance with the stated fee limitation of .0020 kilo watts per hour for electric and .005 ccf of Natural Gas, I believe that is important that we have that information to know that they have complied with that contract if we are going to consider renewing their contract. Trustee Evans has made this request from them and they have refused to provide the information and said it must be a board action so he is requesting board action to get information, we have talked about transparency, I think we should get their fees charged. The motion was seconded by Trustee McKee.

Discussion: Trustee Evans is asking Trebel Energy to provide the fees that they charged since the initial contract. The township is currently running under the 2013 contract and Trebel is not disclosing what they are charging. This fee is within the negotiated rate with the suppliers. The Trustees discussed if the township is receiving the lowest bid do the Trustees need to know the fee the provider is receiving. Bill Vance discussed seeking additional assistance for the RFP (request for proposal) process and needs additional review as a board. The contract expires in early 2023. The roll call was as follows: Evans, yes; Johnson, no; and McKee, no; motion failed 2-1.

**Fiscal Officer Report**

**Resolution 22-10-04-03:** Trustee McKee moved Resolution to transfer funds [from 1000 (General) to fund 3901 for 310 Project Bond Payment in the amount of \$99.00] and amend the 2022 Appropriations as presented. The motion was seconded by Trustee Evans and passed by unanimous affirmative vote.

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**Resolution 22-10-04-04:** Trustee McKee moved whereas it is recommended that the Fiscal Officer open purchase orders for the township be reviewed and restructured; and certain moneys have previously been appropriated for in accordance with the Fiscal Year 2022 budget. The motion was seconded by Trustee Johnson. Discussion: It was for the three purchase orders listed on the resolution. The motion passed by unanimous affirmative vote.

The Trustees discussed what can be paid electronically and what needs to be a paper check for them to sign. The Trustees discussed what can be done under the motion during the organizational meeting.

Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee McKee. Discussion: The Trustees discussed the legal bills and when to use the Licking County Prosecutor's office. The motion passed by unanimous affirmative vote.

**Announcement and Trustee Comments –**

Trustee Evans requested an update on the Union Contract along with the NCA, Mink Street lawsuit, the Development Committee, JEDD7, TIF sewer capacity email from Trent Stepp, promised agenda items, records request not being complied with, and transparency.

Trustee McKee moved to adjourn at 7:42 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.