

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

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

Held July 18, 20 2023

The Etna Township Board of Trustees met on Tuesday, July 18, 2023, 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 Mark Evans, Jeff Johnson, Rozland McKee-Flax, and F/O Julie Varian present.

Trustee McKee moved to adopt the agenda as presented. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans discussed when he received the agenda and items for the agenda. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Trustee McKee moved to adopt the minutes from the June 27th, 2023, meeting as presented. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans does not feel the minutes reflect the actions of the board. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Presentation - Dale Arnold with the Ohio Farm Bureau

Dale Arnold is the Director of Energy, Utility and Local Government Policy with the Ohio Farm Bureau. Mr. Arnold provided a handout entitled Solar Generation Scorecard highlighting three types of solar development being On-site, Community, and Utility. The Utility is for larger developments 50 megawatts and larger. The On-Site is Kilowatt – 4.9 megawatts. The Community type is from 5 to 49.9 megawatts. The Community goes to local jurisdiction and local Zoning Authority. Etna Township does have zoning and the township is working with the Ohio Township Association regarding Solar Farms. Mr. Arnold provided a handout entitled Local Power Siting – Issues to Consider and Address. Mr. Arnold looks forward to working with Etna Township in the future and suggests involving the local Farm Bureau also.

One of the concerns is if the township does not have anything in place the township cannot control whether to allow it or not allow it. Dale Arnold discussed House Bill 501 which confers local Zoning Authority. The township will need to update the zoning to implement the standards wanted regarding solar. Mr. Arnold works with many townships in Ohio that do not currently have zoning. This is for under fifty megawatts. Senate Bill 52 was passed three years ago which gives local government, through the County Commissioners and Township Trustees, more say but SB52 starts with Utility Scale Projects that are 50 megawatts and above, it does not touch the technology in the middle.

The question was asked where the majority of the solar farm projects are located. Mr. Arnold stated the large utility scale projects are in rural areas. When you are talking about this size, they can be anywhere between five to twenty acres. Given the size and scope of the technology that's anywhere between ten and three hundred acres in size. The Community size is in a local distribution circuit.

Dale Arnold referred the Trustees to the County Prosecuting Attorney regarding our current zoning that is in place. The Trustees have authority for the on-site and community. Dale Arnold is not an attorney but can work with the township and the County Prosecutor. The township needs to be careful with properties being grandfathered in. Dale Arnold has a resource video regarding solar that was done with Mid-Ohio Regional Planning two years ago. Dale Arnold explained an ambient noise reading is done measured in decibels and it cannot impact the ambient noise level in the township by 1.5 decibels which is less than the sound of a refrigerator but there is a process involved with regulations. Mr. Arnold explained energy development is more than one technology and will help with other energy projects in the future.

The process to hold a community meeting would start with our local county Farm Bureau.

Trustee Evans would like the Trustees to move forward on this and be proactive.

Public Comments -

Steve Perkins of 7352 Palmer Road works on solar sites everyday and is a former Alternative Fuels Instructor. Mr. Perkins discussed current technology and land size. It currently takes two hundred and fifty acres for a fifty-megawatt sight, Etna Township is running out of sites this large. There is room in Etna Township for the Community-size solar. What they look for with solar is access to grid, land values, which the land value in Etna Township is particularly high, and room to expand. Mr. Perkins does not see a large demand for solar here in Etna Township in his opinion.

RJ Sabatino of Cumberland Trail Golf Club feels property owners could look to solar because of the lack of utility availability.

Teresa Ogershok of 484 Trail West discussed Trustee McKee's suggestion regarding the referendum as an option regarding solar and questioned who would pay for the cost of the referendum.

Gary Burkholder of 254 Trail East appreciates the presentation by Mr. Arnold and supports the resolution to create the exclusionary zones and feels Etna Township needs to be proactive and the Zoning Code needs to be updated. Mr. Burkholder requested an update regarding the Scannell violation.

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John Kennard of 10785 Palmer Road feels this issue with solar has been brought on by one resident and feels retail, warehousing, and residential has been scared out of the township. Mr. Kennard discussed Kohl's warehouse not mowing the front of the property near the road and around the pond. The solar farms are in rural areas and not near the community.

Jeffrey Caudill of 9080 Hazelton-Etna Road has concerns with his property being taken in the road right-of-way by ODOT to widen the road for Sheetz and his front yard is messed up and the drainage is a concern. The township will look into this issue.

Reports –

Southwest Licking Community Water & Sewer – Trent Stepp, Etna Township Representative

Trent Stepp provided information regarding active projects affecting the needs of Etna township. SLCWS has over two hundred million dollars investing in and around Etna Township. They are completing the Summit Road Force Main Extension Project to alleviate prior sanitary sewer overflow issues that happen during heavy rain. They are closing in on the start of construction for the new seventy million dollar waste water treatment plant in Wagram, in Etna Township. It is projected that forty to fifty percent of this capacity will eventually benefit Etna Township, specifically the Etna Corporate Park and any areas west and south of the corporate park. They are in design for a forty million dollar expansion of the existing Gale Road waste water treatment plant, and about seventy-five percent of the capacity of this plant will benefit Etna Township. Everything east of the Etna Corporate Park will go to the Gale Road facility. They are in design for a ten million dollar expansion of the existing York Road water treatment plant. Mr. Stepp discussed several residential projects that are going on in Etna Township which have over fifteen hundred residential units projected. There are several Commercial projects in Etna Township also. Mr. Stepp reviewed other projects that impact other areas of the district.

Trent Stepp explained that the existing customers will not pay for the projects to the north. Those projects outside of Etna, Harrison, or City of Pataskala (old Lima Township) are being funded by State Financing mechanisms such as TIF's, JEDD's, and similar for the creation of public infrastructure. In the past infrastructure was funded by loans and the existing customers bore the burden of the debt services by paying debt elimination fees. In 2022 the board voted to begin a strategic phase out of these fees with nominal rate increases. Most residential users saw a slight decrease in their overall cost. The Legacy Projects within the district will be funded by the state financing mechanisms.

The District serves more than Etna Township, Harrison Township, and City of Pataskala (Old Lima Township). Jersey Township in its entirety and part of Union township entered into agreements with the District to become part of the district itself which occurs with provisions the state created in Ohio Revised code section 6119 and are now part of the district. The other interests are mainly through interconnections. Healthy growth is a benefit for the district to keep the rates low. The infrastructure of the water and sewer district is important to provide protection from the threat of being taken over by other jurisdictions.

When the District was set up it was paid for by the customers in Etna, Harrison, and old Lima Township City of Pataskala.

The District is reorganizing creating a position called Executive Director and have received qualified candidates who are registered professional engineers and a few also have a water and/or waste water operator license. The General Manager position will be eliminated after an Executive Director has been chosen.

Trent Stepp requested to be considered for re-appointment to the Southwest Licking Water and Sewer District Board. This will help with his credibility as a board member moving forward. Mr. Stepp requested the Trustees just let him know whether he would be re-appointed or not re-appointed to help him while working with other entities.

Trustee Evans discussed his concerns with Rob Platte being hired by the district when he works for Jersey Township and the projects up north along with surcharges for projects outside of the district. Trent Stepp does not feel this area is being ignored. The TIF's currently pay nothing to the district.

Trustee McKee moved to appoint Mr. Trent Stepp to the water board as a representative for the township. The motion was seconded by Trustee Johnson. Discussion: The current term will expire in November of 2023 and the next term will run for three years. The term is 11-20-23 to 11-19-26. It was discussed whether to discuss this in executive session. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

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Township Administrator

Township Administrator Nita Hanson provided an oral report regarding several township items. Refugee Road is closed east of SR310 for road construction and is projected to open before school starts. Mink Street will be closed at Refugee Road for construction starting September 1st and the project must be completed by November 1, 2023.

Nita Hanson is working with the Road Department on a Capital Equipment Plan to assist with budgeting and future purchases.

New Business –

Road Department

Trustee McKee moved to approve sixteen thousand five hundred thirty-seven dollars and fifty-two cents for the purchase of the Kuhn Turf Equipment and to seek reimbursement by the Township Administrator Mrs. Nita Hanson from the JEDZ Boards. The motion was seconded by Trustee Johnson. Discussion: The purchase is done through Sourcewell. The Hustler Z mower will be an addition and is not a replacement. Nita Hanson will seek reimbursement from the JEDZ board for this purchase at their August meeting. The JEDZ board reimbursement process was discussed. The request being made is not contingent on the reimbursement from the JEDZ Board. The motion passed by unanimous affirmative vote.

Trustee McKee moved to approve two thousand six hundred twenty-five dollars and ninety-seven cents plus the additional four hundred dollars for a total of three thousand twenty-five dollars and ninety-seven cents for the repair of the tractor to Ag-Pro. The motion was seconded by Trustee Johnson. Discussion: This tractor repair had to be sourced out. There will also be a cost up to four hundred dollars for the transport of the tractor. This will be billed on the account and not on the credit card. The township is working on a purchasing policy to cover the Road Department purchases. The motion passed by unanimous affirmative vote.

Trustee McKee moved to approve the proposal from State Security in the amount of two hundred thirty dollars and the monthly Pro Data Key Cloud service fee of one hundred and twenty dollars per month. The motion was seconded by Trustee Johnson. Discussion: State Security has re-activated the Pro Data Key Cloud service that was previously approved and already in place. This is for eight doors and can be revised for next year. It will be a total of one hundred and fifty-five dollars a month with the monitoring charge. The motion passed by unanimous affirmative vote.

629 Grant – Schuster Way

Trustee McKee moved to authorize Township Administrator Nita Hanson to process and submit the necessary documentation to seek reimbursement from the State under the applicable 629 Grant and related agreements in the amount of one million dollars. The motion was seconded by Trustee Evans. Discussion: Trustee Evans discussed the challenge it was to get this approved to get the one million dollars. The motion passed by unanimous affirmative vote.

Licking County Engineer Request for Assistance

Trustee McKee moved to submit the Township Request for Engineering Assistance to Licking County for Cumberland Crossing to submit for the OPWC Grant. The motion was seconded by Trustee Johnson. Discussion: The Trustees discussed the conditions of the roads. Nita Hanson worked with Don Copley on determining which roads or development to submit for the OPWC Grant. The motion passed by unanimous affirmative vote.

West Licking Development Group Improvement Corporation (CIC)

Nita Hanson found out that the CIC was incorporated as an Economic Development Community Improvement Corporation on July 1, 2015. It was formed for the purpose of advancing, encouraging, and promoting the industrial, economic, and civil development of Etna Township and the area of West Licking County. Pursuant to the bylaws that were created on September 21, 2015, the CIC Board is made up of nine directors with five directors constituting the quorum. The CIC Board can voluntarily dissolve the CIC by approval of a quorum of the CIC Board. The Board must be established in order to dissolve the CIC because it does not currently have a functioning board. According to the bylaws, one director is to be an Etna Township Trustee, one is to be the Etna Township Administrator, one director is the General Manager of the Southwest Licking Community Water and Sewer District, three directors are appointed by the Etna Trustee Board with one representing the JEDD/JEDZ Boards, one representing the transportation infrastructure and business community, and one representing the development community. The three remaining director's positions would require appointments by each of the Pataskala Chamber of Commerce, the Mayor of the City of Reynoldsburg, and the Mayor of the City of Pataskala.

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Once the CIC Board is assembled it will be charged with settling the CIC's financial affairs included filing necessary documents with the State Auditor's office and paying the existing obligations which are currently the 2022 audit, it will need a 2023 audit, and legal fees. Thereafter, the CIC Board can determine to allocate the remaining funds to such civil projects or charitable purposes in the community area. The Licking County Court of Common Pleas must approve the Board's proposal for this remainder allocation.

Nita Hanson requested a motion to appoint the following people to serve on the CIC Board for the purpose of dissolving the CIC: The Etna Township Board President, Rozland McKee; the Etna Township Administrator member, Nita Hanson; CJ Gilcher as the General Manager of the Southwest Licking Community Water and Sewer District member; John Carlisle as the JEDD or JEDZ Board member; Judy Brachman as the member representing the Transportation Infrastructure and Business Community.

Trustee McKee moved as requested above. The motion was seconded by Trustee Johnson. Discussion: See the above for the members appointed. The CIC Board was appointed and functional and expired. The Trustees discussed the board appointments and the legal bills regarding the CIC. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

JEDD7 Board Position 3 member

Trustee McKee moved to appoint Jackie Katz to JEDD7 Board Position 3 to fill the unexpired term of Walter Rogers that expires August 31, 2024. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans requested the board appointments be put out to the public. Jackie Katz currently services on JEDD1, 2, 3, and 4 so that is why she was recommended to serve on JEDD7. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Records Retention

Trustee McKee moved to approve the Records Retention Schedule RC-2 for the Board of Trustees General Records Schedule as presented. The motion was seconded by Trustee Johnson. Discussion: The Records Commission approved this schedule on October 7, 2022. The delay was to work with the security company to make sure both systems will hold the videos for thirty days. The current video preservation was discussed. The motion passed by unanimous affirmative vote.

Fireworks

RJ Sabatino with Cumberland Trail Golf Club is happy to host another Etna Township Annual Fireworks. Trustee McKee explained the fireworks display has increased or the township can approve the amount from 2022 and the fireworks display will be adjusted. Last year corporate donations were received. There will not be any VIP Tables. The event in 2022 was discussed.

Trustee McKee moved to authorize Hamburg Fireworks Display Inc. fifteen thousand dollars and to authorize Rozland McKee to sign all the necessary documents. The motion was seconded by Trustee Evans. Discussion: The township will pay for the fireworks and half of the band cost. The motion passed by unanimous affirmative vote.

Trustee McKee moved to approve the Memorandum of Understanding between Cumberland Trail Golf Course and Etna Township and to authorize Rozland McKee to sign as presented. The motion was seconded by Trustee Johnson. Discussion: This is the same MOU as last year except they will only cover half of the cost for the band. The number of food trucks was discussed. The township will work with the golf course on the event details. The motion passed by unanimous affirmative vote.

Trustee McKee thanked Mr. Sabatino for hosting the fireworks event again for 2023.

Old Business –**629 Grant – Global Way**

Trustee McKee moved to approve a revision to the reimbursement request to seek the two hundred forty-one thousand three hundred sixty-eight dollars and eighty-two cents as there are no additional eligible expenses since the project came in under budget with any other eligible expenses submitted. The motion was seconded by Trustee Johnson. Discussion: Nita Hanson explained that the project came in under budget and the amount available for the grant reimbursement is the two hundred forty-one thousand three hundred sixty-eight dollars and eighty-two cents which is twenty five percent of the allowable project cost. Mrs. Hanson is not aware of any money spent by the township. The legal expenses were discussed and whether those expenses are eligible expenses and Mrs. Hanson will verify this. F/O Varian will look at the list for any eligible expenses. The State is waiting for the revised reimbursement documents. The motion passed by unanimous affirmative vote.

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Fiscal Officer Report

F/O Varian provided an oral report. As of June 30, 2023 the township has 3.2 million in revenue and 2.2 million in expenses with a cash balance of 6.6 million. Year to date the township has received one hundred thousand dollars in earnings from investments.

The Township Administrator's request for reimbursement for the Bi-Annual Attorney Registration Fee for four hundred dollars with the Ohio Supreme Court. The professional fees and what was approved in the hiring resolution was discussed. Nita Hanson submitted the reimbursement and did not realize it needed board approval. The township was hoping for a licensed attorney when looking for a Township Administrator.

Trustee McKee moved to reimburse the four hundred dollars for Mrs. Hanson as our Township Administrator. The motion was seconded by Trustee Johnson. Discussion: F/O Varian explained in the resolution hiring Mrs. Hanson it needed Trustee approval for the expense. In the 2024 Organizational meeting the fees and reimbursements for the Township Administrator can be decided. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Trustee Johnson moved to transfer funds as listed. The motion was seconded by Trustee McKee. Discussion: The funds are being transferred for electric costs in the amount of seven thousand three hundred and twenty dollars. From account 2031-330-360-0000 Contracted Services to 2031-330-351-0000 Electricity for \$4,650; 1000-61-599-000 Other Expenses 1000-120-351-0000 Electricity for \$2,250; 1000-610-599-0000 Other Expenses 1000-610-351-000 for \$420 for 2nd half electric costs for the total of \$7,320. The motion passed by unanimous affirmative vote.

Resolution 23-07-18-01: Trustee McKee moved to approve the purchase orders as presented removing New Jan II. The motion was seconded by Trustee Johnson. Discussion: The purchase order for New Jan II was removed. The motion passed by unanimous affirmative vote.

Trustee McKee moved to ratify the payment for the bills as shown on the payment listing removing New Jan II payment. The motion was seconded by Trustee Johnson. Discussion: The payment for New Jan II was removed. The Maveric Motor invoices were discussed and why the invoice in April was not paid until now. The Maveric Motor charges are for the Sheriff Cruisers. The check for Trustee Evans was for mileage reimbursement. The motion passed by unanimous affirmative vote.

Announcement and Trustee Comments -

Trustee Evans recommends the township moves forward with the solar, transparency, and public records requests.

Trustee McKee requested names from Trustee Evans regarding the records not provided, she feels the township is getting a lot of things done.

Trustee McKee moved to adjourn at 8:51 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.