

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

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

Held

August 15,

20

2023

The Etna Township Board of Trustees met on Tuesday, August 15, 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 Fiscal Officer Julie Varian were present.

Trustee McKee moved to adopt the agenda as presented. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans appreciates his items being on the agenda. The motion passed by unanimous affirmative vote.

Trustee McKee moved to adopt the minutes from the August 1, 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.

Public Comments –

Shawn Roop 439 Laurel Drive, Keith Bobo of 403 Laurel Drive, and Kyle Downing of 421 Laurel Drive are property owners interested in purchasing the township owned property on Laurel Drive that abuts the rear of their properties. The property owners have been mowing it for years. The Trustees have this item on the agenda under Old Business.

Judy Cafmeyer of 29 Roma Court thanked the Trustees for the discussions on Exclusionary Zones regarding Solar and Wind Farms and the impacts on the community. Ms. Cafmeyer supports the approval of the Resolution to the Licking County Board of Commissioners for consideration.

Doug Parker of 440 Ballman Road discussed a fifty-eight acre parcel being development west of his property. Trustee Evans explained it was a misprint from the Port Authority and it was corrected. It has not been annexed and is not part of the Eastwood Development. Mr. Parker sat on the Pickerington City Council from 1999 to 2005 along with several other committees and feels he is a qualified candidate to help Etna Township and inquired how to apply for positions. If the agendas and minutes came out a week in advance it gives time to prepare for the meeting.

Steve Perkins of 7352 Palmer Road discussed industrial solar which needs approximately two hundred and fifty acres to get to the fifty-megawatt criteria to be justified as industrial solar. In his quick review of Etna Township there is exactly one property that is two hundred and fifty acres without merging properties. The makeup of Etna Township as it is right now excludes solar. Regulating lower watt solar projects is different. Acreage versus megawatt is import with the changes in technology for solar.

Reports – Township Administrator

Township Administrator Nita Hanson provided an oral report regarding several township items and community events. The Community Day Fireworks is planned for September 3, 2023. Mrs. Hanson spoke about a program called Neighborhood Bridges that was formed to respond to the growing rate of poverty in local schools. More information can be found on their website at neighborhoodbridges.org. Neighborhood Bridges works with our local schools. Mrs. Hanson proposed holding a quarterly “All Hands Lunch” for the elected officials and employees to promote cohesiveness and encouragement and suggested the first lunch be on Friday, September 8, 2023. Road Crew Employee Terry Holtz earned his Commercial Applicator License and this accomplishment will be celebrated at the luncheon.

Trustee McKee moved to authorize up to one hundred and fifty dollars per quarter for the All Hands Lunch meeting. The motion was seconded by Trustee Evans. Discussion: The Trustees discussed opening the lunch up to the other boards. Mrs. Hanson would support this idea but would need more than one hundred and fifty dollars. For this first lunch it will be employees and elected officials. Adding the other boards will be considered for annual or semi-annual lunches or dinners. Mrs. Hanson sees this luncheon as a way to get to know everyone and not to do business. The motion passed by unanimous affirmative vote.

Nita Hanson provided an update on the status of the Sheriff Cruisers. Ford has cancelled the order for all the vehicles. A Dodge Durango is a comparable vehicle and Lt. Carson is obtaining the approval from the Commissioners on the vehicle change. At this time, there is nothing for Etna Township to do. After Lt. Carson receives the approval, the Trustees will need to take action to modify the vehicles. The accessories can be modified from Ford to Dodge with the vendors and the overall cost of the vehicle should be the same or slightly less expensive. The Zoning Board has been working on revising the wording on the Zoning Resolution to address solar structures not regulated by Ohio Law along with other items. Trustee Evans discussed concerns with the NAICS Codes and inquired on the status of the text amendment.

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New Business –

Board of Zoning Appeals

Trustee McKee moved to accept Greg Reis' resignation from the Board of Zoning Appeals for the term 1/1/21 to 12/31/2025. The motion was seconded by Trustee Evans. Discussion: Greg Reis notified the township that he was moving out of the township and submitted the official notice August 15, 2023. The motion passed by unanimous affirmative vote.

Trustee McKee moved to appoint Kevin Newton to the Board of Zoning Appeals for the unexpired term ending 12/31/2025. The motion was seconded by Trustee Johnson. Discussion: Trustee Evans discussed appointing members without interviews and wanted to table this appointment. The roll call was as follows: Evans, no; Johnson, yes; and McKee, yes; passed 2-1.

Old Business –

Fireworks

Trustee McKee moved to authorize the check to Hamburg Fireworks Display Inc. to be cut and signed outside of the meeting and to authorize the 2% late fee. The motion was seconded by Trustee Johnson. Discussion: Nita Hanson explained that the late fee is not expected to be needed but because the late fee is in the contract and Hamburg would not remove the language from the contract this needs to be approved. This process was discussed and whether it will be a part of future purchase orders. The motion passed by unanimous affirmative vote.

Trustee McKee moved to accept the in-kind donation of \$2,500 dollars from Uline and purchase seven picnic tables and two hundred reusable bags. The motion was seconded by Trustee Johnson. Discussion: Nita Hanson explained that Uline committed to a cash donation along with the in-kind donation. The bags will provide a handout to the community. The picnic tables fold down and can be used in other township events. The motion passed by unanimous affirmative vote.

Trustee McKee moved to accept the donation of nine hundred dollars for the band and three hundred dollars for the printing of the township logo on the reusable bags from Sheetz. The motion was seconded by Trustee Evans. Discussion: Sheetz made a cash donation to cover the projected cost for printing the logo on the bags along with the Township's portion of the cost for the band. The motion passed by unanimous affirmative vote.

Road Bids

Trustee McKee moved to authorize Township Administrator Nita Hanson to open and read the Road Bids on September 1st at 12:00 p.m. The motion was seconded by Trustee Johnson. Discussion: Palmer Road was separated from the estimates. This will be submitted to the JEDZ Board for reimbursement consideration. The motion passed by unanimous affirmative vote.

Laurel Drive

Trustee Evans explained when Mr. Bobo and his wife attended the Trustees meeting in July of 2022 and requested the township move forward with selling this property. Trustee Evans provided the board with information regarding selling this property. Nita Hanson did research prior to the meeting and in the Trustee minutes from July 19, 2022, Trustee Evans volunteered to collect the signatures and requested it be added to the agenda for discussion. At the Trustees meeting on August 2, 2022, Trustee McKee felt the Township needed the signatures before moving forward and Trustee Evans felt discussion needed to be done with the residents regarding the cost. The previous Board of Trustees had a meeting on May 22, 2019, regarding this property and obtaining signatures. Because of COVID the process stopped so the signatures were not obtained. The Trustees discussed obtaining the signatures prior to determining the property value to sell it and who would obtain the signatures. The work on the Comprehensive Plan could provide direction on how this land should be treated. Trustee McKee explained the Licking County Prosecutor's office was involved before with this land and process of selling the property. The previous board was trying to obtain the signatures first because without the signatures there is no moving forward. The property has restrictions which require signatures from fifty percent plus one in the community. The Prosecutor's Office recommended obtaining the signatures first. Trustee Evans wanted to move forward with the prices and lot splits as he presented and then after that is approved the notarized signatures would be obtained.

Trustee Evans moved to release all the communications with the Licking County Prosecutor's Office regarding Laurel Drive to the public. The motion was seconded by Trustee McKee. Discussion: Trustee Evans does not want to break Attorney Client Privileged releasing copies of the communications. Trustee Johnson discussed the process in 2019 and obtaining the signatures and what is on the petition. The understanding is the signatures would release the restriction on the property so the township can sell it to be used residentially. The resident discussed what was presented in 2019.

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Trustee Evans feels the Trustees need to determine if the property will be sold at market price or a different price. This property was donated to the township from the Commissioners for one dollar. The roll call on the motion was as follows: Evans, yes; Johnson, no; and McKee, no; failed 2-1.

Trustee McKee moved for Laura Brown, Executive Secretary, who is a certified notary, to work with resident Jacki Cotugno, who is also a notary, to work with Mr. Bobo and his community on Laurel Drive to get the fifty percent plus one signatures. The motion was seconded by Trustee Evans and the motion passed by unanimous affirmative vote.

Solar and Wind Farms

Resolution 23-08-15-01: Trustee Evans moved “In the matter of approving a resolution requesting the Licking County Commissioners to declare portions of the unincorporated area of Etna Township, Licking County, Ohio to be restricted areas prohibiting construction of economically significant wind farms, large wind farms, and large solar facilities”. The motion was seconded by Trustee McKee. Discussion: Trustee McKee feels there is still work to do. The Comprehensive Plan is not final and Trustee McKee recommends keeping this issue tabled. Trustee Evans explained the consultant for the Comprehensive Plan was for this Exclusionary Zone. Trustee Evans presented a document from Dave Olson on the Zoning Commission regarding solar in Fairfield County. The Trustees have been discussing Exclusionary Zones for over a year. Nita Hanson read from the Licking County Commissioners letter dated July 20, 2023, “While we would give due consideration to a request from a Board of Township Trustees it is certainly not a given that we would move forward with that public process regarding exclusionary zones.” Nita Hanson discussed whether the Trustees wish to have the entire township designated or based on the Comprehensive Plan certain parts or parcels in the township. Nita Hanson spoke with Dale Arnold and he said the township could designate parts of the township. Trustee Evans has met with the Commissioners and that is not what they stated to him. Trustee Evans feels we are here to protect our residents and not the county and wants to go forward with this. The roll call was as follows: Evans, yes; Johnson, no; and McKee, no; motion failed 2-1.

Special Service Deputies

Trustee Evans discussed the approval on March 28, 2023 for the special service deputies to attend all the Trustees Meetings. It is set up for use, but no one has ever requested a deputy. Trustee Evans discussed the concern of many for their safety since the cameras are not active. Trustee Evans wears a body cam for his safety. Trustee McKee explained when it was set up, it was to have a special duty deputy there when there was a threat. One of the employees was assaulted and a restraining order was in place for several months, and people felt scared and threatened at the meetings. As we have moved on no one has felt threatened. Trustee Evans feels they were false accusations. Nita Hanson explained that the reason the Temporary Restraining Order was not converted into a Permanent Restraining Order was because it resulted from a non-domestic situation, which requires two events for a hearing to be conducted. Trustee Evans feels they were false accusations and his video proved that. Trustee Evans is still concerned with false accusations and requested the security system be put back in. Trustee Evans feels there is a need for the deputy. Trustee McKee discussed the hours the Township Administrator spends on public records request from Mr. Burkholder and Mr. Evans for videos footage from the cameras.

PMG Invoice

Trustee Evans discussed the invoice for fifteen hundred dollars for annual services between July 8, 2022 to July 8, 2023 and this invoice is not part of the original approval. Nita Hanson explained that F/O Varian emailed Trustee Evans at least twice regarding this. No one had asked her specifically to pay the bill. The invoice was presented by the vendor and forwarded. The services were originally approved and appropriated by the board on April 5, 2022 with the appropriation for fifteen thousand dollars, which was the thirteen thousand, five hundred plus the fifteen hundred for the second year, which the minutes reflect. The Trustees discussed whether to approve this invoice for 2023. The Trustees and Fiscal Officer discussed what was approved in 2022. The thirteen-thousand, five hundred was paid in 2022. The invoice was received in May of 2023 and this is past the thirty days. The Trustees discussed whether to continue using the services from Pavement Management Group. Don Copley, Road Superintendent, has not used the services. Trustee Evans has used it. The video has not been updated since last year. The annual fee permits access to the data.

Trustee McKee moved to continue with Pavement Management Group contract, annual fee of fifteen hundred dollars. The motion was seconded by Trustee Evans. Discussion: Trustee Evans feels it is a valuable resource. The roll call was as follows: Evans, yes; Johnson, no; and McKee, no; motion failed 2-1. Nita Hanson will notify Pavement Management Group.

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Fiscal Officer Report

OPWC – Brandy Mill Loan

F/O Varian reported the Brandy Mill Loan at zero percent for ten years is starting to require payments and requested this be paid in full at five thousand dollars instead of the making two hundred and fifty dollar payments twice a year.

Trustee Johnson moved to pay the loan off in full. The motion was seconded by Trustee McKee.

Discussion: This will be one less thing on the budget to worry about and extra paperwork to pay on this loan over ten years. The motion passed by unanimous affirmative vote.

Ohio Division of Liquor Control

Hearing Request for change in LLC Interest only for Suvidha LLC – 12986 National Road A & B
The Trustees discussed and do not have any reason to protest the request.

Trustee Evans moved to send this in, not requesting a hearing. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Resolution 23-08-15-02: Trustee Evans moved to approve the purchase orders as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

F/O Varian requested the following transfers.

From Account 1000-110-599-0000 Other Expenses to 1000-110-312-0100 Auditing Jed 1 for \$4,950.00

From Account 1000-110-599-0001 Other Expenses to 1000-110-312-0200 Auditing Jed 2 for \$4,950.00

From Account 1000-110-599-0002 Other Expenses to 1000-110-312-0300 Auditing Jed 3 for \$4,950.00

From Account 1000-110-599-0003 Other Expenses to 1000-110-312-0400 Auditing Jed 4 for \$4,950.00

From Account 1000-110-599-0004 Other Expenses to 1000-110-312-0700 Auditing Jed 7 for \$4,950.00

This is for the 2022 Financial Reporting for the JEDD's.

From Account 1000-110-410-0000 Office Supplies to 1000-110-213-0000 Medicare for \$2,200 to cover the Medicare taxes.

Trustee Evans moved to Transfer Funds as presented. The motion was seconded by Trustee McKee and passed by unanimous affirmative vote.

Trustee Evans moved to ratify the payment for the bills as shown on the payment listing. The motion was seconded by Trustee Johnson. Discussion: Trustees Evans discussed the duties of Freddie Latella. Nita Hanson explained that he was in the office to answer the Zoning calls and the office calls went to Nita Hanson. Mr. Latella did not do Mrs. Brown's duties and was used for Zoning. The motion passed by unanimous affirmative vote.


Announcement and Trustee Comments -

Trustee Evans welcomed a new business, Paint Parties for Fun, to Etna Township. Mr. Evans requested the minutes be searchable online, the hall security cameras need installed, public records request are not being responded to, and he is glad to hear about the fireworks and recommended they be advertised and get the word out.

Trustee McKee reported that the flyers and signs for the fireworks will be posted soon. The Trustees discussed having a dunking machine for donation to a charity.

Trustee Evans moved to adjourn at 7:42 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.