

RECORD OF PROCEEDINGS

Minutes of Etna Township Trustees Special Meeting with the Board of Zoning Appeals Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

January 23,

2014

Held

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The Etna Township Board of Trustees met on Thursday, January 23, 2014 in the Etna Township Community Center/Administration Building for the purpose of conducting a Special Meeting with the Board of Zoning Appeals. The meeting was called to order at 6:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Rob Platte led The Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle and Laura Brown present. Fiscal Officer Walter Rogers was absent.

The Board of Zoning Appeals called their meeting to order with the following members present: Roger Digel-Barrett, Claudette VanDyne, Rick Cox, Kathy Johnston, and Mark Schaff.

Trustee Foor, Board of Zoning Appeals Liaison, requested that the Board of Zoning Appeals allow Trustee John Carlisle to chair the meeting for both boards.

Rick Cox moved that the President of the Board of Trustee will chair the meeting. The motion was seconded by Mark Schaff and passed by unanimous affirmative vote.

John Carlisle moved to adopt the agenda. The motion was seconded by Jeff Johnson and passed by unanimous affirmative vote from both boards.

New Business

Board of Zoning Appeals minutes

Trustee Carlisle stated the meeting was requested by Claudette VanDyne. There seems to be a misunderstanding regarding the minutes. He has attended the Board of Zoning Appeals meetings three times over this issue and does not understand why there continues to be a problem because the members have been very clear how the clerk is to do the minutes. Roger Digel-Barrett had a discussion with Laura Brown in the office regarding the minutes and what Robert's Rules of Order recommends. Roger Digel-Barrett explained how he would like to see the minutes. Trustee Carlisle stated Laura Brown is not the person who can make the changes to the minutes. The five member panel decides how the minutes are done. Laura Brown is an employee of the board and she compiles the minutes for the five member board. The board members can amend the minutes. Rick Cox stated when he was Chairman there had been issues with the minutes so the policy was to send the minutes to all the board members first. The changes would be filtered through him because he was the Chairman. He would then work with Laura Brown on grammar changes but he does not remember any content changes.

The Trustees and Board of Zoning Appeals had discussion regarding the minutes and the clerk's resignation. Some of the members of the Board of Zoning Appeals would like the detailed and longer minutes because it is an adjudicatory board. One of the members suggested more emphasis on accuracy and less emphasis on the detail. Trustee Foor stated "for the record he completely disagrees with that and if there is discussion that takes place that needs to be included in the meeting minutes. Then it is incumbent upon any board it may be, to decide if that discussion is detailed accurately or it is not detailed accurately. It is your responsibility to vote to approve minutes that are either accurate or not accurate, that is your opportunity to change that detail in his opinion."

The role of the chairperson

The chairperson is responsible for running the meetings. Trustee Carlisle discussed Robert's Rules of Order regarding approving minutes if the member was not present at the meeting. The member can vote on the minutes if you are approving the minutes as they stand. If there is an amendment to the minutes you cannot vote on the minutes. Trustee Carlisle personally feels if you are not at a meeting you should abstain because you did not attend the meeting to defend what is in the minutes.

Board of Zoning Appeals Clerk

The Board of Zoning Appeals Clerk has resigned. The Board of Zoning Appeals needs to determine what action they want to take.

Laura Brown explained the reason she resigned was because Roger Digel-Barrett has had concerns with the minutes since he was appointed to the Board. She resigned so Roger Digel-Barrett could find a clerk willing to do the minutes the way he would like them done. Laura Brown feels she answers to the full board and not just to the chairman.

Trustee Carlisle explained that from 8:30 to 5:00 p.m. Laura Brown is the Board of Trustee's Secretary. Although he is flexible with Laura Brown's time, the work for the Board of Zoning Appeals is coordinated with John Carlisle.

The meeting was turned over to the Board of Zoning Appeals Chairman, Roger Digel-Barrett. The Board of Zoning Appeals discussed the vacancy of the clerk. The majority of the board feels Laura Brown is an asset to their Board.

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Roger Digel-Barrett moved to ask Mrs. Brown to reconsider her resignation and to stay with them for a couple of months. The motion was seconded by Claudette VanDyne and the motion passed by unanimous affirmative vote. Laura Brown declined.

Claudette VanDyne moved to have Mr. Roger Digel-Barrett be removed as the Chair of the Board of Zoning Appeals. The motion died for lack of a second.

The Board of Zoning Appeals discussed different options.

Mark Schaff moved to ask the Chairman to prepare the draft minutes in light of the fact the Board of Zoning Appeals clerk has resigned and refused to consider the many offers to come back; therefore, feeling this is the only option left, he recommends that the Chairman take over the responsibilities of preparing the draft of the minutes for the Board. The motion was seconded by Rick Cox. The roll call on the motion was as follows: Kathy Johnston, no; Claudette VanDyne, no; Roger Digel-Barrett, yes; Rick Cox, no; and Mark Schaff, yes; the motion failed 3-2.

Roger Digel-Barrett moved to advertise for a new clerk for the Board of Zoning Appeals. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Kathy Johnston, no; Claudette VanDyne, no; Roger Digel-Barrett, yes; Rick Cox, no; and Mark Schaff, yes; the motion failed 3-2.

Roger Digel-Barrett stated he will not resign.

Mark Schaff moved to adjourn. The motion was seconded by Roger Digel-Barrett. The roll call on the motion was as follows: Kathy Johnston, no; Claudette VanDyne, no; Roger Digel-Barrett, yes; Rick Cox, no; and Mark Schaff, yes; the motion failed 3-2.

Kathy Johnston moved that we remove Mr. Digel-Barrett as Chair. The motion was seconded by Rick Cox. Discussion: Mark Schaff feels the motion represents a terrible precedent and is unfair to Roger Digel-Barrett. He feels Roger's comments about the minutes have been helpful and should be viewed as a positive and he urges the Board members to give him a chance, defeat this motion, and support his chairmanship in the future. Claudette VanDyne doesn't feel it is detrimental to the board or unfair to Mr. Digel-Barrett, there is a serious problem amongst this board that needs to be resolved so they can fulfill their duties as members to make the right decision and have the right person as their clerk. She feels this meeting and discussion needed to be done. Trustee Carlisle stated the Prosecutor's office said the Board of Zoning Appeals can remove a chairman without a public hearing. The roll call on the motion was as follows: Kathy Johnston, yes; Claudette VanDyne, yes; Roger Digel-Barrett, no; Rick Cox, yes; and Mark Schaff, no; the motion passed 3-2.

Vice President Cox took nominations for a chairman. Roger Digel-Barrett nominated Mark Schaff for Chairman. Mark Schaff declined. Roger Digel-Barrett asked Kathy Johnston who did not feel she had the experience. Claudette VanDyne nominated Rick Cox. Roger Digel-Barrett nominated Claudette VanDyne. Claudette VanDyne declined. The roll call was as follows: Kathy Johnston – Rick Cox; Claudette VanDyne – Rick Cox; Roger Digel-Barrett – Rick Cox; Rick Cox – abstained; and Mark Schaff – abstained; Rick Cox will serve as chairman.

Mark Schaff nominated Roger Digel-Barrett for Vice Chairman. There were no other nominations. The roll call was as follows: Kathy Johnston – Roger Digel-Barrett; Claudette VanDyne – Roger Digel-Barrett; Roger Digel-Barrett – abstained; Rick Cox – Roger Digel-Barrett; and Mark Schaff – Roger Digel-Barrett; Roger Digel-Barrett will serve as the Vice-Chairman.

Claudette VanDyne moved to adopt the policy "that the clerk will send the draft minutes out to every member of the board in as timely of fashion as possible for review by the members of the board. The board will review the draft minutes, compile all comments and provide them to the Chairman and in as timely of fashion as possible. The Chairman will then compile the revisions, make one set of revisions of the draft minutes to provide to the clerk at least five business days prior to the meeting." The motion was seconded by Roger Digel-Barrett and passed by unanimous affirmative vote.

Laura Brown stated that she would rescind her resignation.

Mark Schaff moved to adjourn the meeting. The motion was seconded by Roger Digel-Barrett and passed by unanimous affirmative vote.

Trustee Foor moved to adjourn at 7:49 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

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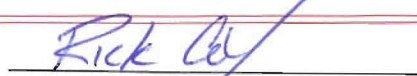
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Laura Brown, Clerk


Rick Cox, Chairman