

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Regular Meeting

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

Held March 5, 2024

BOARD MEMBERS AND FISCAL OFFICER PRESENT:

Gary Burkholder President
 Mark Evans Vice-President
 Rozland McKee-Flax Member
 Julie Varian Fiscal Officer

Minutes prepared by Mary--Margaret Scrimger of Minutes Solutions from a recording.

1. CALL TO ORDER

There being a quorum present, and the Members and the public having been given adequate and proper notice of the meeting, the Chair called the meeting to order. The Board said the invocation. The Board said the pledge of allegiance.

2. ADOPTION OF THE AGENDA

On a motion made by Mark Evans, seconded by Rozland McKee-Flax it was resolved to adopt the agenda for the March 5, 2024, meeting as presented. Motion unanimously carried.

3. PRESENTATION: RECORD MANAGEMENT PROPOSAL

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to proceed with the records management proposal by KG Advisors and appoint the Board President to be the point of contact. Evans: Yes, Burkholder: Yes: McKee-Flax: No. Motion carried.

Krystal Gonchar noted that records are her area of expertise. She is excellent at getting records into compliance. She has worked in public service for approximately 10 years. Krystal Gonchar wanted to communicate a partnership between herself and the Township. The state requires that the Township have a public records policy available to staff and the public, and they recommend that the Township have their record requests processed in a timely fashion. It is vital to have a public records custodian and an active records commission and that all elected officials have Sunshine Law Training. Elements of the *Open Meetings Act* must be followed. Minutes must be created in a timely fashion. She noted that Etna is currently not in compliance.

Krystal Gonchar noted that this is an opportunity to rebuild bridges with the public and create long-lasting systems. She noted that she cannot provide an accurate timeline and budget until she looks at the records. This will take some review. It is important to make this information digital, increasing access. She recommended that the process start with a deep dive into files and then she can provide a recommendation on how to proceed.

Krystal Gonchar noted that the timeline is approximately six months, but this would depend on various factors. This will run in tandem with the state audit. It would be best to start immediately. This timeline would be to cover the bare minimum. Staff involvement would be needed. The cost would be approximately \$6,000 for the six months and then, at that juncture, the agreement would be reevaluated. The Board discussed getting competitive quotes to ensure this price is fair for the market. However, there is also the issue of the time sensitivity of this issue.

4. PUBLIC COMMENT

Judy Thorp asked if there was anything that could be done about semi-trucks using smaller streets. Amazon has been contacted regarding this.

Gary Burkholder noted that this will take continual work with the companies to ensure that semi-trucks do not take secondary roads.

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Judy Cafneyer suggested a second round of public comments at the end of meetings to address any questions from the meeting. She also noted that it is very important to have elected officials engaging with their constituents.

Michelle-Lynn Christie reinforced that it is important for elected officials to engage with their constituents and represent them appropriately.

Rachel Zelazny noted that M1 district zoning restrictions may go against some of the regular zoning and this should be addressed.

Chuck Bundy voiced concern that noisy industry is being allowed across the street from residential homes. He also voiced concern that only direct abutters were contacted when the entire neighborhood has been impacted.

John Connard voiced concern regarding staffing, the politics around staffing, and using third-party contracts for work such as record management and administration. He noted disappointment in the Board.

5. OLDBUSINESS

a. High Point Park Portable Restroom Rental:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to contract with Miller Portables for the handicap restroom which includes sanitation and service for the park across the street for a total of \$1,457.45. Evans: Yes, Burkholder: Yes: McKee-Flax: No. Motion carried.

There was no update. The next meeting needs to be scheduled. There are vacancies and applicants need to be contacted. Committee meetings are open meetings and need to follow procedure on communicating with the public. There was discussion regarding the price associated with the handicap bathroom maintenance. The quote was the lowest quote received.

b. Union Contract:

On a motion made by Mark Evans, seconded by Mark Evans, it was resolved for Mark Evans to contact legal and proceed with union contract evaluation. Motion unanimously carried.

There was a brief discussion regarding open meeting violations and addressing this going forward. This needs to be addressed internally. It was asked if the union rep would be willing to discuss the union contract, as there are some items missing. It is important to serve employees properly with a contract. The Board discussed whether legal should be included in this meeting.

c. Extend Board of Zoning Appeals Application:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to extend the application for the vacancies until the end of the month for the Board of Zoning Appeals. Motion unanimously carried.

It was recommended to communicate these vacancies more sufficiently to the community to increase applications.

d. Video Security – Town Hall: The exterior cameras have been installed with new NVR. The Township is waiting for a quote on reactivation and additional services. Mark Evans indicated the interior cameras should be installed.

e. Win Waste Contract Extension:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve the contract pending approval and changes by the prosecutor. Motion unanimously carried.

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This has not been reviewed by the prosecutor yet due to other priorities. This needs to be completed by March 31, 2024. The contract is very simple, with the changes being cost and date.

f. Health Insurance – Fire Form Update: It is important for anyone who is going to be covered by this insurance to fill out a form. If anyone has questions, they can reach out to the benefit provider.

g. Langel Property Closing:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to approve the amendment to the real estate purchase agreement, including the 20.486 acre change to 19.433, and to authorize the President of the Board to sign any subsequent documents to execute this purchase. Motion unanimously carried.

David Hodge, the attorney for the applicant, noted that this will allow for property from the Langel property be transferred to the Township. Legal counsel has been consulted. If this is recommended by the Board, it can proceed tomorrow. The Langel family was thanked for their generosity and their patience. Barb Langel thanked David Hodge for his work and thanked the Board.

6. NEW BUSINESS

a. Alley Vacating Petition, Etna Property between Lots 56 and 57:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to oppose vacating the alley and to communicate to the county commissions this decision. Evans: Yes, Burkholder: Yes: McKee-Flax: No. Motion carried.

There is a concern because residents use this alley to access their property. This would limit access. Gary Burkholder noted that he was opposed to the proposed change to the alley.

b. Employee Policy procedure Manual:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved that Ben Albrecht make changes to the employee policy manual and any required revisions. Evans: Yes, Burkholder: Yes: McKee-Flax: No. Motion carried.

There was discussion on why the policy was not corrected and why it was sent out before these changes were made. Mark Evans indicated that neither he nor the fiscal officer were allowed to participate in the manual creation previously. Gary Burkholder noted that how vacation is accrued should be addressed.

c. Trustee Evans Legal Fee Reimbursement Request:

On a motion made by Gary Burkholder, seconded by Rozland McKee-Flax, it was proposed to approve the legal fee reimbursement request for Mark Evans. Evans: Abstained, Burkholder: No, McKee-Flax: No. Motion not carried.

Mark Evans did not participate in discussion of this item and abstained. Rozland McKee-Flax noted that legal has suggested that these legal fees not be paid. She noted that Mark Evans did not get Board approval for this before legal counsel was obtained.

d. Engage Zoning Firm:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to engage with McBride, Dale, and Clarion for needed zoning services at the rate specified up to \$30,000 and that the President has the ability to facilitate this work. Evans: Yes, Burkholder: Yes: McKee-Flax: No. Motion carried.

Mark Evans noted that there is a need for staff in the zoning department. He noted an immediate need to resolve this issue and it could be done via a zoning firm. Gary Burkholder noted that the zoning code is outdated and needs to be updated.

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e. Managed IT Services: Mark Evans noted that he has been trying to contact the contracted IT company. He went to their location and the building is empty. It appears that the company has gone out of business. This is concerning, as the cloud storage and email goes through this company. It is possible that this could all be lost. He provided information on how access can be retained. He suggested that in the future the Township hold their own passwords. This will reduce the chance of this occurring again. Mark Evans noted that he will have a recommendation on how to proceed at the next meeting.

f. Chair Proposal:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to repair the chairs where possible and replace the ones that are not salvageable. Motion unanimously carried.

Mark Evans indicated a cost of approximately \$15 per chair vs \$3000 to replace all.

g. Initiate M1 Zoning Text Amendment:

On a motion made by Mark Evans, seconded by Rozland McKee-Flax, it was resolved to approve resolution No. 2024-015, to initiate an amendment to zoning resolution pertaining to Article 9 district regulations to the Zoning Committee. Motion unanimously carried.

On a motion to amend the motion made by Gary Burkholder, seconded by Mark Evans, it was proposed to amend the motion to be a motion and not a resolution to the Zoning Commission. Evans: No, Burkholder: Yes, McKee-Flax: No. Motion not carried.

There was discussion regarding logistics and ensuring this is processed in an appropriate and efficient fashion. There was discussion on when the clock would start ticking on the implementation of the resolution. Litchia McIntyre, the zoning chair, noted that as soon as a resolution is made, there is a limited amount of time to go to Licking County. If it is approved tonight, it can be addressed at the next meeting. Mark Evans stated there are only three ways that a zoning amendment can be initiated per ORC, by the land owner, a motion by the Zoning Commission and by resolution by the Board of Trustees.

7. FISCAL OFFICER REPORT

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve resolution 2024-016, to authorize nter-fund advance. Motion unanimously carried.

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve resolution 2024-017 for the purchase orders. Motion unanimously carried.

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to ratify the approval of resolution 2024-017 for the purchase orders of the payments listed. Motion unanimously carried.

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve the transfer funds as listed from contracted services to mobile vehicles in the amount of \$30,000. Motion unanimously carried.

8. EXECUTIVE SESSION

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to move into Executive Session per ORC 121.22 G (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action at 7:20 p.m. Motion unanimously carried. Attending: Mark Evans, Gary, Burkholder, Rozland McKee-Flax, and Patrick Kasson (attorney via Teams)

On a motion made by Rozland McKee-Flax, seconded by Mark Evans, it was resolved to move out of Executive Session at 7:46 p.m. Motion unanimously carried.

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9. ADDITIONAL ANNOUNCEMENTS

The Board discussed the U-line account and where fireworks should be. Mark Evans suggested that to address semi-trucks, there should be more efforts within the community and with law enforcement. Gary Burkholder discussed the Solar Exclusionary Zone at the Commissioners March 26, 2024.

10. ADJOURNMENT

On a motion made by Rozland McKee-Flax, seconded by Mark Evans, it was resolved to adjourn the meeting. Motion unanimously carried.

DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting. This document shall not be considered a verbatim copy of every word spoken at the meeting.


Gary Burkholder, President


Julie Varian, Fiscal Officer

All the resolutions as presented are on file with the Fiscal Officer.