

**RECORD OF PROCEEDINGS**

Minutes of

Meeting

Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 944-924-3338 FORM NO. 10148

Held March 19, 20 2024

**BOARD MEMBERS AND FISCAL OFFICER PRESENT:**

Gary Burkholder President  
Mark Evans Vice-President  
Julie Varian Fiscal Officer

**REGRETS:**

Rozland McKee-Flax Member

Minutes prepared by Mary-Margaret Scringner 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, the Chair called the meeting to order. It was noted that Rozland McKee-Flax was excused from attending due to a funeral service. 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 Gary Burkholder, it was resolved to adopt the agenda for the March 19, 2024, meeting as presented. Motion unanimously carried.

**3. ADOPTION OF THE MEETING MINUTES**

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to adopt the minutes of the Board of Trustees meeting held on January 16, 2024. Motion unanimously carried.

**4. PRESENTATION – MANAGEMENT ADVISORY GROUP**

Dana McDaniel, the previous manager of the City of Dublin, provided an overview of the service. Management Advisory Group is a new group of retired city managers. It is comprised of four partners. Management Advisory Group specializes in employee searches in Ohio. The objective is to find Etna a new Township Administrator. Management Advisory Group interviews individuals within the Township to see what the position is, adjust the job description, and then leverage their connections to find an appropriate candidate. This is a 12- to 17-week process, but Management Advisory Group will attempt to expedite. Management Advisory Group is dedicated to exceptional customer service.

The candidate selected needs to be able to support where the Township is going, not just where it is. The position profile will be developed and used to advertise. It will be specific to the Township. Management Advisory Group would like to promote the community for the benefits it provides. Once applications are received, they will be filtered down to the top 10 candidates with a recommendation of the top four to six. There will be media and community inquiries. As it is public record who applies, there is

## RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees Regular Meeting

Meeting

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

Held \_\_\_\_\_

March 19,

20\_\_

2024

a sensitive nature, as many candidates will have jobs in the sector. Management Advisory Group can also facilitate negotiations with the final candidate.

### 5. PUBLIC COMMENTS

Judy Thorp thanked the Trustees to support the decision made by BCA. Etna has seen many changes in the last few years and it is important to keep citizens top of mind. William Thorp noted that Bubba and his road crew were doing an excellent job. Phyllis Bundy agreed with Judy Thorp's and William Thorp's comments.

Ryan Davis thanked Gary Burkholder for his work on the Board. More is getting done than historically. He noted concern that a Board Trustee spoke for the Board on Facebook instead of as an individual. He requested that the Board release the past issues and move forward.

Rachel Zelazny noted that she feels certain codes are not being followed for the ready-mix cement plant. She provided detailed information on the issues regarding the adjacent development and the negative impact on the area.

Chuck Bundy noted that the Board is trying diligently to make changes, specifically with zoning.

### 6. REPORTS

a. Road Department: Pike street is moving ahead and the aesthetics are being considered. Gary Burkholder has been working on the Refugee Road issues. There are super-size loads that have been coming through Licking County. ODOT makes the decisions on these super-size loads. Residents have concerns, of course, and there are many considerations such as bridges, power lines, and other infrastructure.

b. Zoning and Storm Water: McBride Dale, a zoning firm, has been engaged to review Licking County. Projects are being forwarded to them because the Township does not have the expertise. The zoning resolution needs to be assessed to ensure the development of the county occurs appropriately. Mark Evans noted that zoning projects need to be reviewed. He noted that he will provide a full list to the Board.

c. Parks: Gary Burkholder would like to secure additional funding for the local parks. Three new members have been appointed to the Parks Committee.

d. Fire District: The fire administrator resigned and a third party has been hired to review HR. A fire engine was refurbished inhouse at great savings. There are some health insurance challenges that are being addressed.

### 7. OLD BUSINESS

#### a. Managed IT Services:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve X Tech Partners as the IT service provider with a minor amendment and Mark Evans as the point person. Motion unanimously carried.

The IT company went out of business and the Township has worked to resolve this issue. There were seven proposals submitted. Costs had a significant range. X Tech Partners has

**RECORD OF PROCEEDINGS**

Minutes of

Meeting

Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 944-224-3339 FORM NO. 10-148

Held March 19, 20 2024

a monthly cost of \$1,230 with five hours of service included per month. This was a reasonable amount. They can likely help with additional tech, should the Township need it. Once this is approved, Kyle Kubiak can come and hook up the printer. Gary Burkholder thanked Mark Evans for his hard work on this project. This is a month-to-month contract.

b. Video Security – Town Hall, Interior Camera Addition:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to get additional cameras for a cost not to exceed \$4,000, on the condition that the current cameras cannot be used. Motion unanimously carried.

Gary Burkholder noted that the video cameras have been reactivated and some new ones were installed. The DVR is functional.

c. Health Insurance Update: The fire forms have all been completed and have gone out to market. It was noted that going to a straight HRA system would be beneficial where possible.

d. Farm Lease:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve Kevin Keller farming the land in the interim and that the President has authorization to make decisions regarding this aspect of the land. Motion unanimously carried.

Gary Burkholder noted that the lease on the farm has not closed yet. The transfer is still in process. There may be a meeting to address this. In the interim, Kevin Keller has voiced interest in working the 19 acres. The development has been working on sewer lines and other infrastructure. While some of the crops may be destroyed, this would be a better option than allowing weeds to grow.

e. Loop Road Bus Turnaround: Mark Evans noted that there is an estimate for the cul-de-sac installation that was exorbitant. He has asked the engineers to look at the turn-around area and make it useable. Currently, the apron is not paved.

f. Township Social Media:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was proposed to approve the creation of a Facebook social media site under the terms of the social media guidelines with the President as the main point of contact. Evans: Yes, Burkholder: No, Motion not carried.

Mark Evans noted that social media is the way to communicate. The email list is only reaching 130 people. Mark Evans noted that they can remove comments to reduce issues. Gary Burkholder noted that he would not support this motion because the Township is understaffed and this would be additional work to be managed.

**8. EXECUTIVE SESSION**

On a motion made by Gary Burkholder, second by Mark Evans, it was resolved to go 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 subject of pending or

## RECORD OF PROCEEDINGS

Minutes of

Etna Township Trustees Regular Meeting

Meeting

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

Held March 19, 20 2024

imminent court action at 6:58 p.m. Motion unanimously carried. Attended by: Mark Evans, Gary Burkholder, and Thomas Spyker (attorney)

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to come out of Executive Session at 7:33 p.m. Motion unanimously carried.

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to approve resolution 2024-019 to resolve the potential litigation involving an employee. Motion unanimously carried.

Mark Evans noted that this executive session was the result of an improper hiring, as it did not go through the appropriate channels. He noted that criticizing someone for not doing their job is not harassment. He noted that this individual's salary was \$130,000 and she had no municipal experience. The legal cost is \$40,000 to the Township and \$40,000 is being covered by insurance. He noted that he was approving this resolution to resolve the issues and allow the Township to move on.

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to go into Executive Session per ORC 121.22 (G)(1) to consider the investigation of charges or complains against a public employee or official, licensee or regulated individual at 7:38 p.m. Motion unanimously carried. Attending: Mark Evans, Gary Burkholder.

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to come out of executive session at 7:47 p.m. Motion unanimously carried.

### 9. NEW BUSINESS

#### a. Retention of MKSK for Highpoint Park Proposal:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to retain MKSK for Highpoint Park Proposal for the State Capital Budget application and for Pike Street Streetscape and Refugee Road roundabout design consulting not to exceed \$25,000. Motion unanimously carried.

Gary Burkholder strongly supported applying for grants for the park projects. The parks are highly used. Improving Pike Street is to create a place where people would like to go. Mark Evans also suggested going to the NCA for additional funding support.

#### b. Bricker Graydon Legal Counsel:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to retain Bricker Graydon as legal counsel for Common Pleas Court Case 2024-CV-00272 BZA Appeal of property owner on Tollgate Rd to an amount of \$30,000 with the President as the point of contact. Motion unanimously carried.

It was noted that the prosecutor could do this work, but specialty skills are needed for this.

#### c. Bricker Graydon Legal Counsel:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to retain Bricker Graydon as legal counsel to appeal the Etna Board of Zoning Appeals granting of Variance 24-02. Motion unanimously carried.

Mark Evans confirmed this was in regards to the sign variance.

#### d. Mosquito Contract – Licking County Health Department:

**RECORD OF PROCEEDINGS**

Minutes of

Meeting

Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 944-224-3336 FORM NO. 10-148

Held March 19, 20 2024

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve the mosquito contract, not to exceed \$3,000. Motion unanimously carried.

Prior year's have typically been up to \$2,500. Actual expenses have ranged from hundreds to thousands.

e. Minute Transcription Service:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to outsource the transcription of the minutes to a Minute Taking Service as presented. Motion unanimously carried.

Mark Evans indicated there was a need to outsource the minutes to allow us to catch up. The new secretary is attempting to learn the processes and minutes are time consuming.

f. Public Records Custodian/Responder:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to appoint the Fiscal Officer to be the public records custodian. Motion unanimously carried.

Mark Evans suggested that one person be responsible for public record requests. This needs to be addressed in a meticulous fashion, as it is audited. It was suggested that it be the Fiscal Officer for the time being.

g. Township Building Electric and Gas Supplier: Currently, bills are above market rates. Mark Evans has been looking at other providers for the Township, which includes the community street light districts. He felt there was a fiscal responsibility to reduce the cost. The energy aggregator that was selected by the previous board was higher than others than those that asked to present. This is only for the township hall, garage and community street light districts. Any resident can go to the State's Apples to Apples page to compare energy suppliers. This will be presented at a future meeting.

h. Password Management:

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to approve using the 1Password Business service for a cost of approximately \$7.99 per person. Motion unanimously carried.

Mark Evans noted that many passwords were not provided or are missing. Auditing who has access is an issue. Essentially, security is an issue and needs to be managed appropriately.

10. FISCAL OFFICER REPORT

For February, there was \$341,000 in revenue and \$700,000 in expenditures year to date. There is approximately \$7.2 million in the checking account.

a. Resolution 2024-018:

On a motion made by Gary Burkholder, seconded by Mark Evans, it was resolved to approve Resolution 2024-018 to approve purchase orders. Motion unanimously carried.

Mark Evans indicated there was a misspelling of Xtek (listed as Xtec).

b. Ratify Payment:

**RECORD OF PROCEEDINGS**

Minutes of

Etina Township Trustees Regular Meeting

Meeting

GOVERNMENT FORMS &amp; SUPPLIES 944-224-3339 FORM NO. 10148

Held March 19, 20 2024

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to ratify the payment of the bills as shown on the payment listing. Motion unanimously carried.

Mark Evans indicated WinWaste should be sending a \$258 payment for the improper payment of commercial accounts when the township paid residential trash.

c. Transfers: There were no transfers.

d. New Fiscal Officer Onboarding: There was brief discussion on the onboarding.

**11. PUBLIC COMMENT**

Judy Newman noted that there is trash coming from Scannell, huge sheets of plastic wrapped around trees..

Judy Cafmeyer asked if the two-year aggregation contract needs to be followed. Mark Evans replied. The prior board signed aggregation terms of two years but with an underlying 5 year contract with the aggregator. This locks us in to overlapping contracts. Mark Evans did not vote for this and wants to get out of the contract if possible.

Wayne Thorpe voiced concern that infrastructure should be installed by developers and not owners of residential spaces. He noted that he agrees with the problematic hire that has resulted in a payout. The Board noted that infrastructure is an element that is being addressed. This is a large project and will impact the long-term future of the Township. Mark Evans indicated that any incentives to developers should be for development we want and that we should protect school funding.

Page Hobbs noted that neutrality cannot be maintained and social media can magnify this.

Richard Kennedy asked why the Board is questioning the decisions of their own BZA. This appears counter intuitive. Mark Evans indicated the Board of Trustees is separate from the BZA. Our board has a duty to do what's right for the township if we see something wrong. Gary Burkholder indicated the variance was not in line with the zoning.

There was discussion regarding the checks and balances of government.

**12. TRUSTEE COMMENTS AND ANNOUNCEMENTS**

Future Park Committee interviews were discussed. There was brief discussion regarding the solar exclusionary zone. Mark Evans brought up the garage roof condition and need to repair. Mark Evans discussed the importance of building the Procedures Manual over time. Gary Burkholder thanked Julie Varian for her diligence and hard work as Fiscal Officer.

**13. ADJOURNMENT**

On a motion made by Mark Evans, seconded by Gary Burkholder, it was resolved to adjourn the meeting. Motion unanimously carried.

# RECORD OF PROCEEDINGS

Minutes of

Meeting

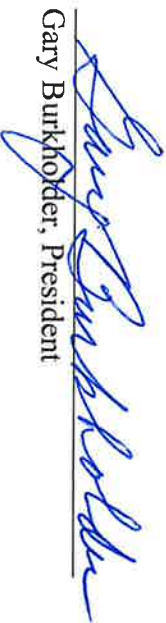
Etna Township Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10-148

Held March 19, 20 2024

### 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.