

RECORD OF PROCEEDINGS

Minutes of

Etna Township Board of Trustees Regular Meeting

Meeting

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

Held June 18, 2024

The Etna Township Board of Trustees met on Tuesday, June 18, 2024, in the Etna Township Hall, 81 Liberty Street, Etna, Ohio 43018 for the purpose of conducting a regular meeting. The meeting was called to order at 6:00 PM by Gary Burkholder.

Trustees Present

Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Trustees Absent

Others in Attendance

Holly Palumbo, Jackie Cottugno, Freddie Latella, and Don Copley

1. Opening

- a. Call to Order
- b. Roll Call
- c. Invocation
- d. Pledge of Allegiance

2. Adoption of Agenda

Trustee Evans moved to amend the agenda adding the mosquito contract, however it failed due to lack of a second.

Motion to adopt the agenda as presented

Moved by: Mark Evans
Seconded by: Rozland McKee-Flax

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

3. Adoption of Meeting Minutes

- a. Minutes - May 21, 2024/Regular Meeting (Tabled 6/4/24)
Motion to remove from table.

Moved by: Mark Evans
Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to adopt the Minutes as presented 5-21-24

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

- b. Minutes - June 5, 2024/Regular Meeting
Motion to table 6-5-24 minutes

Moved by: Gary Burkholder
Seconded by: Rozland McKee-Flax

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Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

4. Public Comments

Larry Carley - 136 Buckeye Drive - is a veteran who was disappointed to see Trustee McKee's flag flying upside down. Mr. Carley explained the interaction between Trustee McKee and himself. Mr. Carley discussed why he was upset with the flag being flown upside down.

Doug Mackechnie - 116 Bucrush Drive - stated you have a right to fly the flag upside down. Mr. Mackechnie stated that flying the flag upside down could be a sign of distress and gave examples of distress. He stated that if you work in government and want to fly you flag upside down, maybe let everyone know why you are flying it upside down.

Trustee McKee stated that her husband lives in the home as well and she cannot control how he hangs the flag.

Preston Cunningham - 431 Trail West - Mr. Cunningham read an email that he sent to Trustee McKee regarding the flag. He did not receive a response from Trustee McKee. Trustee McKee said Mr. Cunningham can talk with her husband.

Rachel Zelazny 10141 Tollgate Rd - read a report of Conner Commercial Real Estate in Chicago that worked with residents to bring a 68-acre industrial development to a neighborhood. Ms. Zelazny also brought up where Debbie Sexton-Rickles and her husband worked with the head of Etna Amazon in September of 2000. The same level of attention needs to be provided with the Fedex building as it was with Amazon.

Jon Hanson 8900 National Road (business address) 51 Ridgewood Drive (residence) - Questioned the leadership of Trustee Burkholder and Trustee Evans. Mr. Hanson questioned why the public records request are not being addressed in a timely manner. Mr. Hanson feels supporters of Trustee Evans are beginning to turn against him.

Matt King - 75 Trail East - Would like to yield his time to the previous resident to finish reading his report. Mr. King continued to read Mr. Hansons report. Mr. King is opposed to the 3-minute limit for public comments.

5. Reports

- a. Road Department
Paul Peterson Company

[ETNA TOWNSHIP, GUARDRAIL REPAIR ON COLUMBIA RD 6-13-2024.pdf](#)

Trustee McKee - This area needs to have the monitors back up and collecting data. Trustee McKee also stated the township needs to make sure the speed is being monitored and be more diligent.

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Trustee Evans recommending having a discussion with the golf course owner to install flashing lights as a caution. Trustee Burkholder is in agreeance.

Motion to approve payment for reimbursement for guard rail.

Moved by: Gary Burkholder


Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

b. Buckeye Power Sales - Planned Maintenance Agreement Quote

[Ena Township Generator Planned Maintenance Agreement](#)

[Quote.pdf](#) 

Trustee Burkholder gave a background history of the township generator going down. Mr. Copley stated the generator need to be replaced after three years.

Motion to approve agreement to service township generator for a 3-year period.

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

c. Additional MORPC funding for Pike Street

This funding would be to complete the gap that was not originally part of the original submittal. The request is for another one million dollars. The screening application will need to be completed by July 12th. May need to outsource the help with the application process, Bill Lozier may not be able to assist. Trustee Evans stated there are provisions in the JEDD where the township can elect to have funds go to township projects but has not seen all the revisions. Trustee Evans agrees the board needs to seek more funds. The board discussed other projects that could be done with the additional funds.

Motion to move forward to apply for additional MORPC funding for Pike Street

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

d. Zoning Department

Trustee Burkholder gave an update on Scannell. There will be a walk through on June 20, 2024, at 9:00 a.m. to 11:00 a.m. The landscape plans have been located. McBride Dale along with the county, will be going on the walk through. Trustee Evans questioned if the township had copies of the as-builts. Trustee Burkholder is not confident of what

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was sent to the county is actually what was built. Trustee Evans concern it the actual height of the wall verses what was on the as-builts. Trustee Evans plans to be at the walk through. If another trustee will be at the walk through, Trustee Evans plans to just observe. Trustee McKee suggested having a special meeting to discuss options on a lighting and sound engineering firm. McBride Dale does not have the capability.

Motion to discuss Scannell

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

e. Storm Water

Trustee Burkholder had no update on the Preserves at Haaf Farms.

f. Parks

Trustee Burkholder gave an update on the Park Committee. The next meeting will be July 18, 2024, at 6:00 p.m. This will be a public meeting. Trustee Burkholder spoke with Mr. Shaffer's office and there is not update on High Point Park. The Intern has been researching grants for the township. Jim Dziatkowicz from the Park Committee was unaware of a barn encroaching on the neighbor's property. Trustee Burkholder looked for suggestions from the board on how to proceed. Trustee Burkholder will get with Jim Dziatkowicz on the next steps. The board discussed applying for possible grants to demo the barn. Trustee Evans suggested getting a written agreement to access the barn.

g. Fire District Report

W.L.F.D Etna Report June 2024.pdf 

Trustee Evans gave a brief rundown of the fire report. Trustee Evans also is pushing for funds not to be diverted from the schools and the fire department. If the need to levy funds, make it as small as possible. There was an increase from three to now four hires.

6. Old Business

a. Resolution 2024-026 ODOT Grant Reimbursement to AHS, LLC Group (Tabled 5/21/24)

Discussion - Jackie Cotugno the Fiscal Officer does feel the township needs to be refunding money without having the signatures notarized. Trustee Evans stated the forms were created and approved by the attorneys. Trustee Burkholder is in support of the reimbursement, however, has not seen the full account. Trustee Burkholder is in favor of tabling since he only received it yesterday and would like more time to review. Trustee Evans indicated this has been going on for months. All the invoices and information has been previously provided to the board. Trustee Evans negotiated a 5% hold back to the township of \$5,000 for administrative expenses.

Etna Twp -- AHS Etna Grant Agreement(19370438.1) - Signed.pdf 

Resolution 2024-026 - AHS Grant Reimbursement.docx 

Motion to remove from table Grant Agreement with AHS, LLC authorizing Trustee Evans to sign agreement.

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Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Gary Burkholder and Mark Evans
No Rozland McKee-Flax

Carried 2-1

Motion to approve Grant Agreement with AHS, LLC authorizing Trustee Evans to sign agreement with discussion.

Moved by: Mark Evans
Seconded by: Gary Burkholder

Abstain Gary Burkholder, Mark Evans, and Rozland McKee-Flax

No Vote 0-0

Resolution 2024-026 was tabled to the next meeting.
Motion to table Resolution 2024-026 Grant Reimbursement to AHS, LLC as presented.

Moved by: Gary Burkholder
Seconded by: Rozland McKee-Flax

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

b. Vision, Dental, Life and Employee Assistance Program (EAP) Insurance to change to current broker, Acrisure.

Trustee Evans discussed the new insurance brokers and the details of the move.

Dental Comparison - Plan A.pdf [🔗](#) Dental Comparison.pdf [🔗](#)
Bronson HelpNet Price Quote - (Etina Township).docx [🔗](#) Etina July Invoice.pdf [🔗](#)

ETNA TOWNSHIP LICKING COUNTY - 8243132 PEBA.pdf [🔗](#)

Motion to accept insurance waivers of elected officials regarding VSP LightSource benefit.

Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to approve moving the Vision, Dental, Life and EAP to Acrisure and approving the new plans to start effective July 1, 2024, as presented; and authorizing Trustee Evans to sign all required documents.

Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

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- c. Resolution 2024-029 for contract in house Planning and Zoning Services (Tabled 5/21/24)

Trustee Burkholder went over the resolution for hiring Schultz and Associates. The contract is for \$80 per hour up to twenty-four hours per week til the end of the year. Currently the township is using McBride Dale at a rate of \$140 an hour. Having an in-house consultant is cheaper.

Etna Resolution 2024-29 Planning and Zoning Services.docx 

Professional Services Agreement (1).pdf 

Motion to remove from table.

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to approve Resolution 2024-029 In-house Planning and Zoning Services

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes Gary Burkholder and Mark Evans
No Rozland McKee-Flax

Carried 2-1

7. New Business

- a. Motion to Authorize Separate Checking Account for HRA payments

The Fiscal Officer requested a separate checking account to better identify the HRA/HSA. There are items that are coming out with little information provided. Trustee Evans stated the reports can be adjusted to better help.

Motion to approve authorizing the Fiscal Officer to create and fund a separate checking account for the payment of township HRA expenses in the amount of the HRA purchase orders.

Moved by: Gary Burkholder
Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

- b. Prosecutor Opinion Approval

Opinion as to the requirement to set a public hearing procedure. As to if it is required to be set by motion of the board in a public meeting or if the public hearing can be set outside a public hearing by the President as part of compiling the agenda. There is a disagreement between Trustees Evans and Burkholder regarding the proper procedure. Trustee Evans states that the President can set the public hearing without an approval by motion of the board in a public meeting in order to meet the ORC hearing and publication deadlines. Trustee Burkholder maintains to set a

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public hearing date, it requires the board to approve in a motion within a public meeting.

Opinion verifying the proper process when the Board sends the Zoning Commission a requested zoning text change, specifically regarding the 5-day transmission requirement in ORC and our Section 6 zoning text. This would be a quick verification to put to rest any confusion as to the requirements and process. This request would also clarify if the Trustees can make the requested change by motion. Clarification as to how the zoning commission handles the request submission to LCPC would be sought. Trustee Evans states the ZC simply forwards to LCPC the request within 5 days. ZC believes it needs to hold a meeting to then forward the request.

Trustee Evans would like to seek the opinions of the prosecutor on setting procedures for the zoning text amendment and setting hearing dates. Trustee Evans wants to make sure proper procedures are being followed.

Trustee Burkholder feels Trustee Evans approach has not been done professionally. Trustee Burkholder takes exception when comments are made, negative comments, and some of them unfounded against employees or other trustees simply because they didn't like the process. Trustee Burkholder will work with the prosecutor's office to get clarity. Motion to amend the original motion

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to approve requested Prosecutor opinions.

Moved by: Mark Evans

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

c. Resolution 2024-033 Pavement Cape Seal and Micro-surfacing.

Trustee Evans apologized for getting the prices in late. Trustee Evans went over the prices for each road. Trustee Evans stated the approved budget allotted for one million dollars to go toward road improvements. Trustee McKee will follow-up with the JEDZ board regarding available funds for reimbursement.

Resolution 2024-033 Strawser 2024 Road Improvements.docx [2024](#)

[Etna PalmerRd Estimate&BidForm.pdf](#)

[2024 Etna RefugeeRd-01 Estimate&BidForm.pdf](#)

[2024 Etna RefugeeRd-02 Estimate&BidForm.pdf](#)

[2024 Etna RefugeeRd-03 Estimate&BidForm.pdf](#)

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[Strawser Cape Seal and Microsurface Road Candidates.png](#)

[2024 Road Maintenance Paving.pdf](#)

[Proposal Etna Twp 2024 NO approaches.pdf](#)

[Proposal Etna Twp 2024 With Approaches.pdf](#)

Motion to approve Resolution 2024-033 Pavement Cape Seal and Micro surfacing as presented, authorizing Trustee Evans to sign and affect all required agreements and documents. \$630,127.12

Moved by: Mark Evans

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

d. Discussion on who has access to the office email.

Trustee Evans and the office secretary have access to the office@etnatownship.com and etnatownship@etnatownship.com mailboxes. Trustee Burkholder stated there can be confusion when someone other than the office staff is opening the emails. Trustee McKee does not want access to the office email and has not accessed the mailbox. The new administrator will oversee the access of the office email once they are hired according to Trustee Evans.
Motion to discuss who has access to the office email

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

No Vote 0-0

e. Resolution to retain Professional Engineering services to conduct lighting and sound and testing on the Scannell site at Tollgate Road.

The board discussed retaining services from a professional engineering firm to conduct testing for the Scannell site. Trustee Burkholder stated the board is aware of the lighting encroaching on the neighbors. Trustee Evans felt it was necessary to first determine what accountability there was by the developer should there be deficiencies in lighting and sound levels prior to performing a costly study. If there is not an ability to regulate the study would serve no purpose.

Motion to bring back to the board either a special meeting or the next meeting a proposal for the board to approve.

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

f. Update on Reynoldsburg Tax Incentive Review Counsel (TIRC) meeting 5-20-24

Trustee Burkholder would like to know why John Carlisle was allowed to vote when he is no longer a township representative. Trustee McKee

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confirmed that Nicole Washington is the representative for the township. Trustee McKee stated they were not made aware of the vote until it was over. Trustee Burkholder would like to know who is on the board and who is representing the township. Trustee Evans feels there needs to be proper oversight.


8. Fiscal Officer Report

- a. Resolution 2024-032 to approve purchase orders
Motion to approve Resolution 2024-032 purchase orders as presented

Moved by: Rozland McKee-Flax
Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

- b. Motion to ratify the payment of the bills as shown on payment listing
PAYMENT 6 18 2024 1.pdf 
Motion to ratify the payment of bills as shown on the payment listing

Moved by: Rozland McKee-Flax
Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

- c. Transfers
Transferred \$150,000 from the other other account to contracted services.
Motion to transfer funds from other other to contracted services in the amount of \$150,000.00.

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

9. Public Comments

Larry Carley - 136 Buckeye Drive - Apologized for using crude language. Suggested flying the POW flag upside down rather than the American flag.

Doug Mackechnie - 116 Bucrush Drive - Stated it's a difficult situation. He has spoken to several vets who were upset with the flag being flown upside down. Mr. Mackechnie reiterated his earlier statement of if you are going to fly it upside down, to let people know why and in advance.

Chuck Bundy - 10254 Tollgate Road SW - Mr. Bundy asked the board if they are considered putting a home rule on the ballot. Trustee Burkholder stated Trustee Evans has investigated it, but there are a lot of moving parts.

Judy Newman - 9630 Lynns Road - Thanked Rachel Zelazny for her comments earlier.

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Mrs. Newman appreciated the board for looking into solutions to get the issues at Scannell corrected.

10. Executive Session - ORC 121.22(G)

ORC 121.22(G)(1) Trustee Burkholder moved to go into executive session per Ohio Revised Code 121.22 G1 to consider the employment of a public employee, which will be basically the review some of the applications we have for the zoning inspector, and to discuss continuing employment of a public employee.

Review applications for Zoning Inspector.

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.

Motion to go into Executive Session at 8:00 p.m. to consider the employment of a public employee.

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to come out of Executive Session at 8:27 p.m.

Moved by: Rozland McKee-Flax

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Trustee Burkholder will contact applicants for interviews.

11. Announcement and Trustee Comments

Motion for the Fiscal Officer to seek the prosecutor's opinion on what signatures are required on resolutions

Moved by: Mark Evans

Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Trustee Evans feels the public records request need to be responded to in a timely manner. Some requests are too vague. Trustee Evans stated communication to the residents, developers, and vendors are not being addressed in a timely manner.

a. Next Trustee Regular Meeting, Tuesday, July 2, 2024, at 6:00 p.m.

b. Comprehensive Plan Workshop, Wednesday, June 26, 2024, at 6:00 p.m. - Presentation of Plan and Public Input

c. Records Commission meeting Monday, July 8, 2024, at 6:00 p.m.

12. Adjournment

Motion to adjourn at 8:37 p.m.

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Moved by: Rozland McKee-Flax

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0


Gary Burkholder, President


Jacqueline Cotugno, Fiscal Officer

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