

# RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

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

Held July 2, 2024

The Etna Township Board of Trustees met on Tuesday, July 2, 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 Cotugno, Freddie Latella, and Don Copley

**1. Opening**

- a. Call to Order
- b. Roll Call
- c. Invocation  
Invocation was given by Aaron Young. Trustee Evans asked for a moment of silence for Mark Alhier from the Prosecutor's Office who passed after his battle with cancer.
- d. Pledge of Allegiance

**2. Adoption of Agenda**

Motion to adopt the agenda as presented

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

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

**Carried 3-0**

**3. Adoption of Meeting Minutes**

- a. Minutes - June 4, 2024

Trustee Evans stated there were corrections to the minutes that were forwarded to board and the secretary. Trustee Evans moved to amend the June 4, 2024, minutes with the corrections. There was no further discussion.

Motion to amend the June 4, 2024, minutes with corrections.

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

**Yes** Gary Burkholder and Mark Evans  
**No** Rozland McKee-Flax

**Carried 2-1**

Motion to adopt the Minutes as presented

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

**Yes** Gary Burkholder and Mark Evans  
**No** Rozland McKee-Flax

**Carried 2-1**

**4. Public Comments**

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Jon Hanson - 51 Ridgewood Drive I believe we should ask some big questions about leadership and the ongoing cultural destruction of the township. One question is why can't Evans, Burkholder hire employees? Mr. Hanson believes Trustee Burkholder would like to hold a position in which he cannot get voted out of. Mr. Hanson also believes Trustee Evans is assisting in this. Mr. Hanson stated every decision must be ran by the attorneys or the consultants. Mr. Hanson said Trustee Evans has run off any employee who does not agree with him.

Litichia McIntyre - 15 3rd Avenue - Thanked the board for the use of the town hall and the park during their event. Ms. McIntyre has had residents approach her regarding a home that is very unkept. The home has a pool has well that is also unkept. Ms. McIntyre has informed the residents to contact town hall.

## 5. Reports

### a. Road Department Pike Street MORPC Funding

Trustee Burkholder gave an update he had with Bill Lozier of the TID. The township is looking at another \$1.1 to \$1.2 million in additional funding, the township would be responsible for 20% of that amount.

### Refugee Road

There has been a walk through on the Refugee Road project. There is a punch list, and some items still need to be completed.

### Smoke Road

There has been a chain lock installed on Smoke Road where contractors were using as an access road. They are waiting on the Knox box which allows for the key for emergency personnel to access the road in case of emergency.

Trustee Evans asked for an update on the resident whose tire was damaged on Refugee Road. Trustee Burkholder has no update but has brought it to the attention of the safety director. Trustee Evans stated the resident is frustrated and has not received contact regarding the matter.

Trustee Evans would like to know if the dispute over a road sign was forwarded to the prosecutor's office. Trustee Evans could not remember the name of the road. The dispute is over who is responsible for the maintenance of the sign, whether it be the township or ODOT.

### b. Zoning Department Scannell Update

A walk through of the entire property was conducted. Trustee Evans stated the walk through was done at a county level, but there was no mention of the Waddell property. The drainage issue by the wall was mentioned. There are issues with the setbacks as well. McBride Dale had also walked the property and will be composing a report. The lighting is still an issue. Trustee Evans would like to know if there have been any forensic investigations regarding the Scannell property and the Chingle property. Trustee Burkholder has had conversations with the prosecutor and the attorneys on the Chingle property, but not much on

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the Scannell property. Trustee Evans would like to be copied on any reports for Scannell.

### McBride Dale Zoning Commission Update

Trustee Evans stated the zoning commission needs to be assisted by McBride Dale. Trustee Evans feels the zoning commission shouldn't be doing the heavy digging. McBride Dale should be a guiding part and help answer any questions the commission should have.

### Pond EPA Pre Application Update

There is no EPA permit required to dredge the pond. The only concern is where to put the materials so it's not in any wetlands. At the next meeting Trustee Evans would like to put together proposals for pond maintenance companies.

Make a request of the Zoning Commission to include reasons for additions or removal.

Trustee Evans would like more information from the zoning commission for the reasons for additions and removals in the text amendment.

## 6. Old Business

- a. Resolution 2024-026 ODOT Grant Reimbursement to AHS, LLC Group (Tabled 6/4/24)

Trustee Burkholder stated there were outstanding questions for Mr. Conover from Bricker Graydon in an email dated 6-14-24. Trustee Evans stated he is not sure what questions have not been answered. Trustee Burkholder said that it has changed hands. Trustee Evans agreed it has changed hands, but it is the same entity that the grant payment would have been made to. Trustee Evans feels the money needs to be disbursed or returned. Trustee Burkholder does not support giving the money back to ODOT. The purchase order will be prepared for the next meeting.

[Etna Twp -- AHS Etna Grant Agreement\(19370438.1\) - Signed.pdf](#)  
[Resolution 2024-026 - AHS Grant Reimbursement.docx](#)

Motion to approve Resolution 2024-026 Grant Reimbursement to AHS, LLC as presented.

**Abstain** Gary Burkholder, Mark Evans, and Rozland McKee-Flax **No Vote 0-0**

Motion to approve the Grant Agreement with AHS, LLC authorizing Trustee Evans to sign agreement. (Tabled 6/18/24)

**Abstain** Gary Burkholder, Mark Evans, and Rozland McKee-Flax **No Vote 0-0**

- b. Resolution to retain Professional Engineering Services to conduct

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lighting and sound and testing on the Scannell site at Tollgate Road and to assist in the preparation of the MORPC application for additional funding for Pike Street.

Trustee Evans stated the township needs to determine what recourse the township has if requirements are not met. If there is nothing the township can do, Trustee Evans feels it is not a good idea to spend the money. Trustee Burkholder indicated the current zoning consultant does not specialize in the sound and lighting study. Trustee Burkholder has forwarded the information to the attorney and the engineer regarding what actions the township can take if the requirements are not met. Trustee Burkholder will ask the law firm regarding the enforcement questions Trustee Evans brought up.

Motion to approve up to \$5,000 to conduct these types of specialized services at the Scannell site.

*Moved by:* Gary Burkholder  
*Seconded by:* Mark Evans

**Yes** Gary Burkholder  
**No** Mark Evans and Rozland McKee-Flax

**Fails 1-2**

- c. Zoning Resolution Update Proposal - McBride Dale Clarion (Tabled 6/4/24)

[Ema Township Zoning Resolution Update.pdf](#)

There was not a motion to remove from the table. There was no discussion.

- d. Insurance Discussion – Health, Dental, Vision, Life, EAP

Trustee Evans gave an update on a few outstanding missing forms from employees. The fiscal officer confirmed with Trustee Evans the dental, vision, life, and EAP were switched as of July 1st. According to the fiscal officer the Aetna payments are auto drafted.

- e. Diligent Implementation Discussion

Trustee Evans would like to move forward with using Diligent fully. Trustee Burkholder stated the other boards are still having issues with Microsoft Office 365. Trustee Evans indicated Trustee Burkholder still has not signed into Diligent. The minutes continue to be verbatim, which are causing the delays and should be summary.

- f. Prosecutor's opinion on zoning process

## 7. New Business

- a. Motion to add trustee signature lines to all township resolutions.

Trustee Evans asked if the board had received the legal response back from the prosecutor's office on whether the signatures were required or not. Trustee Burkholder stated they were not required, but that it is important to have all three trustee signatures.

Motion to add trustee signature lines to all township resolutions.

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

**Yes** Gary Burkholder and Rozland McKee-Flax  
**No** Mark Evans

**Carried 2-1**





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Trustee Burkholder stated the specs have been looked at for the new roundabout and there is a bond on the roundabout.

Jon Hanson - 51 Ridgewood Drive - Mr. Hanson agrees with Trustee Evans that no money should be spent on a consultant if the township is unable to enforce penalties. Mr. Hanson would like a status update on his public records requests.

Litchia McIntyre - 15 3rd Avenue - Ms. McIntyre is still having issues with the new emails for the zoning commission. She is having to put them on separate devices because it interferes with her other programs. The zoning commission have hopes to have their issues resolved by mid-August.

Ryan Davis - 8807 Watkins Road - Mr. Davis would like the township to have a video streaming service that is available for all boards.

Chuck Bundy - 10254 Tollgate Road - Mr. Bundy was disappointed with the turnout for the comprehensive plan meeting.

#### 10. Executive Session - ORC 121.22(G)

**ORC 121.22(G)(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.**

#### **Zoning Inspector Applicant**

#### **Management Advisory Group (Township Administrator search)**

#### **Resolution (2024-NUMBER) to hire Holly Palumbo as a full-time permanent employee.**

Motion to enter executive session per ORC 121.22(G)(1) To consider the employment of a public employee at 7:24 p.m.

*Moved by:* Gary Burkholder

*Seconded by:* Mark Evans

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

**Carried 3-0**

Motion to exit executive session at 9:07 p.m.

*Moved by:* Rozland McKee-Flax

*Seconded by:* Mark Evans

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

**Carried 3-0**

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The Fiscal Officer received a letter from the Audit Extension Office of the State of Ohio inquiring whether Etna Township would like to use the independent firm Julian and Grubb for this year's audit. Trustee Evans stated the township has used this firm for quite a number of years. The Fiscal Officer would like to use them because of their familiarity. Trustee Evans believes it is a good idea to change the auditing firm. Trustee Burkholder would like more information on the process of changing firms. The Fiscal Officer will do more research regarding the process of looking into other firms and when the deadline is. This will be brought back to the board for further discussion.

- a. Resolution (2024-NUMBER) to hire Holly Palumbo as a full-time permanent employee.  
There was no action taken on the resolution to hire Holly Palumbo.

**11. Announcement and Trustee Comments**

- a. Records Commission meeting Monday, July 8, 2024, at 6:00 p.m.
- b. Next Trustee Regular Meeting, Tuesday, July 16, 2024, at 6:00 p.m.
- c. BZA Public Hearing Wednesday, July 17, 2024, at 6:00 p.m.  
Motion to have the fireworks in September.

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

- Yes** Rozland McKee-Flax
- No** Gary Burkholder and Mark Evans

**Fails 1-2**

Trustee McKee moved to have the fireworks in September. Trustee Burkholder seconded for discussion. The location would be the golf course. Trustee Burkholder is in support of the fireworks, but not in support of the location. Trustee Evans has concerns with the location as well. Trustee Evans and Trustee Burkholder feel Ron Sabatino would hold the township hostage if the fireworks were held at the golf course. Trustee McKee has a different opinion and is in support of both the location and the fireworks. Trustee Evans indicated that regarding streaming, Mrs. McKee has the time and claimed ability to address that. Mrs. McKee said she will not be doing it and that's not her job as a trustee. Trustee Evans agreed with Mr. Bundy's comments about the comprehensive plan, that is has be advertised more. The zoning commission presentation only had five people attend. Trustee Evans suggested using the WinWaste contract to put out a mailer to notify the residents. This is about our future and is important.

**12. Adjournment**

Motion to adjourn at 9:17 p.m.

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

**Carried 3-0**

  
Gary Burkholder, President

  
Jacqueline Cotugno, Fiscal Officer

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 **FRANKLIN** Township Board of Trustees Regular Meeting

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