

# RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3398 FORM NO. 10148

Held \_\_\_\_\_ October 15, \_\_\_\_\_ 20\_\_\_\_ 2024

The Etna Township Board of Trustees met on Tuesday, October 15, 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, and Susan Bedsole

## 1. Opening

- a. Call to Order
- b. Roll Call
- c. Invocation  
Rozland McKee gave the invocation.
- d. Pledge of Allegiance

## 2. Adoption of Agenda

### Motion to adopt the agenda as amended

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

### Motion to amend agenda to add extension of the park porta let under New Business

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

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

**Carried 3-0**

### Motion to add IGA with the Licking County Engineers for Pike Street agreement under New Business

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

### Motion to add Resolution 2024-053 authorizing Township Administrator to contact the Prosecutors office for legal opinions under New Business.

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

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**Motion to remove Trustee Evans as the Vice President and replace him with Trustee McKee for the remainder of this year and until the next Board of Trustees reorganizational meeting which will be in January of 2025 to be added under New Business**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 2-1**

**3. Adoption of Meeting Minutes**

a.

T-2024-06-26 Special Draft Minutes Comp Plan.docx

T-2024-07-02 Regular Draft Minutes.docx

T-2024-07-16 Regular Draft Minutes.docx

T-2024-08-20 Regular Draft Minutes.docx

**Motion to adopt the minutes of the June 26, 2024, Special Meeting.**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

**Carried 3-0**

Trustee Evans questioned Trustee Burkholder if he has reviewed the minutes. Trustee Burkholder stated he has been in contact with the Administrator who has been working with the Administrative Assistant to get the minutes corrected.

**Motion to approve the minutes of the July 2, 2024, Regular meeting.**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

**Carried 3-0**

**Motion to approve the minutes of the July 16, 2024, Regular Meeting**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

**Carried 3-0**

**Motion to approve the minutes of the August 20, 2024, Regular Meeting.**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

Trustee Evans did ask the board if any other members had submitted corrections. Both Trustee Burkholder and Trustee McKee had stated they did not.

**4. Administrator Report**

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[Administrator Report.pdf](#)

Mrs. Bedsole stated that going forward there will be an administrator report to help keep information flowing. There will be additional information on projects and issues going on in the township. The report will not contain everything. Mrs. Bedsole explained the report is self-explanatory. Trustee Evans thanked Mrs. Bedsole for providing a written report before the meeting.

Trustee Burkholder stated he has heard from a resident that is still being charged the administration fee from WinWaste. Mrs. Bedsole has been communicating with WinWaste and there are about 40 customers who are having this issue. She will continue to work with the customer service representative to ensure those customers are taken care of.

## 5. Public Comments

Steve Wood - 6968 Palmer Road - With the new park having permanent restrooms Mr. Woods believes there needs to be permanent restrooms at the park across from the township.

Litchia McIntyre - 15 3rd Ave - Ms. McIntyre wanted to thank the board for their work on the amendments and will be available to answer any questions they may have. Trustee Burkholder thanked the Zoning Commission for their work on the text amendments as well.

David Fulmer - 63 Trail East - Mr. Fulmer has concerns with the fire levy. Mr. Fulmer is a former firefighter and is shocked to learn about the 4 mill levy. This would be about \$650 increase in his taxes. The justifications are not valid and are being pushed under the radar. Mr. Fulmer is asking the Trustees to speak out against it and have it delayed until spring. Trustee Evans stated he has mentioned the levy back in July or August. Before Evans took office there were 5 TIF's that were given away to developers. Trustee Evans let everyone know there were millions that were being diverted from the schools and the fire department.

John Jones - 9446 Mink Street - Mr. Jones runs a pool company on Mink Street. There was a resident who filed a complaint against his business. There were no violations found and would like the matter to be put to rest. Mr. Jones believes it is irresponsible to state there is a possibility of an explosion. Mr. Jones will bring in all his paperwork from his inspections.

Chuck Bundy - 10254 Tollgate Road - Mr. Bundy would like to thank the board for placing the speed reminders in the areas of Tollgate Road south of 70. This sign has been very effective.

John Kennard - 10785 Palmer Road - Mr. Kennard has concerns with the micro surfacing project and where the materials come from. He believes the project needs to be monitored daily. Mr. Kennard does not feel the township is getting what they are paying for. Another concern is the raising of the spending limit for the township administrator.

Jon Hanson - Ridgewood Dr - Mr. Hanson is requesting an update from his numerous public records requests. Mr. Hanson is also seeking an unedited video version of the August 2nd meeting where Trustee Evans stated he had recorded executive sessions.

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Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 644-624-3338 FORM NO. 101-148

Held \_\_\_\_\_ October 15, \_\_\_\_\_ 20 \_\_\_\_\_ 2024

Mr. Hanson believes he has 15-20 records request still open and some dating back as far back as May. Mr. Hanson would like to know how the board will be handling his open public records request.

**6. New Business**

a. Public Hearing - Text Amendments to Zoning Resolutions

**Motion to open public hearing on Text Amendments to Zoning Resolutions**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

Trustee Burkholder stated the resolution is to adopt, deny, or adopt with modifications from the Zoning Commission. The recommended articles for amendment are Article 906 Local Business, Article 907 General Business, and Article 908 Accommodation Business. Trustee Burkholder opened the floor for public comments for individuals in favor. There were no comments in favor of the amendment. Trustee Evans said there have been a lot of changes, and any changes need to state the reason the change is being made. The section of the zoning resolution that is of concern is the Gasoline Stations and Other Gasoline Stations. Trustee McKee suggested approving the resolution as soon as possible to protect the township. Trustee McKee believed the text change would take effect immediately; however, Trustee Evans stated the public is allowed a thirty-day referendum. The change will not take effect for thirty days.

Trustee Evans would like to know from Litichia McIntyre if there were any other areas that would need to be added. Trustee Evans wants to make sure the board is proactive and not reactive. There is a project on 310 for a residential hotel. The prior board had to pull the wording residential hotel from the resolution. Trustee McKee explained the project is treated as a hotel but is not called a hotel. There is no furniture provided, and you will need to sign a lease. There are six-month leases, but most are one year or more. Trustee McKee feels the word hotel throws a lot of the residents off. Trustee Burkholder talked about providing the zoning commission resources. Trustee Evans is not comfortable handing over all the work to a zoning consultant. Trustee Evans would like to have the zoning commission work on the matters but have proper support.

Litichia McIntyre and the zoning commission did have a few questions on other sections of the code. Ms. McIntyre listed Section 4 Wholesale Trade, number 8 L. NAICS 522298 known as pawnshops and number 12 Administrative Support/Remediation as known as repossession business.

**Motion to close the public hearing**

*Moved by:* Rozland McKee-Flax

*Seconded by:* Gary Burkholder

b. Resolution 2024-050 Approving Certain Amendments to the Zoning

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GOVERNMENT FORMS & SUPPLIES 844-224-3399 FORM NO. 10148

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## Resolutions

Resolution 2024-050 Zoning Resolution Text Amendments including Appendix.pdf

**Motion to approve Resolution 2024-050 as written, with the following exceptions. Section 2C of the resolution shall be stricken, and the recommended amendment to Article 9, Section 907C3, shall be denied.**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

Trustee Burkholder read the resolution. Article 9, Section 907 (C) (3) (F), NAICS Code 457120, Other Gasoline Stations Excluding Index Entries for Marine Service Stations and Truck Stops shall be denied. Trustee Evans did not see Section 907 (C) (3) (F) listed. Mrs. Bedsole explained it was added as section F in the proposed amendments to the zoning resolution.

c. Request to Send Letter Requesting Reimbursement for the JEDD and JEDZ Boards

Trustee Burkholder had stated the township will need to request reimbursement from the JEDD and JEDZ boards. Trustee Evans stated the reclamite reimbursement should be around \$34,000. Trustee Evans said he has sent this information to the other trustees. Trustee Burkholder asked Trustee Evans to provide Susan Bedsole with all the information. Mrs. Bedsole will draft a letter requesting reimbursement.

**Motion to gather information and make a request for reimbursement to the JEDZ boards in November**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

Discussion - Trustee McKee stated in the past the Township Administrator would draw up a letter to be presented to the JEDZ boards requesting reimbursement. Trustee Evans added the board has already motioned and approved Trustee McKee to write the letter and present it to the JEDZ board and she failed to do so. The cape seal project is outside the district. The board will continue to work with the new township administrator to be reimbursed.

d. Request for Payment

-- Nancy Gallina Refund (withdrawn appeal)

**Motion to reimburse Nancy Gallina with a refund of \$400.00**

*Moved by:* Gary Burkholder

*Seconded by:* Mark Evans

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

**Carried 3-0**

Trustee Burkholder informed the board Ms. Gallina was misadvised by the zoning department. Ms. Gallina was advised to have a variance request. Upon further investigation with the zoning staff and the BZA, it was a denial which is free to appeal. Ms. Gallina should not have been advised to go for a variance.

e. Request to Change Draft Agenda Distribution Date to the Wednesday Prior to the Regular Trustee Meeting

**Motion to change draft agenda distribution date to the Wednesday prior to the regular Trustee meeting**

*Moved by:* Rozland McKee-Flax

*Seconded by:* Mark Evans

Trustee Evans has spoken with the new administrator and Ms. Bedsole has requested all trustees have their requests in by the Monday prior.

f. Request to Increase the Authorized Monthly Purchase Amount for the Township Administrator to \$10,000.00

**Motion to request to increase the authorized monthly purchase amount for the township administrator to \$10,000.00**

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

**Carried 2-1**

Discussion - Trustee McKee feels the amount is too much. The board meets twice a month and any spending that high would need board approval. Trustee Evans believes we cannot micromanage and currently the Road Department Supervisor has a limit of \$5,000. Trustee Evans thinks the authority and review should be placed with the administrator who is over the road department to possibly reduce that amount. The Etina Township budget is over ten million, this amount is not too much. Trustee Burkholder originally recommended \$7,500. Trustee Burkholder asked Trustee McKee if she would entertain \$7,500 if they reduced the amount. Trustee McKee stated that is still a lot of money and if there is an emergency a special meeting can be called. Trustee McKee feels \$3,000 is a reasonable amount of money. Trustee Burkholder asked that the spending authorization of the road superintendent be placed on the next agenda. The main motion passed 2 to 1, but the amended motion passed 2 to 1. The spending limit will be \$7,500 per month.

**Motion to amend the main motion from \$10,000 limit to \$7,500 spending limit per month.**

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

**Yes** Gary Burkholder and Mark Evans

**No** Rozland McKee-Flax

**Carried 2-1**

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GOVERNMENT FORMS & SUPPLIES 844-224-3339 FORM NO. 10148

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**Motion to change the point of contact for all vendors and outside attorneys to the township administrator**

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

**Yes** Mark Evans

**No** Gary Burkholder and Rozland McKee-Flax

**Fails 1-2**

Discussion - Trustee McKee asked for clarification on the motion. Trustee Evans stated this would be for any of the township's vendors and it should be clear that Ms. Bedsole should be the one dealing with that and especially outside attorneys. Trustee Burkholder will not support the motion at this time because they are still working with vendors during the transition. Trustee Burkholder included that the administrator already has authority to deal with vendors and vendor issues.

**Motion to extend the porta let indefinitely**

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

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

**Carried 3-0**

Discussion - Trustee McKee feels it has served its purpose for the last several years and if it helps the community, she is for it. Trustee McKee stated Trustee Evans made a big deal regarding more spending in the past. Trustee Evans has checked with Miller Portables, and it is the same charge of \$200 a month through the winter.

**Motion to approve Resolution 2024-053 Authorizing the administrator to request legal opinions**

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

This resolution has to do with the strict restrictions that have been placed on the Board of Trustees regarding seeking legal opinion from the prosecutor. The resolution will give the township administrator the flexibility to get a timely response from the prosecutor.

**Carried 3-0**

**Motion to remove Trustee Evans as the Vice President and replace him with Trustee McKee for the remainder of this year and until the next Board of Trustees reorganizational meeting which will be in January of 2025**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

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

**Carried 2-1**

Trustee Evans stated Trustee McKee does not show up at special meetings or indicates if she will be present or not at other meetings. But Trustee Burkholder wants to make her Vice President. Also, Trustee McKee has

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violated the open meetings act. Trustee Evans feels this was dishonest, sneaky, and was not transparent by not putting it on the agenda. Trustee Evans also believes Trustee Burkholder wants to continue to have control over the agenda. Trustee Evans indicated Trustee Burkholder is being petty for holding him accountable. Trustee Burkholder told Trustee Evans these are accusations he is making. Trustee McKee wanted to make it clear she did not want to be president but had to take over the position within two months because Trustee Evans only wanted to fight. The board spent two years putting out fires. Trustee McKee clarified there was no previous discussion and Trustee Evans has run good employees off. Trustee Burkholder let Trustee Evans know there was no prior conversation, and he was hesitant to bring this up. Before the new administrator has even started Trustee Burkholder stated Trustee Evans is already bashing him. As a Vice President Trustee Evans has a certain duty to remain professional. Trustee Evans is attacking individuals on Facebook and harassing and badgering previous employees. Trustee Burkholder, regarding Trustee McKee, may have not always agreed, but she is not out on Facebook bashing him. Trustee Burkholder stated this change has to be made. Trustee Burkholder called the question.

**Motion to adopt the IGA between the Board of Etna Township Trustees, the Board of Licking County Commissioners and the Licking County Engineer on condition that it is reviewed by the Licking County Prosecutor**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

Etna Township can either let ODOT do the letting or we can have a local do it. The township has been recommended by the director of the Transportation Improvement District to go with a local let instead. The reasons are there is better control, better quality control, and better inspectors. The document has been drafted up and has been reviewed by the assistant prosecutor. Trustee Burkholder asked for conditional approval because phase two of the reconstruction of Pike Street needs to be submitted to ODOT. Trustee Evans stated timeliness is lacking.

**Carried 3-0**

**7. Fiscal Officer**

- a. Resolution 2024-052 to Approve Purchase Orders  
Trustee Evans would like the purchase orders included in the agenda packet.

**Motion to approve purchase orders as presented**

*Moved by:* Gary Burkholder

*Seconded by:* Rozland McKee-Flax

**Carried 3-0**

- b. Request to Ratify the Payment of Bills as Shown on Payment Listing  
Trustee Burkholder would like to clarify the Enzo's Cleaning invoice. This invoice is on the H2O Grant. This invoice will be on the next agenda once the verification is done.  
Trustee Evans would like to know if the township is tracking the invoices from outside council. Trustee Burkholder will get with the township administrator.

The Fiscal Officer let the board know at the end of September there was



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\$9,285,000 in the bank account. The township had \$311,000 come in and \$236,000 in payments. The Fiscal Officer will get with the township administrator in the next couple of weeks for the budget.

**Motion to ratify the payment of bills as shown on the payment listing**

*Moved by:* Mark Evans

*Seconded by:* Gary Burkholder

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

**Carried 3-0**

c. Request to Transfer Funds

There were no transfers.

**No Vote**

**8. Public Comments**

Steve Wood - 6968 Palmer Road - Mr. Wood would like to know from the township administrator if other entities have maintenance plans built into their budget so that there is not a need to have special meetings when repairs are needed. Mr. Wood would also like to know with the new land use plan how many acres have been designated or added for the M-1, M-2, and M-3 districts.

Mrs. Bedsole is working to move forward more efficiently. Working to come up with a different path to get issues resolved that does not take up the trustees' time. Mrs. Bedsole hopes, while going over the budget for next year, it may allow for purchase schedules for anticipated expenditures.

Ryan Davis - 8807 Watkins Road - Mr. Davis believes it is ridiculous for trustees to argue. Mr. Davis stated to Trustee Evans, you can attack people in meetings and on Facebook, then complain about getting attacked tonight. Mr. Davis believes Trustee Evans is upset he is not the point of contact. Mr. Davis is still waiting for the videos of previous meetings.

John Kennard - 10785 Palmer Road - Agrees with Trustee Evans, \$10,000 is really not a lot of money when you're spending someone else's money. There are two businesses on 310 the zoning inspector needs to check on. They were car lots and truck sales. The car lots are a disgrace. Mr. Kennard would like the zoning inspector to check on those two lots for the residents and the township.

Judy Newman - 9630 Lynns Road - Mrs. Newman like a Scannell update since the meeting was cancelled. Trustee Burkholder mentioned there is no update however, he would like to bring forward at the next meeting. There was no support from the board to hire an engineer. Mrs. Newman suggested using the Licking County Engineer to perform the survey. Trustee Burkholder said it would probably have to be an outside firm. The concern is the construction of the sound wall, is that in the proper location. Trustee Evans would like to add it is not the location of the wall, but the height of the wall. Trustee Evans stated Trustee Burkholder was to check with the attorney to see if it is enforceable which Trustee Burkholder has not addressed. Mrs. Newman was told there would be a 30' buffer and a 20' wall with drainage but none of that happened. Trustee Burkholder has spoken with outside counsel. The as builts need to be compared to the drawings.

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GOVERNMENT FORUMS & SUPPLIES 844-424-3388 FORM NO. 10148

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### 9. Announcement and Trustee Comments

Trustee Evans stated he is the only trustee who has tried to use the streaming system. Stating Trustee McKee specifically said it's not her job. Trustee Evans is out of order, and he cannot disparage another trustee. Trustee Evans listed multiple areas where he states Trustee Burkholder has failed. Trustee Evans hopes with the new administrator items will now be taken care of. Due to colder wet weather the road work has been pushed back two days. Trustee Evans addressed the fire levy. Fire levy should not be needed because previous people diverted the money away from the fire district and schools. Trustee Evans believes Trustee Burkholder has failed as a leader. Trustee Burkholder suggested Trustee Evans read Roberts Rule of Order and that he is in violation of it.

### Additional Public Comment

Lee Jones - 9446 Mink Street - Would like to let the residents know they took the complaints of another resident very seriously. Ms. Jones works at Pools and Spas. Trustee Burkholder has met with the complaining party to inform them the issue has been resolved. Trustee McKee verified with Mr. Jones regarding an inspection coming up. Mr. Jones will bring in a copy of that report once it is available. Trustee Evans inquired about outside storage. Trustee Burkholder will be getting with the prosecutor for an opinion because it is not specifically addressed in the zoning resolution.

- a. Next Regular Trustee Meeting, Tuesday, November 5, at 6:00 p.m.
- b. JEDD and JEDZ Appointments Deadline Friday, October 18, at 5:00 p.m.
- c. ODOT Public Meeting Regarding the Pike Street Roadway Improvements - October 29, 6:00-7:30 p.m., at the Etna Township Hall
- d. Halloween Trick or Treat, Thursday, October 31, 6:00-8:00 p.m.

### 10. Adjournment

Motion to adjourn at 8:12 p.m.

*Moved by:* Mark Evans

*Seconded by:* Rozland McKee-Flax

**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.