

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 944-224-5338 FORM NO. 10-148

Held November 19, 20 2024

The Etna Township Board of Trustees met on Tuesday, November 19, 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 and Jackie Cotugno

1. Opening

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

2. Adoption of Agenda

Motion to adopt the agenda as amended

Moved by: Rozland McKee-Flax

Seconded by: Gary Burkholder

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

Carried 2-1

Motion to add Resolution 2024-62 resolution to hire a full-time road department laborer under new business.

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

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

Carried 3-0

Trustee Evans believes this should have been on the regular agenda and it had been delayed for no reason. Trustee Burkholder stated this was a simple oversight.

Motion to add the township administrator as the point of contact for all vendors, outside counsel, TTD, and Pike Street project.

Moved by: Mark Evans

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

Fails due to lack of a second 0-0

Trustee Evans stated this is the third request for this motion. The motion failed due to a lack of second.

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Held _____ November 19, _____ 20____ 2024

3. Adoption of Meeting Minutes

a. August 6, 2024, Regular Meeting

October 7, 2024, Special Meeting

October 7, 2024, Emergency Meeting

October 15, 2024, Regular Meeting

October 25, 2024, Special Meeting

T-2024-08-06 Draft Final Minutes.doc

T-2024-10-07-Emergency Meeting Draft Minutes.pdf.doc

T-2024-10-07 Special Draft Minutes.docx.doc

T-2024-10-15 Regular Draft Minutes.doc

T-2024-10-25 Special Draft Minutes.doc

Motion to adopt the August 6, 2024, Regular Meeting minutes with corrections

Moved by: Rozland McKee-Flax

Seconded by: Gary Burkholder

Yes Gary Burkholder and Rozland McKee-Flax

No Mark Evans

Carried 2-1

Discussion - Trustee Evans stated there are numerous errors in the minutes including showing the intern voting. The administrative assistant stated all corrections that were given were corrected. There was no mention of the intern voting until after the meeting had begun. Trustee Evans moved to table the minutes, but it failed due to a lack of second.

Motion to table minutes from August 6, 2024, regular meeting

Moved by: Mark Evans

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

Fails due to lack of second 0-0

Motion to adopt the October 7, 2024, Special Meeting minutes with corrections.

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder and Rozland McKee-Flax

No Mark Evans

Carried 2-1

Discussion - Trustee Evans questioned approving minutes with corrections that may be sent in the future. Trustee Evans does not believe that makes sense.

Motion to table the October 7, 2024, Special Meeting minutes.

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Moved by: Mark Evans

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

Fails due to lack of second 0-0

Motion to adopt the October 7, 2024, Emergency Meeting minutes

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

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

Discussion - Trustee Evans moved to table the minutes, but it failed due to a lack of second. Trustee Evans stated this is not the proper process of approving minutes.

Motion to table minutes from October 7, 2024, emergency meeting

Moved by: Mark Evans

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

Fails due to lack of second 0-0

Motion to adopt the October 15, 2024, Regular Meeting minutes

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

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

Motion to table the October 15, 2024, Regular Meeting minutes

Moved by: Mark Evans

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

Fails due to lack of second 0-0

Motion to adopt the October 25, 2024, Special Meeting minutes

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

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

Discussion - Trustee Evans moved to table the minutes, but it failed due

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to a lack of second. Trustee Evans stated the minutes have not been reviewed by the other board members.

Motion to table the October 25, 2024, Special Meeting minutes

Moved by: Mark Evans

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

Fails due to lack of second 0-0

4. Public Comments

Ryan Davis - 8807 Watkins Road - Thanked the administrative assistant for posting the information on the NCA meeting. Mr. Davis stated Trustee Evans is a different person when he is on the fire board versus the township. Mr. Davis mentioned the live streaming and why videos are being delayed in posting.

John Kennard - 10785 Palmer Road - Mr. Kennard thanked the secretary and township administrator for providing his public records request. Mr. Kennard suggested having the executive sessions at the end of the meetings.

Jon Hanson - Ridgewood Drive - Mr. Hanson stated Trustee Evans has driven out older employees and now seems to be working on the fiscal officer. Mr. Hanson said Trustee Evans is not helpful unless it is a gotcha moment caught on camera.

5. Old Business

a. Land use plan update and open house

There is no update on the land use plan. Trustee Burkholder has reached out to Jim Lemnar but has not received a response. The zoning commission has suggested holding an open house for the second meeting in January. Trustee Evans has reached out to Mr. Lemnar in regard to the corrected plan but has not received the correct copies. Trustee Evans believes the board needs to hold the contractor

accountable. Trustee Evans suggested having another firm properly deal with the comp plan. Trustee Burkholder asked Trustee Evans if he is willing to help with getting the word out by making signs. Trustee Burkholder believes Trustee Evans delegates then complains. Trustee Burkholder specified the township administrator is the lead and is in charge of all the day to day operations. Trustee McKee believes the transition takes time and the board will need to get the corrections from the consultant before the project is handed over to the township administrator. Trustee Evans has a solution of working with the attorney to discuss a breach of contract and to get another firm. Trustee Burkholder suggested Trustee Evans work with the township administrator for a solution.

b. JEDD and JEDZ Appointments

Motion to appoint Rachel Zelazny to JEDD 1

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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Trustee McKee stated Rachel Zelazny is on the Board of Zoning Appeals. Trustee McKee believes this would be a conflict of interest if Ms. Zelazny were to serve on any of the JEDD or JEDZ boards. Trustee Evans has researched and does not see a conflict of interest. If there are cases brought forth to the BZA where the property would be in JEDD 1, the board would like Ms. Zelazny to recuse herself. Trustee McKee made it clear these are unpaid positions.

Motion to appoint Thaaah Young to JEDD 2

Moved by: Gary Burkholder

Seconded by: Mark Evans

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

Carried 3-0

Trustee Evans stated Ms. Young has expressed interest and does her research.

Motion to appoint Shelly Marie Ipacs to JEDD3

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

Trustee Burkholder stated Ms. Ipacs is a dedicated member of the Zoning Commission and always comes prepared.

Regarding the JEDD 7 board Trustee Burkholder had discussions with the township administrator. The JEDD 7 is an owner position. The appointment is by three recommendations received by the owners within that district. Then the board will appoint the individual to the board. At the recommendation of the township administrator Trustee Burkholder would like to put this position on hold. Trustee McKee stated Ms. Cotugno was appointed to the JED 7 and she is also an owner within that district. The appointments will be effective November 19, 2024. There is a meeting on Friday November 22, 2024, at 11:00 a.m.

There are three vacancies on the JEDZ 1 and JEDZ 2 along with an alternate.

Motion to appoint Necol Washington to the JEDZ 2

Moved by: Mark Evans

Seconded by: Gary Burkholder

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

Carried 3-0

Trustee Burkholder is in support of appointing Ms. Washington, she has served on this board previously and has served with distinction.

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Motion to appoint Rachel Zelazny to JEDZ 2

Moved by: Mark Evans

Abstain

Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Motion failed due to a lack of a second.

Fails 0-0

Motion to appoint Thaaah Young to the JEDZ 2

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes

Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to appoint Shelly Marie Ipacs to JEDZ 2

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes

Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Carried 3-0

Motion to appoint Rachel Zelazny to the JEDZ 2 as an alternate

Moved by: Mark Evans

Abstain

Gary Burkholder, Mark Evans, and Rozland McKee-Flax

Fails due to lack of second 0-0

Trustee Burkholder stated the board will address the alternate position at the same times as the owner position will be discussed. The board will also work with the township administrator.

6. New Business

a. Approve payment of judgment in case number 2024-CV 00385 in the amount of \$27,030.72

010 11.04.24 Order Granting Appellee 8900 National Roads Motion for Attorney Fees(19717840.1).pdf 

Motion to approve payment of judgement in case number 2024-CV 00385 in the amount of \$27,030.72

Moved by: Gary Burkholder
Seconded by: Mark Evans

Yes

Gary Burkholder, Mark Evans, and Rozland McKee-

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Flax

Carried 3-0

Trustee Evans stated this order is a result of missed deadlines and failure to get the Board of Zoning Appeals representation. There was no clear direction for the BZA. Trustee Evans also believes Trustee Burkholder did not properly oversee the case. When Trustee Evans voted on the appeal, he did not know the Hansons owned this property. Trustee Evans was concerned with the 80% variance that had been awarded. Trustee McKee read a recent social media post of Trustee Evans. Trustee McKee claims Trustee Evans' actions are absurd and believes Trustee Evans wants the township to fail. Trustee Burkholder does agree the 80% variance that was granted was egregious.

- b. Motion to apply for a 2025 MORPC Intern
Motion to apply for a 2025 MORPC Intern

Moved by: Mark Evans
Seconded by: Gary Burkholder

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

Carried 3-0

Trustee Burkholder stated the township has had great success with our previous intern. The internship should start either May or June of 2025.

- c. Motion to approve Resolution 2024-62 resolution to hire a full-time road department laborer.

Moved by: Gary Burkholder
Seconded by: Mark Evans

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

Carried 3-0

The Fiscal Officer requested when there is an employee change rather it be adding or removing an employee that she be copied on all emails.

7. Fiscal Officer Report

- a. Resolution 2024-061 to approve purchase orders

[Resolution 2024- Authoring POs 11.19.2024.pdf](#) 

Motion to approve purchase orders as presented

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

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

Carried 3-0

The meeting between the traveling fiscal officer and the township fiscal officer went well. Trustee Evans questioned the payments to the JEDD

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b. and JEDZ boards, Trustee McKee stated it was set up that way in the contract. Trustee Burkholder requested a copy of the contract.

b. Motion to authorize a purchase order for an additional \$10,000 to Bricker Graydon

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder and Rozland McKee-Flax
No Mark Evans

Carried 2-1

c. Discussion - There is another invoice from Bricker Graydon that will require additional funding which creates the need for an additional purchase order. Bricker Graydon invoices may be delayed from the time the township contacts them. Trustee Evans would like an update on all outside counsel invoices.

c. Motion to ratify the payment of the bills as shown on payment listing

Moved by: Rozland McKee-Flax

Seconded by: Gary Burkholder

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

Carried 3-0

Trustee Evans believes that the payment list should be added to Diligent for transparency. Trustee Burkholder suggested Trustee Evans speak with the township administrator regarding the payment list not being added to the agenda. The final payment to Strawser has been held back until the work of the lane stripping has been completed. Trustee Evans will all invoices for payment. There will be a breakdown cost per road in order to get reimbursed.

As of October 31st, there was a bank balance of \$9,463,370.34. There were \$274,000 in receipts and \$96,000 in payments.

d. Transfers

Motion to transfer the funds as presented

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

There were no transfers. **No Vote 0-0**

8. Public Comments

Nita Hanson - 51 Ridgewood Drive - Mrs. Hanson apologized for the earlier outburst and no disrespect was intended.

Aubrey Hanson - 161 Rolen Road - Mr. Hanson stated Trustee Evans is named multiple times in the lawsuit and Trustee Evans is the cause of the constant blame and

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Eina Township Board of Trustees Regular Meeting

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attack.

Steve Perkins - 7325 Palmer Road - Mr. Perkins stated Roberts Rules are still not being followed. Members are not to disparage members of the board. The township is suing themselves and losing causing the residents to pay the attorney fees. Mr. Perkins stated the judge found the case to be frivolous.

Thaah Young - 9167 Taylor Road - Mrs. Young appreciates their trust in her with her appointment. Mrs. Young would like to know where the board stands on the letter for reimbursement from the JEDZ board. Trustee Burkholder is working with the township administrator to finalize the numbers. Trustee Evans stated on May 18th the letter was discussed and in the May 21st meeting the board voted for Trustee McKee to present the letter to the JEDZ board. Trustee McKee mentioned as a board member it would be a conflict of interest if she were to present it to the board. Once the township administrator started, she would be working on the letter.

9. 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.

There was no executive session.

10. Announcement and Trustee Comments

- a. Next Trustee Regular Meeting, Tuesday, December 3, 2024, 6:00 p.m.
- b. Trustee Special Meeting - Budget Workshop Tuesday November 26, 2024, 6:00 p.m.

The work session has been moved to December 4, 2024, 4:00 p.m. to 6:00 p.m.

Trustee McKee would like to have an agenda item added for the next meeting. Trustee McKee would like to see about purchasing new chairs for the town hall.

Trustee Evans stated when putting together the agenda, the information needs to be the correct information.

11. Adjournment

Motion to adjourn at 7:38 p.m.

Moved by: Gary Burkholder

Seconded by: Rozland McKee-Flax

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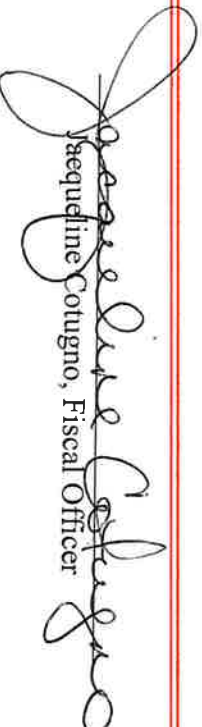
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Gary Burkholder, President


Jacqueline Cotugno, Fiscal Officer

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