

IN THE COURT OF CLAIMS OF OHIO

Jon Hanson,

Case No. 2025-00243PQ

Requester,

Special Master Todd Marti

v.

Etna Township,

Respondent.

REQUESTER'S EVIDENCE IN SUPPORT OF CLAIMS

Pursuant to this Court's Order dated March 18, 2025 and R.C. 2743.75(c)(3), Requester provides the following information in support of his claims:

On twelve separate occasions between May 24, 2024 and December 20, 2025, Requester made written requests for public records to Respondent. Most of the twelve requests were not acknowledged as received until January 16, 2025. Requester sent follow up emails, and often asked for updates on when the information would be received during public comments and regularly scheduled meetings of the Respondent's Board of Trustees.

Requester met via Zoom on November 29, 2024 with Respondent's Township Administrator Susan Bedsole to ensure that she was in receipt of each written request made that remained outstanding¹. At the time, Ms. Bedsole was burdened with significant health issues. Additional follow up emails were sent on December 16, 2024, December 20, 2024, December 29, 2024, and January 7, 2025. On January 7, 2025, Trustee Evans responded again about seeking a legal opinion on the various requests, and ultimately berating the Requester on January 10, 2025. These exchanges are included at pages 01-10. To date, Requester has not received

¹ A request for a copy of the audio recording of a meeting of Respondent's Board of Zoning appeals was supplied by the BZA clerk.

any of the records requested, nor a legitimate denial nor application of proper exemption to any request.

It is Requester's desire to resolve this matter and have the records produced. Requester is willing to receive the records on a "rolling" basis so as not to overtax the Township employees. Some of the records requested are solely in the possession of Trustee Evans and should be produced without further delay.

May 24, 2024 Request

Attached at page A1 is the May 24, 2024 request for information related to zoning violations, and discussions related to M-1 zoning. The audio recording of the Board of Zoning Appeals organizational meeting was supplied. On June 3, 2024, the acknowledged as "received and forwarded to legal counsel for review."

June 13, 2024 Request

Attached at page B1 is the June 13, 2024 request. No response has been received.

June 13, 2024 #2 Request

Attached at page C1 is the second request made on June 13, 2024 for text messages between Trustee Mark Evans, and an appointee to the BZA, Rachel Zelazny. No response has been received.

June 14, 2024 Request

Attached at page D1 is the June 14, 2024 request for communications between Trustee Mark Evans, and Zoning Commission chair, Litichia McIntyre. No response has been received.

June 30, 2024 Request

Attached at page E1 is the June 30, 2024 request for communications between the Trustees related to agenda items for meetings of the Board of Trustees. No response has been received.

August 12, 2024²

Attached at page F1 is the August 12, 2024 request for the video recording of the August 6, 2024 Board of Trustees meeting made by Trustee Evans. Trustee Evans' routinely records the

² A request for an unedited copy of the August 6, 2024 video recording was made again on September 18, 2024. See below.

Board of Trustee meetings, and other Township public meetings by video. The August 14, 2024 response that Mr. Evans sent at page F3 was that “this is not township sanctioned nor township records. This has been done privately by myself as a resident for over 5 years.” However, as pointed out by Trustee McKee on August 14, 2024, Mr. Evans has been (apparently) instructed that his recording of the public meetings while Mr. Evans is a Trustee are, in fact, public records. No video recording has been produced.

September 17, 2024-1 Request

Attached at page G1 is the September 17, 2024-1 request for audio/visual recordings of executive sessions. At the September 17, 2024 regular meeting of the Board of Trustees, Mr. Evans discussed the fact that he had been recording the executive sessions to protect his own safety. Likewise, he reported on his Trustee Facebook page that he was recording the sessions which he believed were public records. A screenshot of this declaration is attached at page Q1-2. Mr. Evans also published an email confirming the recordings, and his belief that the recordings are public records. Except to report that the Respondent was seeking a legal opinion about whether the recordings made for no other purpose than Mr. Evans’ ability to protect his safety were public records, no response has been received. Mr. Evans sent an email on February 28, 2025 (page O1) addressing the request for prosecutor opinion despite his prior statements and writings that the recordings were public records. No recordings have been produced.

September 17, 2024-2 Request

Attached at page H1 is the September 17, 2024-2 request for an email from the Prosecutor’s office. While it would normally be presumed to be a privileged communication, it was specifically discussed that privilege would be waived for the email at the September 17, 2024 Board of Trustees’ meeting (R9).

September 18, 2024 Request

Attached at page I1 is the September 18, 2024 request. Often, when Mr. Evans posts the videos he routinely makes of Township public meetings to his Mark Evans – Etna Township Trustee Facebook page, he covers over the video with is written commentary about what is shown in the video recordings. I asked for copies of two meeting videos without Mr. Evans’ commentary. No copies unedited versions of the video recordings have been produced.

October 13, 2024 Request

Attached at page J1 is the October 13, 2024 request. No response has been received.

October 19, 2024 Request

Attached at page K1 is the October 19, 2024 request. On November 4, 2024, I responded to a request for clarification related to the request (K2-3.) No further response has been received.

December 20, 2024 Request

A request was made on December 20, 2024 request for a list all public records that are pending without response as of that date. There has been no response to this request. Despite best efforts, Requester has not been able to locate this email. However, receipt of the request is acknowledged by Ms. Bedsole on behalf of Respondent at P2.

December 20, 2024 (second) Request

Attached at page M1 is the second request made on December 20, 2024. I asked for text messages between Trustee Evans, and Steve Slyh for a specific period of time. Mr. Evans uses his private cell phone for both public and private message. A number of Township related text messages have been revealed to the public, primarily by Mr. Slyh. No response to this request has been received.

December 29, 2024 Request

Attached at page N1 is the December 29, 2024 request. No acknowledgement nor response has been received.

As required by the March 18, 2025 Order, attached is a Table of Contents, and each of the requests and other related documents.

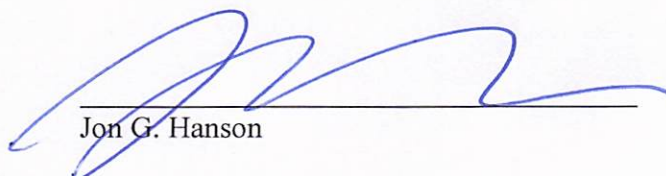
Respectfully submitted,



Jon G. Hanson
Requester
51 Ridgewood Drive SW
Etna, Ohio 43062
Email: paperhawk@gmail.com
Telephone: 614.866.4289

Certificate of Service

Pursuant to Civ.R. 5(B)(4), a true copy of this document and all attachments were served on Nathaniel Z. West, Attorney for Respondent, Etna Township, 65 East Main Street, Newark, Ohio 40355 by regular, U.S. mail, postage prepaid on this 1st day of April, 2025, and via electronic mail to zwest@lickingcounty.gov.



Jon G. Hanson

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Jon Hanson <paperhawk@gmail.com>

Re: Public Records Request, 5/24/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>
To: Gary Burkholder <gburkholder@etnatownship.com>

Tue, Jun 4, 2024 at 4:31 PM

Thank you.

Jon Hanson

On Tue, Jun 4, 2024 at 3:48 PM Gary Burkholder <gburkholder@etnatownship.com> wrote:

Mr. Hanson,

Your request has been received and forwarded to legal counsel for review.

Gary Burkholder

Trustee

From: paperhawk@gmail.com <paperhawk@gmail.com>**Sent:** Monday, June 3, 2024 1:18 PM**To:** Gary Burkholder <gburkholder@etnatownship.com>; Mark Evans <mevans@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>; Jackie Cotugno <jcotugno@etnatownship.com>; Office <etnatownship@etnatownship.com>; Office <etnatownship@etnatownship.com>; Zoning Office <etnatwpzoning@etnatownship.com>**Subject:** Re: Public Records Request, 5/24/2024

Some people who received this message don't often get email from paperhawk@gmail.com. Learn why this is important

Will you please acknowledge this request?

Thank you.

Jon Hanson

On Fri, May 24, 2024 at 7:27 PM paperhawk@gmail.com <paperhawk@gmail.com> wrote:

Per the Ohio Public Records Act, please provide copies of the following records:

AI

1. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to zoning violations.
2. Audio recording of the organizational meeting on the Board of Zoning Appeals held on May 22, 2024.
3. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to M-1 zoning.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

Jon Hanson

A2



Jon Hanson <paperhawk@gmail.com>

Public Records Request 6/13/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Thu, Jun 13, 2024 at 9:45 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide copies of outside legal counsel fees incurred by the Township between January 1, 2024 and June 13, 2024.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

Jon Hanson

BI



Jon Hanson <paperhawk@gmail.com>

Public Records Request 6/13/2024 #2

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Thu, Jun 13, 2024 at 9:51 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide copies of email messages, text messages, Facebook messages, or correspondence wherein Mark Evans is a sender or recipient, and Rachel Zelazny is a sender or recipient between January 1, 2024 and June 13, 2024.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

Jon Hanson

21



Jon Hanson <paperhawk@gmail.com>

Public Records Request 6/14/24

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Fri, Jun 14, 2024 at 11:05 AM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide copies of email messages, text messages, Facebook messages, or correspondence wherein Mark Evans is a sender or recipient, and Litichia McIntyre is a sender or recipient between March 1, 2024 and June 14, 2024.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

Jon Hanson

DI



Jon Hanson <paperhawk@gmail.com>

Public Records Request June 30, 2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Sun, Jun 30, 2024 at 5:53 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Per the Ohio Public Records Act, please provide copies of email messages to or from any Trustee sent or received within the last 30 days related to the agenda for meetings of the Board of Trustees.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

Jon Hanson

E1



Jon Hanson <paperhawk@gmail.com>

Public Records Request

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Mon, Aug 12, 2024 at 10:36 AM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide a copy of the video recording of the August 6, 2024 Board of Trustees meeting made by Trustee Mark Evans.

Thank you.

Jon G. Hanson
614.866.4289

fl



Jon Hanson <paperhawk@gmail.com>

RE: Public Records Request

1 message

Rozland McKee <rmckee@etnatownship.com>

Wed, Aug 14, 2024 at 12:24 PM

To: Mark Evans <mevans@etnatownship.com>, Office <etnatownship@etnatownship.com>, Fiscal Office <fiscal@etnatownship.com>

Cc: Gary Burkholder <gburkholder@etnatownship.com>, "paperhawk@gmail.com" <paperhawk@gmail.com>

Mark,

There was an email from the Prosecutor's office back in 2022. You are to provide any video that you recording while you are a Trustee; they are public records.

Please provide the video.

Rozland McKee-Flax

Board of Trustees

rmckee@etnatownship.com

81 Liberty Street

PO Box 188

Etna, OH 43018-0188

740-927-7717-O

740-814-9419-C

etnatownship.com



F2

From: Mark Evans <mevans@etnatownship.com>
Sent: Wednesday, August 14, 2024 10:20 AM
To: Office <etnatownship@etnatownship.com>; Fiscal Office <fiscal@etnatownship.com>
Cc: Gary Burkholder <gburkholder@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>
Subject: Re: Public Records Request

The response to PRR should be official follow the forms indicating the reason. My reply was simply a generic response which should be followed with the official response.

This includes properly tracking the request and response. I don't believe this have been done here.

Jackie as FO is the official respondent to PRR also.

Sincerely,

Mark Evans

Vice-President

Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Administration to the Township

614.831.1600 Cell

mevans@etnatownship.com

81 Liberty Street

PO Box 188

Etna, OH 43018-0188

etnatownship.com

On Aug 14, 2024, at 10:08 AM, Office <etnatownship@etnatownship.com> wrote:

Thank you,

F3

Holly Palumbo
Etna Township
81 Liberty Street
PO Box 188
Etna, OH 43018

From: Office <etnatownship@etnatownship.com>
Sent: Wednesday, August 14, 2024 10:06 AM
To: paperhawk@gmail.com <paperhawk@gmail.com>
Subject: Fw: Public Records Request

Good morning,

Please see the below response to your public records request. Have a good day.

Thank you,

Holly Palumbo
Etna Township
81 Liberty Street
PO Box 188
Etna, OH 43018

From: Mark Evans <mevans@etnatownship.com>
Sent: Monday, August 12, 2024 1:38 PM
To: Office <etnatownship@etnatownship.com>
Cc: Fiscal Office <fiscal@etnatownship.com>; Gary Burkholder <gburkholder@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>
Subject: Re: Public Records Request

That is not township sanctioned nor township records. That has been done privately by myself as a resident for over 5 years.

Sincerely,

F4

Mark Evans

Vice-President

Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Administration to the Township

614.831.1600 Cell

mevans@etnatownship.com

81 Liberty Street

PO Box 188

Etna, OH 43018-0188

etnatownship.com

On Aug 12, 2024, at 1:28 PM, Office <etnatownship@etnatownship.com> wrote:

Mark,

Do you have the video for this meeting?

Thank you,

Holly Palumbo

Etna Township

81 Liberty Street

PO Box 188

Etna, OH 43018

From: paperhawk@gmail.com <paperhawk@gmail.com>

Sent: Monday, August 12, 2024 10:36 AM

To: Gary Burkholder <gburkholder@etnatownship.com>; Mark Evans <mevans@etnatownship.com>; Rozland

FS

3/31/25, 4:25 PM

Gmail - RE: Public Records Request

McKee <rmckee@etnatownship.com>; Jackie Cotugno <jcotugno@etnatownship.com>; Office
<etnatownship@etnatownship.com>

Subject: Public Records Request

Please provide a copy of the video recording of the August 6, 2024 Board of Trustees meeting made by Trustee Mark Evans.

Thank you.

Jon G. Hanson

614.866.4289

Fl



Jon Hanson <paperhawk@gmail.com>

Public Records Request 9/17/2024-1

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Tue, Sep 17, 2024 at 10:07 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>

Cc: Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide a copy of audio and/or video recordings recorded since March 2024 of Trustee executive sessions including the recording discussed by Mark Evans on September 17, 2024.

Jon Hanson
614.866.4289

GI



Jon Hanson <paperhawk@gmail.com>

Public Records Request 9/17/2024-2

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Tue, Sep 17, 2024 at 10:06 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>

Cc: Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide a copy of the email from the Prosecutor's office that discussed the request of a resident for reimbursement for tire damage for which privilege was waived at the meeting on September 17, 2024.

Jon Hanson
614.866.4289

Al



Jon Hanson <paperhawk@gmail.com>

Public Records Request 9/18/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Wed, Sep 18, 2024 at 2:55 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>

Cc: Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide copies of the video recordings made by Mark Evans of the Trustees' meetings held on August 6, 2024 and September 17, 2024 without the additions and commentary added by Mr. Evans prior to posting to his YouTube account.

Thank you.

Jon Hanson
614.866.4289

II



Jon Hanson <paperhawk@gmail.com>

Public Records Request 10/13/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Sun, Oct 13, 2024 at 6:09 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com, Susan Bedsole <sbedsole@etnatownship.com>

Please provide a copy of each email wherein Lance Schultz is a sender or recipient and any Trustee is a sender or recipient.

Thank you.

Jon Hanson
614.866.4289

51



Jon Hanson <paperhawk@gmail.com>

Public Records Request 10/19/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Sat, Oct 19, 2024 at 4:03 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com, Susan Bedsole <sbedsole@etnatownship.com>

Please provide a copy of each email wherein Mark Evans is a sender or recipient and Gary Burkholder is a sender or recipient sent or received since September 19, 2024.

Thank you.

Jon Hanson
614.866.4289.

KI



Jon Hanson <paperhawk@gmail.com>

Re: Public Records Request 10/19/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Mon, Nov 4, 2024 at 9:04 PM

To: Susan Bedsole <sbedsole@etnatownship.com>

Cc: Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, Office <etnatownship@etnatownship.com>

Susan -- Thank you for your request for clarification. I am asking for "emails where they are the sender/recipient, but others may or may not also be included in the email." I also want "emails where they are only the recipient? (e.g., email sent by sbedsole@etnatownship.com to both Trustees)."

Please let me know if any additional clarification is needed.

Thank you.

Jon Hanson
614.866.4289

On Mon, Oct 21, 2024 at 8:33 AM Susan Bedsole <sbedsole@etnatownship.com> wrote:

Good morning:

This email serves as confirmation of our receipt of your public records request.

For purposes of clarification, are you requesting:

- emails where Trustee Evans and Trustee Burkholder are the only sender/recipient (they are the only two on the email string) and/or
- emails where they are the sender/recipient, but others may or may not also be included in the email.
 - If this is what you are requesting, do you also want emails where they are only the recipient? (e.g., email sent by sbedsole@etnatownship.com to both Trustees)?

Once clarification has been received, we will process your request.

Thanks.

K2



Etna Township

Etna, Ohio

Susan E. Bedsole, Esq.
Etna Township Administrator
81 Liberty Street
PO Box 188
Etna, Ohio 43018-0188
(O) 740.927.7717

From: paperhawk@gmail.com <paperhawk@gmail.com>

Sent: Saturday, October 19, 2024 4:04 PM

To: Gary Burkholder <gburkholder@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>; Mark Evans <mevans@etnatownship.com>; Jackie Cotugno <jcotugno@etnatownship.com>; Office <etnatownship@etnatownship.com>; Susan Bedsole <sbedsole@etnatownship.com>

Subject: Public Records Request 10/19/2024

Please provide a copy of each email wherein Mark Evans is a sender or recipient and Gary Burkholder is a sender or recipient sent or received since September 19, 2024.

Thank you.

Jon Hanson

614.866.4289.

K3

EXHIBIT L

**UNABLE TO LOCATE EMAIL REQUEST BUT RECEIPT ACKNOWLEDGED BY
SUSAN BEDSOLE**



Jon Hanson <paperhawk@gmail.com>

Re: Public Records Request 12/20/24

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Fri, Dec 20, 2024 at 1:37 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Mark Evans <mevans@etnatownship.com>

Cc: Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com, Susan Bedsole <sbedsole@etnatownship.com>

Also, please acknowledge receipt of this request.

Thank you.

Jon Hanson
614.866.4289

On Fri, Dec 20, 2024 at 1:35 PM paperhawk@gmail.com <paperhawk@gmail.com> wrote:

Please provide copies of text messages between Mark Evans and Steve Slyh between February 1, 2023, and November 30, 2023.

Thank you.

Jon Hanson
614.866.4289

ml



Jon Hanson <paperhawk@gmail.com>

Public Records Request 12/29/2024

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Sun, Dec 29, 2024 at 5:18 PM

To: Susan Bedsole <sbedsole@etnatownship.com>

Cc: Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com

Please provide copies of emails sent by Mark Evans between November 1, 2024 and the present. Also, please acknowledge receipt of this request.

Jon Hanson
614.866.4289

NI



Jon Hanson <paperhawk@gmail.com>

Prosecutor review of records request

1 message

Mark Evans <mevans@etnatownship.com>

Fri, Feb 28, 2025 at 9:29 PM

To: Susan Bedsole <sbedsole@etnatownship.com>, Bryce Ramsay <bramsay@lickingcounty.gov>

Cc: "paperhawk@gmail.com" <paperhawk@gmail.com>, Office <etnatownship@etnatownship.com>, Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Susan Bedsole <sbedsole@etnatownship.com>, Fiscal Office <fiscal@etnatownship.com>

Susan,

I had asked for you to forward the email to the prosecutor request for review of the public records requests, and specifically the executive session audio recordings.

I asked you in the previous meeting if this was done and you seemed to not want to answer this. Upon further pressing, you said you did forward this.

However, you never responded to my request for the email actually forwarding this to the prosecutor.

These continued delays are not acceptable. Mr. Burkholder failed to forward this to the prosecutor prior to your hire. After your hire, I heard from you month after month it would be fine "next month".

These matters are not that difficult to address and we have a legal obligation to respond timely, which has certainly passed.

Since this is Susan's last day, I am requesting this email, if it exists to be forwarded to me.

Sincerely,

Mark Evans*Etna Township Board of Trustees**Committed to Serving Residents and Restoring Proper Leadership and Integrity to the Township*

614.831.1600 Cell
mevans@etnatownship.com

81 Liberty Street
PO Box 188
Etna, OH 43018-0188

etnatownship.com

01



Jon Hanson <paperhawk@gmail.com>

Re: Public Records Requests

1 message

Fri, Jan 10, 2025 at 8:51 AM

Mark Evans <mevans@etnatownship.com>

To: "paperhawk@gmail.com" <paperhawk@gmail.com>

Cc: Susan Bedsole <sbedsole@etnatownship.com>, Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, Office <etnatownship@etnatownship.com>

Mr. Hanson,

Your bloviating on this and other topics is unproductive.

I am not preventing any records requests from being filled. Numerous requesting of yours were vague or overly broad.

The fiscal officer is actually the one charged by the board for records requests. Please direct your inquiries to her.

When there is additional review needed, it is out of my control. Mr. Burkholder has repeatedly failed to act regarding the reviews needed.

I understand you are just being disingenuous for the most part. That's a shame.

Sincerely,

Mark Evans*Etna Township Board of Trustees**Committed to Serving Residents and Restoring Proper Leadership and Integrity to the Township*614.831.1600 Cell
mevans@etnatownship.com81 Liberty Street
PO Box 188
Etna, OH 43018-0188

etnatownship.com

On Jan 10, 2025, at 8:46 AM, paperhawk@gmail.com wrote:

Trustee Evans,

Thank you for your quick response! Are you saying that **all the record** requests I have made since May 2024 are waiting for prosecutor review? Gary is in this email chain; maybe he can answer that. Am I to believe that you are not fulfilling simple records requests because you want to clear **all** of them before doing **anything**? That's a never-ending loop. The game of not even acknowledging requests is like dodging a process server. It can't go on forever.

It is my understanding that individual elected officials have individual obligations to produce records in their possession. You should produce the ones in your possession that are not subject to the so-called legal opinion review. You have produced none.

Are you refusing to do your job as trustee? Are you mixing up political and legal? Producing records is a legal obligation. Refusing without cause is a political response.

02

Please produce the records.

Thanks.

Jon Hanson

Etna, Ohio

January 10, 2025

On Thu, Jan 9, 2025 at 1:17 PM Mark Evans <mevans@etnatownship.com> wrote:
Mr. Hanson,

Your pure political and self motivated attacks are not surprising.

Your numerous false statements and distortions are the norm for you.

I again offer a lie detector test between you and I and or your wife, former administrator, and I. This would easily show the deception present. I am willing to do this because I have and continue to tell the truth. Are you and your wife?

Regarding the records, unlike some that presented a false affidavits to the court, withheld records and even allowed records to be illegally destroyed, I have made the required attempts to produce records requested.

When records need to be reviewed by legal, that is out of my control.

Again, I have repeatedly pushed for the prosecutor to review the records in question so they can be produced or responded to.

Mr. Burkholder and Mrs. McKee have and are continuing to prevent this since well before September. This is likely due to willful delay or pure incompetence.

You don't seem to want to direct your ire and concerns to them, the correct parties. That shows your additional bias and motivation.

In my opinion, you are part of the problem in this township. Part of the corruption and disingenousness that has wreaked havoc on the township. Again, my opinion.

So, until those stopping the legal review need to act.

Sincerely,

Mark Evans

Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Leadership and Integrity to the Township

614.831.1600 Cell
mevans@etnatownship.com

81 Liberty Street
PO Box 188
Etna, OH 43018-0188

etnatownship.com

On Jan 9, 2025, at 1:03 PM, paperhawk@gmail.com wrote:

Dear Elected officials and Ms. Bedsole:

03

I appreciate Mark's election-year-inspired concern here. It seems he has a lot on his plate. It is unclear whether he expresses his concern as a resident or Trustee (he switches his state of being back and forth quickly).

Since some of my requests have remained unanswered for over 233 days, I am asking Trustee Evans to fulfill the requests that pertain specifically to him. I have been more than patient and waited while the Township sued itself to cause harm to my family.

We should recall, as a "resident," he physically overran the township, (on Monday, February 6, 2023, after a three-day wait demanding his Public Records Requests be fulfilled), went through the emails of Laura Brown, ransacked her files, taking photos and searching emails, as he announced out loud, he was switching to Trustee state. Then, when John Singleton closed Laura's laptop (as she asked him to do), the snooping ended, and then Mr. Evans, who had converted verbally to Trustee (he can speak his states into existence), twisted Mr. Singleton's wrist and yelled, "John, you should be fired." Of course, the recently produced transcript and stop-action video of the incident tell a different story than Trustee Evans' constantly repeated version of "Singleton lunging over the desk at me." (Source: Evans Bodycam tape 2-6-2023).

Trustee Evans is fond of rules for thee and not for me. Trustee Evans has the option to step up and provide his records, yet he chooses to hide behind "process" and often exclaims, "I follow the LAW, sir!" His email reply serves merely as another opportunity for him to criticize others and perpetuate his ongoing narrative that Gary Burkholder is responsible for all the issues in the township.

It is difficult to reach any conclusion other than that Trustee Evans desires to completely dismantle Etna Township unless he is put in charge. He has turned against and betrayed many who once supported him. Believing that the world operates on power and coercion, he neglects the values of cooperation, kindness, and competence. A crucial aspect of competence is the ability to engage civilly with those who may disagree with you.

I am asking Trustee Evans to do the right thing and produce the records without blaming others for his incompetency.

Thank you,

Jon Hanson

Etna, Ohio

January 9, 2025

On Tue, Jan 7, 2025 at 9:49 PM Mark Evans <mevans@etnatownship.com> wrote:

I am concerned the records requests are not being properly addressed. These include those made by Mr. Hanson and others.

As I have repeatedly stated and requested, the prosecutor needs to provide an opinion and the records be produced, produced with legal retractions, or denied with legal justification.

Mr. Burkholder has refused to allow the required resolution for prosecutors opinion since well before October.

The absence of the administrator is no excuse for any delay in seeking approval for and the opinion of the prosecutor.

The mismanagement and lack of leadership is putting the township in jeopardy and is not transparent.

Sincerely,

04

Mark Evans
Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Leadership and Integrity to the Township

614.831.1600 Cell
mevans@etnatownship.com

81 Liberty Street
PO Box 188
Etna, OH 43018-0188

etnatownship.com

On Jan 7, 2025, at 9:15 PM, paperhawk@gmail.com wrote:

Susan -- I have still not received an acknowledgement of the public records requests that have been made, most of which we discussed on our Zoom call the Friday after Thanksgiving. Since our call, several additional requests have been made that have not been acknowledged. Is there a plan to acknowledge all of the outstanding requests, and begin producing responsive documents? I am hoping to avoid court action.

Jon Hanson
614.866.4289

On Sun, Dec 29, 2024 at 5:15 PM paperhawk@gmail.com <paperhawk@gmail.com> wrote:

I hope that you were able to enjoy your holiday celebrations. Unless I overlooked it, I have not received " acknowledgement of the list we discussed on our zoom call and also add in the ones [you] did not have." May I have an update on this? Thanks!

Jon Hanson
614.866.4289

On Fri, Dec 20, 2024 at 1:51 PM Susan Bedsole <sbedsole@etnatownship.com> wrote:

Mr. Hanson:

While I acknowledge it has been sporadic, there has been some confirmations sent. Today I will send to you acknowledgement of the list we discussed on our zoom call and also add in the ones I did not have. We will comply first with those we have more readily accessible. Therefore, compliance with your requests may not be in chronological order.

Thank you for your patience.

Susan

Get Outlook for iOS

From: paperhawk@gmail.com <paperhawk@gmail.com>

Sent: Friday, December 20, 2024 1:45:07 PM

To: Gary Burkholder <gburkholder@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>; Mark Evans <mevans@etnatownship.com>; Jackie Cotugno <jcotugno@etnatownship.com>; Office <etnatownship@etnatownship.com>; Susan Bedsole <sbedsole@etnatownship.com>

Subject: Fwd: Public Records Requests

I realize that Ms. Bedsole has been out on medical leave. However, for nearly all of the outstanding public records requests made since May 2024, there has not been an acknowledgment of receipt let alone production of the requested public records. At a minimum, will you please have someone acknowledge the receipt of the many requests? While I am sympathetic to Ms. Bedsole's limitations, I am not willing to wait for the Township to acknowledge the requests and provide the requested records. I must begin receiving the long-requested records by January 3, 2025 or I will be forced to seek court action to require production.

Jon Hanson

05

614.866.4289

----- Forwarded message -----

From: paperhawk@gmail.com <paperhawk@gmail.com>

Date: Mon, Dec 16, 2024 at 3:43 PM

Subject: Re: Public Records Requests

To: Susan Bedsole <sbedsole@etnatownship.com>

Susan -- Unless I've overlooked it, I do not see that you have acknowledged all of the outstanding requests that I have made. I thought you were going to send me the list of my pending requests (including the two that were not on the list you showed us) with a blanket acknowledgment of receipt.

On Fri, Nov 29, 2024 at 10:03 AM paperhawk@gmail.com <paperhawk@gmail.com> wrote:

Susan -- Thank you for taking time to speak with us today. I forwarded the two emails that were not on your list individually via separate emails. Will you please acknowledge receipt of all of the outstanding requests? Most of the requests have not been acknowledged. It is ok with me if you send the list you were working from and acknowledge receipt en masse.

We look forward to hearing from you further.

Jon Hanson
614.866.4289

06



Jon Hanson <paperhawk@gmail.com>

Fwd: Public Records Requests

1 message

paperhawk@gmail.com <paperhawk@gmail.com>

Fri, Dec 20, 2024 at 1:45 PM

To: Gary Burkholder <gburkholder@etnatownship.com>, Rozland McKee <rmckee@etnatownship.com>, Mark Evans <mevans@etnatownship.com>, Jackie Cotugno <jcotugno@etnatownship.com>, office@etnatownship.com, Susan Bedsole <sbedsole@etnatownship.com>

I realize that Ms. Bedsole has been out on medical leave. However, for nearly all of the outstanding public records requests made since May 2024, there has not been an acknowledgment of receipt let alone production of the requested public records. At a minimum, will you please have someone acknowledge the receipt of the many requests? While I am sympathetic to Ms. Bedsole's limitations, I am not willing to wait for the Township to acknowledge the requests and provide the requested records. I must begin receiving the long-requested records by January 3, 2025 or I will be forced to seek court action to require production.

Jon Hanson
614.866.4289

----- Forwarded message -----

From: **paperhawk@gmail.com** <paperhawk@gmail.com>
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Subject: Re: Public Records Requests
To: Susan Bedsole <sbedsole@etnatownship.com>

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We look forward to hearing from you further.

Jon Hanson
614.866.4289

07



Jon Hanson <paperhawk@gmail.com>

RE: Public Records Request, 5/24/2024

1 message

Susan Bedsole <sbedsole@etnatownship.com>
To: "paperhawk@gmail.com" <paperhawk@gmail.com>

Fri, Nov 29, 2024 at 10:00 AM

Received.



Susan E. Bedsole, Esq.
Etna Township Administrator
81 Liberty Street
PO Box 188
Etna, Ohio 43018-0188
(O) 740.927.7717

From: paperhawk@gmail.com <paperhawk@gmail.com>
Sent: Friday, November 29, 2024 10:00 AM
To: Susan Bedsole <sbedsole@etnatownship.com>
Subject: Fwd: Public Records Request, 5/24/2024

----- Forwarded message -----

From: paperhawk@gmail.com <paperhawk@gmail.com>
Date: Tue, Jun 4, 2024 at 4:31 PM
Subject: Re: Public Records Request, 5/24/2024
To: Gary Burkholder <gburkholder@etnatownship.com>

Thank you.

Jon Hanson

08

On Tue, Jun 4, 2024 at 3:48 PM Gary Burkholder <gburkholder@etnatownship.com> wrote:

Mr. Hanson,

Your request has been received and forwarded to legal counsel for review.

Gary Burkholder

Trustee

From: paperhawk@gmail.com <paperhawk@gmail.com>

Sent: Monday, June 3, 2024 1:18 PM

To: Gary Burkholder <gburkholder@etnatownship.com>; Mark Evans <mevans@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>; Jackie Cotugno <jcotugno@etnatownship.com>; Office <etnatownship@etnatownship.com>; Office <etnatownship@etnatownship.com>; Zoning Office <etnatwpzoning@etnatownship.com>

Subject: Re: Public Records Request, 5/24/2024

Some people who received this message don't often get email from paperhawk@gmail.com. Learn why this is important

Will you please acknowledge this request?

Thank you.

Jon Hanson

On Fri, May 24, 2024 at 7:27 PM paperhawk@gmail.com <paperhawk@gmail.com> wrote:

Per the Ohio Public Records Act, please provide copies of the following records:

1. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to zoning violations.
2. Audio recording of the organizational meeting on the Board of Zoning Appeals held on May 22, 2024.
3. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to M-1 zoning.

Please let me know when you anticipate providing the information. Please provide the requested information by return email.

Thank you.

09

3/20/25, 7:37 PM

Gmail - RE: Public Records Request, 5/24/2024

Jon Hanson

0/0

Public Records Request

- **5/24/24** – Per the Ohio Public Records Act, please provide copies of the following records:
 1. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to zoning violations.
 2. Audio recording of the organizational meeting on the Board of Zoning Appeals held on May 22, 2024.
 3. Email messages, voicemail messages, text messages, Facebook messages, letters, or memoranda to or from any Trustee sent or received within the last 30 days related to M-1 zoning.
- **6/13/2024** - Please provide copies of outside legal counsel fees incurred by the Township between January 1, 2024 and June 13, 2024
- **6/13/2024 #2** - Please provide copies of email messages, text messages, Facebook messages, or correspondence wherein Mark Evans is a sender or recipient, and Rachel Zelazny is a sender or recipient between January 1, 2024 and June 13, 2024.
- **6/14/24** - Please provide copies of email messages, text messages, Facebook messages, or correspondence wherein Mark Evans is a sender or recipient, and Litichia McIntyre is a sender or recipient between March 1, 2024 and June 14, 2024.
- **6/30/24** – Per the Ohio Public Records Act, please provide copies of email messages to or from any Trustee sent or received within the last 30 days related to the agenda for meetings of the Board of Trustees.
- **9/17/2024-1** - Please provide a copy of audio and/or video recordings recorded since March 2024 of Trustee executive sessions including the recording discussed by Mark Evans on September 17, 2024.
- **9/17/2024-2** - Please provide a copy of the email from the Prosecutor's office that discussed the request of a resident for reimbursement for tire damage for which privilege was waived at the meeting on September 17, 2024
- **9/18/24** – Please provide copies of the video recordings made by Mark Evans of the Trustees' meetings held on August 6, 2024 and September 17, 2024 without

the additions and commentary added by Mr. Evans prior to posting to his YouTube account.

- **10/13/2024** - Please provide a copy of each email wherein Lance Schultz is a sender or recipient and any Trustee is a sender or recipient
- **10/19/2024** – Please provide a copy of each email wherein Mark Evans is a sender or recipient and Gary Burkholder is a sender or recipient sent or received since September 19, 2024. **11/4/24 – Clarification:** I am asking for "emails where they are the sender/recipient, but others may or may not also be included in the email." I also want "emails where they are only the recipient? (e.g., email sent by sbedsole@etnatownship.com to both Trustees)."
- **12/20/24** - Please provide a list of all public records that are pending without response.
- **12/20/24** - Please provide copies of text messages between Mark Evans and Steve Slyh between February 1, 2023, and November 30, 2023.

Mark Evans - Etna Township Trustee's Post



26w Like Reply



Author

Mark Evans - Etna Township Trustee

Cheryl Zollars nothing was done secretly. That's false. The board and even staff were notified numerous times.

This was done for my safety when the request for a camera was ignored.

Mrs. McKee previously removed the entire security system (without board approval nor indicating where it was) at one time and then there were false allegations made which I was able to prove were false luckily.

Mrs. McKee has repeatedly verbally and physically (shoving her middle finger in my face) attacked me as well as made threats in the conference room numerous times.

I requested a camera be placed in the conference room

So that anywhere I was around Mrs. McKee would be documented and I protected against attack or false allegations.

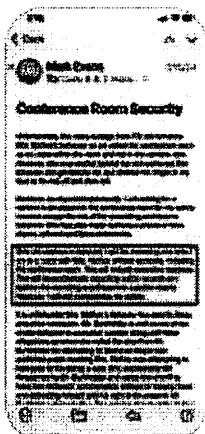
This was ignored and I specifically provided notice I would record until there is a camera installed. Again, for my protection. I should not be subjected to this abuse nor possible false allegations.

Mrs. McKee has made numerous false allegations. Not only against me but others, including at one time Mr. Burkholder in which she actually called the sheriff on him causing him to flee town hall to avoid her nonsense. That was last year. She accused an elderly resident that just wanted to talk to her and left to get his hearing aid, of threatening to "get a gun".

These false accusations, if not debunked, can have serious consequences. When the zoning inspector made the false allegations which McKee tried to support, that luckily was proven false by my recording.

So again, nothing was done in secret. This is shown in the email provided here.

If they lie about what is "secret"... what else are they lying about? (a lot is the answer)



26w Like Reply



Cheryl Zollars replied · 2 Replies

Q1

3:16



Back



Mark Evans

7/15/24

To: Gary B & 2 more... >

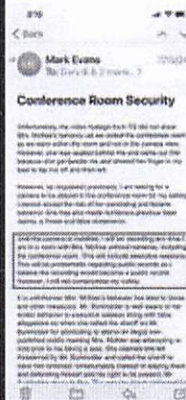
Conference Room Security

Unfortunately, the video footage from 7/2 did not show Mrs. McKee's behavior as we exited the conference room as we were within the room and not in the camera view. However, she was seated behind me and came out first because she got beside me and shoved her finger in my face to flip me off and then left.

However, as requested previously, I am asking for a camera to be placed in the conference room for my safety. I cannot accept the risk of her escalating and bizarre behavior. She has also made numerous previous false claims, a threat and false statements.

Until the camera is installed, I will be recording any time I am in a room with Mrs. McKee without cameras, including the conference room. This will include executive sessions. This will be problematic regarding public records as I believe the recording would become a public record. However, I will not compromise my safety.

It is unfortunate Mrs. McKee's behavior has lead to these and other measures. Mr. Burkholder is well aware of her erratic behavior in executive session along with false allegations as when she called the sheriff on Mr. Burkholder for attempting to attend an illegal non-published public meeting Mrs. McKee was attempting to hold prior to his taking a seat. She claimed she felt threatened by Mr. Burkholder and called the sheriff to have him removed. Unfortunately instead of staying there and defending himself and his right to be present, Mr. Burkholder chose to flee. The entire day indicated by



Q2

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORM 200 A SUPPLIES 04-1-2014-3538 FORM NO. 16149

Held

September 17,

20

2024

The Etna Township Board of Trustees met on Tuesday, September 17, 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.

1. Opening

- a. Call to Order
- b. Roll Call
 - Mark Evans present, Gary Burkholder present, Rozland McKee present.
- c. Invocation
 - Rozland McKee gave the invocation
- d. Pledge of Allegiance
 - Gary Burkholder led the pledge of allegiance

2. Adoption of Agenda

Motion to adopt the agenda as presented.

Moved by: Rozland McKee

Seconded by: Gary Burkholder

Trustee Evans made a motion to amend the agenda to include discussion on the mosquito contract and application as previously requested. Also, a discussion and possible motion on the Nicholas Weigel reimbursement for tire damage.

Seconded by: None

Motion Fails

Discussion on the main motion to adopt the agenda:

Trustee Evans raised concerns about delays in distributing draft agendas and the lack of transparency in listing important items, such as motions for equipment purchases and hiring advertisements. He emphasized the need for timely sharing to allow proper preparation. Trustee Burkholder acknowledged the challenges due to recent absences and noted efforts to improve, referencing updates made to the system that included Evans' submissions. Both agreed on the importance of enhancing transparency and meeting deadlines.

Yes Gary Burkholder, and Rozland McKee-Flax Carried 2-1
No Mark Evans

3. Adoption of special meeting corrected minutes from 07/25/2024

Moved by: Gary Burkholder

Seconded by: Rozland McKee

Discussions:

Trustee Evans made a motion to table adoption of 07/25/2024 special meeting minutes

Seconded by: None

Motion Fails

Discussions: Trustee Evans mentioned he received the draft minutes yesterday and didn't have proper time for review and there are missing motions in the draft. He also noted he had not received timely communication regarding questions from the administrative assistant.

Yes Gary Burkholder, and Rozland McKee-Flax Carried 2-1
No Mark Evans

4. Adoption of special meeting corrected minutes from 07/24/2024

Moved by: Rozland McKee

21

RECORD OF PROCEEDINGS

Minutes of	Meeting
Etna Township Board of Trustees Regular Meeting	
GOVERNMENT FORMS & SUPPLIES 04-224-3331 FORM NO. 10148	
Held	September 17, 20 2024
<p>Seconded by: Gary Burkholder</p> <p>Trustee Evans made a motion to table the adoption of draft minutes from 07/24/2024</p> <p>Seconded by: None</p> <p>Motion Fails</p> <p>Discussions: Trustee Evans clarified that he had cooperated with the administrative assistant on corrections to the minutes and had multiple exchanges helping, but he never received follow-up communication on outstanding questions. He expressed concerns about rushing to approve the minutes without adequate review, citing past issues with errors, including missing motions. Holly Palumbo confirmed that minor corrections, including discrepancies related to missing motions, had been addressed and attributed some issues to differences between the public and member views of the minutes. She assured the board that all corrections provided by Evans had been implemented.</p> <p>Yes Gary Burkholder, and Rozland McKee-Flax Carried 2-1</p> <p>No Mark Evans</p> <p>5. Adoption of regular meeting minutes from 06/18/2024</p> <p>Moved by: Gary Burkholder</p> <p>Seconded by: Rozland McKee</p> <p>Discussion: Trustee Evans thinks it is inappropriate to move forward with these minutes without corrections.</p> <p>Yes Gary Burkholder, and Rozland McKee-Flax Carried 2-1</p> <p>No Mark Evans</p> <p>6. Adoption of special corrected meeting minutes from 08/12/2024</p> <p>Moved by: Gary Burkholder</p> <p>Seconded by: Rozland McKee</p> <p>Discussions: Trustee Evans raised concerns that minutes were provided just the day before and didn't have time for review and corrections.</p> <p>Yes Gary Burkholder, and Rozland McKee-Flax Carried 2-1</p> <p>No Mark Evans</p> <p>7. Adoption of regular meeting minutes from 08/20/2024</p> <p>Moved by: Rozland McKee</p> <p>Seconded by: Gary Burkholder</p> <p>Discussion: Trustee Evans raised concerns about minutes that were provided just the day before and didn't have time for review and corrections.</p> <p>Motion to table the adoption</p> <p>Moved by: Mark Evans</p> <p>Seconded by: Gary Burkholder</p> <p>Yes Gary Burkholder, and Mark Evans Carried 2-1</p> <p>No Rozland McKee</p> <p>Public Comments</p> <p>Ryan Davis, 8807 Watkins Road</p> <p>He suggested that lengthy discussions on meeting minutes and similar topics be addressed during work sessions to better utilize public meeting time. He proposed incorporating reports, such as zoning and fire department updates, as public review items prior to meetings. Davis also requested adding streaming services for township meetings as a discussion agenda item to</p>	

R2

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 944-224-5328 FORM NO. 10149

Held

September 17,

20

2024

enhance transparency and public engagement. Additionally, he called for updates on a chemical issue on US 40, emphasizing the importance of keeping the public informed despite challenges faced by the zoning department. Davis concluded by encouraging a positive and productive meeting.

Jon Hanson, Ridgewood Drive

He addressed ongoing issues involving Mark Evans, referencing personal attacks, lawsuits, and social media disputes. Hansen expressed forgiveness for previous conflicts, including legal actions costing him \$28,000 in defense through the BZA, but voiced concern over what he described as cyberbullying and toxic behavior on Facebook. He noted a pending lawsuit and stated that he has refrained from speaking openly since March due to ongoing legal matters. Hansen concluded his remarks without further comment.

Joe Wagner, 179 Beachwood Drive

He expressed frustration with perceived inaction by Gary Burkholder regarding zoning enforcement and hazardous materials on a property. He raised concerns about a lack of citations and site visits by zoning officials, citing potential safety risks, including the release of chlorine gas. Wagner criticized what he perceived as selective attention to certain issues, such as signage violations, and questioned whether proper protocols were being followed.

Road Reports

Trustee Evans provided an update on road resurfacing, tentatively scheduled to begin the first week of October. He noted a meeting scheduled with the Strawser representative and the superintendent to review recent sealing and repairs for adequacy. Evans requested that notifications be sent via the list-serve, though it reaches only about 100 residents, and encouraged attendees to spread the word about upcoming resurfacing work, which is expected to maintain traffic and take only a few days per section.

Evans also reported on the completion of Palmer repair, highlighting an incident where a blockade was moved, allowing a vehicle to drive through, though no concrete damage occurred. He mentioned the repair incurred an additional expense of \$4,700 due to previous inadequate recommendations but expressed optimism about addressing such issues more effectively in the future.

Motion to approve posting the road crew opening

Moved by: Mark Evans

Seconded by: Gary Burkholder

Discussion: Trustee Burkholder clarified that the resignation related to this posting had just been accepted at a prior meeting, which initially left some uncertainty about how to proceed.

Burkholder noted that the board had been informed of the situation

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax

Carried 3-0

Zoning Department

Motion to advertise for the public hearing on the text amendment for AB, GB, LB zoning districts for Tuesday, October 1st, 2024, at 6 PM.

Moved by: Gary Burkholder

Seconded by: Rozland McKee

Discussion: Trustee Evans raised concerns about the zoning process, including communication delays and inconsistencies in handling zoning amendments and permits. He questioned why a text amendment hearing was scheduled for October 1st despite incomplete materials and proposed moving it to October 15th for adequate review. Evans also highlighted issues with zoning department responses, referencing delays in addressing a billboard permit and alleged misinformation regarding variance requirements. Trustee Burkholder clarified that the zoning commission and staff were actively addressing corrections, and that the billboard permit was

R3

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES PURCHASED FOR FISCAL YEAR

Held

September 17,

20

2024

issued after ensuring compliance with BZA variance conditions. Burkholder emphasized that some of Evans' claims were based on misinformation and assured the board that the necessary zoning materials would be finalized by the end of the week.

Motion to move the public hearing on October 15 at 6:00 p.m.

Moved by: Mark Evans

Seconded by: Rozland McKee

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax

Carried 3-0

Trustee Burkholder confirmed that the advertisement would be pulled and re-advertised to meet the new timeline.

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax

Carried 3-0

Fire District

Trustee Evans provided an update on the fire district. August statistics included 15 fires, 49 good intent calls, 578 EMS runs, 27 service calls, 43 false alarms, and 11 hazmat incidents, all slightly down from the previous month. The district received AK 35 advanced monitors/defibrillators, the first in Ohio to adopt this technology, with training underway before implementation. Evans highlighted recent successful rescues, including one involving a car accident where swift action saved a life and another where thermal imaging helped locate a fire victim, though the individual later succumbed to complications. Evans also noted ongoing efforts to increase Medicaid and Medicare reimbursements for EMS runs to enhance funding. The next fire district meeting is scheduled for October 10th at 6:00 PM.

Old Business

Motion to pay the expenses to Management Advisory Group including \$984.83 for advertising and \$440.31 for background checks, noting these costs were not part of the original \$18,500 contract but were outlined as expenses the township would bear. The motion was seconded, and Burkholder confirmed the fiscal officer was asked to prepare a purchase order for timely payment.

Trustee Evans inquired whether these were the only additional fees and emphasized the need for itemized invoices in the future for better transparency, though he found the expenses reasonable.

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, and Mark Evans

Carried 2-1

No Rozland McKee

New Business

Motion to discuss Diligent implementation status

Discussion:

Trustee Evans highlighted the deteriorating road conditions and stated this proposal was previously approved for application in 2021 but not submitted. He recommended proceeding with the application to demonstrate active road maintenance efforts, which could strengthen future funding opportunities. Evans noted the need for expert input from the engineer regarding the best resurfacing methods for alleys, potentially reducing costs by avoiding unnecessary overlays.

Trustee Burkholder expressed concerns about the timing, suggesting the resurfacing should align with the Pike Street and Highpoint Park construction projects scheduled for 2026 to avoid potential damage from construction traffic. He supported gathering estimates but advised coordinating with consultants to ensure efficient project sequencing. Evans countered that

R4

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 644-224-8256 FORM NO. 10148

Held September 17, 20 2024

waiting until 2027 would further degrade road conditions and emphasized that construction traffic could be managed without compromising resurfaced roads.

The discussion also included plans for addressing handicapped parking, which will be impacted by the Pike Street project. Trustee McKee proposed relocating parking to township-owned property near the Town Hall to maintain accessibility, a solution supported by Burkholder. The board agreed on the importance of addressing these logistical issues early to avoid delays. Evans mentioned flexibility in the grant scope, noting that specific sections could be omitted, if necessary, adjustments arise. The board decided to proceed with consulting engineers and revisiting the application process to finalize the plan.

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax Carried 3-0

Motion to approve resolution 2024-045 requesting prosecutor opinion on Etna Township's authority to replace its appointee, Trent Stepp, and to challenge the Southwest Licking Community Water and Sewer District's amendment to its 1995 petition.

Trustee Evans noted all required documentation was included in Exhibit A and that he would serve as the lead contact until the new administrator, Susan Bedsole, takes over. The motion was seconded for discussion.

Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Mark Evans
No Rozland McKee, Gary Burkholder Failed 1-2

Discussion: Trustee Burkholder questioned whether the petition by the Southwest Licking Community Water and Sewer District had been filed with the court. Trustee Evans clarified it had not but noted the district's stated intention to file and emphasized the need to secure the prosecutor's opinion on the township's rights before that occurs. Trustee Evans reiterated concerns about the district's resources being directed to Jersey Township. Trustee Burkholder expressed support for seeking the prosecutor's opinion on the district's expansion but opposed addressing the removal and replacement of the township appointee or designating Evans as the lead contact.

Trustee Burkholder proposed amending the resolution to focus solely on the prosecutor's opinion regarding the district's attempt to add Jersey Township and to defer discussions about the appointee until the new township administrator assumes her role.

Moved by: Gary Burkholder
Seconded by: Rozland McKee

Yes Gary Burkholder, Rozland McKee Carried 2-1
No Mark Evans

Discussion: Trustee Evans argued for seeking a legal opinion on the board's authority to remove and replace its appointee, Trent Stepp, citing concerns about the appointee's actions and resource allocation within the Southwest Licking Community Water and Sewer District. He criticized Trustee Burkholder for failing to act on accountability promises and not addressing ongoing concerns.

Trustee Burkholder opposed including appointee removal in the resolution and rejected designating Evans as the lead contact, citing concerns about past communication issues with the prosecutor's office. Trustee McKee echoed these concerns, suggesting waiting until the new township administrator assumes her role for improved coordination. The board debated whether

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Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORM 1A SUPPLIES 84-12-1988 FORM NO. 1045

Held

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to proceed with the resolution, with Evans emphasizing transparency and accountability while Burkholder and Trustee McKee highlighted procedural and interpersonal conflicts.

Public Record Response

Trustee Evans criticized Trustee Burkholder for failing to share chemical concern documents provided by Joe Wagner, forcing Evans to file a public records request. He questioned whether the records consultant was being paid extra to respond to his requests. Burkholder denied withholding records and stated the information was available at Town Hall, promising to provide it. The discussion escalated as Evans raised concerns about communication failures and resident dissatisfaction, while Burkholder rejected the accusations and requested clarification on attorney-related claims.

JEDD and JEDZ reports

The board reviewed upcoming appointments for the JEDD and JEDZ boards, highlighting expiring terms for positions held by John Carlisle (JEDD 1, 2, and 3) and Jackie Cotugno (JEDD 7). Trustee McKee clarified that appointees were selected based on their eligibility and ownership within the district. Trustee Burkholder provided an update on efforts to ensure terms comply with staggered schedules and rules limiting consecutive appointments. He noted ongoing collaboration with legal counsel to resolve discrepancies in records, particularly regarding partial versus full terms.

Trustee Evans raised concerns about the lack of a complete and accurate list of appointees, including their prior service, which he argued has caused procedural inconsistencies. He emphasized the need to follow agreements requiring nominations from businesses within the districts for certain seats, which he said had been overlooked in the past. Evans proposed giving the public at least 45 days to submit applications and suggested interviews occur after the first meeting in November.

The board agreed to post openings on the listserv and township website, with applications or letters of interest due by November 1st, 2024. They discussed potential challenges with holding interviews on November 5th, which is Election Day, and considered scheduling a special meeting on November 7th instead. The board emphasized the importance of transparency and proper communication to ensure a fair process and agreed to finalize the interview schedule at a later date. Evans reiterated the importance of clear documentation and proper procedures moving forward.

Payment of the Insurance

Trustee McKee explained that, according to the contract, the township is required to cover these insurance costs upfront and will be reimbursed later, consistent with previous years. The insurance payment, approximately \$23,000, follows the standard contractual process.

Motion to approve the payment

Moved by: Rozland McKee

Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax

Carried 3-0

Fiscal Officer Report

Jackie Cotugno reported \$236,794.42 received from JEDZ 1 and JEDZ 2 for the second quarter. She raised questions about a bill from the township's IT service provider, XTEK, particularly regarding 23 Microsoft 365 G3 licenses and a G5 e-discovery and audit account associated with Ted Walker, which appeared to be incorrect. Trustee Evans explained that each user requires a separate license for email retention and OneDrive access, adding that the G5 service was intended for advanced audit and search capabilities. He expressed concern over communication issues with X Tech and the improper assignment of accounts.

Trustee Burkholder emphasized the need for training and collaboration to address ongoing IT and account management issues. Cotugno suggested addressing the problems directly with

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Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 624-634-3038 FORM NO. 10748

Held September 17, 20 2024

XTEK, but Evans objected, questioning her understanding of the technology. Cotugno asserted her competence and frustration with email-related errors.

Cotugno concluded her report with updates on finances, stating the township had \$9.2 million at the end of August, received \$883,000 in receipts (mostly from real estate taxes), and spent \$203,000 during the month. The board agreed to work on resolving the IT issues collaboratively.

Motion to approve resolution 2024-044 to approve purchase orders as presented

Moved by: Gary Burkholder

Seconded by: Rozland McKee

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax Carried 3-0

Approval for the Payments

Jackie Cotugno addressed complaints from employees regarding payroll details being shared on social media. To address the concern, she announced a change in the payment listing format, consolidating payroll into a total amount without listing individual names, while keeping the details accessible as public records if needed.

Trustee Evans raised concerns about an overpayment to mosquito control, pointing out a discrepancy with a voided check for \$812. Cotugno explained that the check was voided after a mistake and was not cashed, reiterating that the issue had been resolved. Evans questioned the oversight process and Cotugno emphasized that the mistake was rectified.

Motion to approve the payment listing as presented

Moved by: Gary Burkholder

Seconded by: Rozland McKee

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax Carried 3-0

Trustee Burkholder proposed approving the purchase for an amount not to exceed \$35,000 to account for potential price increases since the original \$32,095 estimate from January 2024

Moved by: Gary Burkholder

Seconded by: Rozland McKee

Discussion: Trustee Burkholder explained that the equipment includes a cleaning system for trucks, a racking system to wash off salt, a sensor system for monitoring road conditions, and cutting blades for snowplows.

Evans inquired whether other vendor quotes were being considered. Trustee Burkholder clarified that the original quotes were included in the grant application but agreed to check with the EPA about seeking additional bids if necessary.

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax Carried 3-0

Public Comments

Steve Perkins, 7352 Palmer Road

He addressed the board, referencing a September 5, 2023, meeting where Trustee Evans stressed the urgency of repairing rusty doors at the township hall and pledged to oversee the project. Mr. Perkins noted that no progress has been made on the repairs or related railings, despite public assurances from Evans. He humorously suggested that the doors might become transparent before any action is taken. Mr. Perkins also made a public records request for all correspondence regarding the door repairs since September 5, 2023. Additionally, he criticized the dissemination of employees' salaries and personal property information on social media, calling it inappropriate and empathizing with employees' concerns. He concluded by urging transparency and accountability in township matters.

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Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES BAC 224-338 FORM NO. 10108

Held

September 17,

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Kathy Johnston, 254 Trail east

She addressed the board with a passionate critique of Mark Evans, accusing him of creating a hostile and unproductive environment through persistent harassment, nitpicking, and lack of professionalism. She criticized Evans for his frequent use of terms like "transparent" and "proper" while failing to foster cooperation and empathy among board members. Ms. Johnston defended the efforts of other township officials, including Gary Burkholder, Rozland McKee, and Jackie Cotugno, commending their hard work, dedication, and commitment to improving the township. She emphasized that Evans' behavior, including his frequent use of social media and excessive emails, would not be tolerated in a professional workplace. Ms. Johnston urged Evans to reflect on why his actions have caused frustration among board members and residents alike, concluding that his approach hinders progress rather than fostering collaboration.

Jon Hanson, Ridgeview Road

He addressed the board, defending Gary Burkholder's actions regarding a site plan issue and criticizing Mark Evans for his approach to board matters. Hanson noted his collaboration with Burkholder after a court date to ensure the site plan aligned with BZA approvals. He dismissed Evans' repeated claims about the BZA's lack of representation, emphasizing that board decisions require majority agreement and holding Evans partially accountable for perceived failures. Hanson accused Evans of unnecessarily accessing emails, citing unusual communications attributed to him being sent under the name of township staff. He also criticized Evans for past behavior on social media, including posts related to election signage. Hanson concluded by describing Evans' conduct during court proceedings as unusually reserved and deflective, contrasting it with his behavior in board meetings.

Steve Woods, 6968 Palmer Road

He addressed the board with a humorous comment about the ongoing contentious discussions during meetings. He suggested that attendees be provided with a popcorn machine and an alcohol vendor to make the experience more tolerable. His remarks drew light-hearted attention to the frustration felt by some residents about the meetings' tone and dynamics.

Nicholas Weigel (written email read by Mark Evans)

He requested the prosecutor's opinion, if available, be read into the minutes to address pending payments promptly. Weigel thanked the board for their efforts and expressed his intent to stay involved by attending future meetings virtually and in person.

Thaah Young (written comment read by Mark Evans)

Her questions about JEDZ 2 board appointments are entered into the minutes. Young noted that all current JEDZ 2 board terms expire on October 19, 2024, per the August 23, 2024, agenda, listing the current members. She inquired about compensation for JEDZ 1 and 2 appointees, plans to advertise for new appointments, and eligibility for individuals serving simultaneously on the Licking County TIRC (Tax Incentive Review Council) and JEDZ 2 board. Young also asked if Etna's three appointments meet Ohio Revised Code requirements regarding residency. She concluded by thanking the board for their time and consideration.

Gary Burkholder mentioned he responded to her email today.

Executive Session

Motion to go to executive session ORC 1210.22G-1 to consider the dismissal of a public official, especially Southwest Licking Community water and Sewer District appointee

Moved by: Mark Evans

Seconded by: Gary Burkholder

Trustee McKee stated her opposition to entering an executive session to discuss removing a Southwest Licking Water board member, citing past experiences that led to lawsuits. Trustee Burkholder questioned Trustee Evans about his stated intent to record executive sessions. Evans confirmed he had previously recorded sessions for personal safety after alleging an incident involving McKee but did not have his recorder for this meeting.

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RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORMS & SUPPLIES 044-224-3038 FORM NO. 10168

Held September 17, 20 2024

Trustee Burkholder expressed distrust regarding Evans' actions, emphasizing that recording executive sessions could violate confidentiality and executive session protocols.

Yes Mark Evans Carried 1-2
 NO Rozland McKee, Gary Burkholder

Trustee Comments

Trustee Burkholder addressed trustee comments, responding to Mr. Wagner's accusations regarding alleged inaction on chemical and signage issues. Trustee Burkholder detailed the township's extensive efforts, including contacting the Licking County EMA, Ohio Homeland Security, the State Fire Marshal, and the fire chief, as well as reviewing permits and archives related to the property in question. He emphasized that accusations of inaction were unfounded, as significant time and effort had been dedicated to investigating the matter. Trustee Evans confirmed that the prosecutor had responded to a tire damage liability inquiry.

Motion to waive privilege and release the response

Moved by: Mark Evans
 Seconded by: Rozland McKee

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax Carried 3-0

Response:

Trustee Evans referenced the prosecutor's opinion on the tire damage claim, stating it was a gray area.

Motion to reimburse Nicholas Weigel \$511.41 for his tire damage and suggested the township pursue recovery from the contractor or bond agency independently

Moved by: Mark Evans
 Seconded by: Rozland McKee for discussion

Discussion:

Trustee McKee expressed concern that reimbursing one claim could set a precedent, leading to additional claims from residents for damages, such as vehicle scratches during snow removal. She stated her opposition to approving the reimbursement.

Trustee Evans countered, arguing that the township already investigates and addresses claims, such as mailbox damage, on a case-by-case basis. He emphasized that Nicholas Weigel had provided strong evidence, including photos and details linking the tire damage to nearby construction. Evans noted the prosecutor's suggestion that complaints from trustees or the board carry more weight with contractors and argued that the township should assist the resident rather than leaving them to resolve the issue alone.

Trustee Burkholder acknowledged the township's efforts to address the matter, including contacting the contractor and other involved parties. However, he noted a lack of direct evidence linking the tire damage to the construction site and questioned the basis for reimbursement.

Yes Mark Evans Carried 1-2
 No Rozland McKee, Gary Burkholder

Announcements

Trustee Evans raised concerns about the mosquito treatment program, accusing Trustee Burkholder of failing to respond to requests from the health department and highlighting insufficient treatments in some areas, such as Sycamore Drive. He reported that only Royalty Drive was being treated consistently, based on data from the health department's database. Evans expressed hope that the incoming township administrator would address these issues.

Evans provided an update on the website hosting transition, noting that Robintek was migrating the site and would be available for minor updates post-migration.

The board discussed Halloween plans and agreed to follow the MORPC recommendation for trick-or-treating on Thursday, October 31, 2024. Evans noted that some neighborhoods, like New England Acres, would celebrate on Saturday, October 26, 2024.

R9

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Trustees Regular Meeting

GOVERNMENT FORM 5-A SUPPLEMENT 5-2-2015 (FORM NO. 1014)

Held

September 17,

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2024

Motion to officially adopt MORPC's recommendation

Moved by: Gary Burkholder

Seconded by: Mark Evans

Yes Gary Burkholder, Mark Evans, Rozland McKee-Flax

Carried 3-0

Trustee Evans addressed concerns about the trash administrative fee, noting that announcements mistakenly indicated that Etna residents would be charged if they did not opt for automatic payments. Wind Waste is conducting a forensic investigation to ensure all accounts are properly coded, as some residents were incorrectly charged. Trustee Evans offered to assist any affected residents and emphasized that no Etna residents should be paying this fee under the township's trash contract. The trash contract, renewed in March for three years, may be reviewed for potential violations due to these issues.

The discussion also touched on a request for installing a camera in a specific room, which the board declined. Trustee Evans raised concerns about this decision, citing safety and prior incidents, but it was reiterated that the board would not move forward with the installation. Further issues were raised regarding zoning compliance for chemicals stored on a particular site, with Trustee Evans questioning whether these were addressed in zoning regulations. He expressed frustration about a lack of communication and follow-up on this matter, as well as other pending issues such as mosquito treatment billing and meeting minute reviews. Trustee Evans criticized the lack of responsiveness and clarity in addressing township concerns and highlighted the need for improved communication and accountability among board members. Trustee McKee brought forward a motion regarding the township's Health Reimbursement Account (HRA). She clarified that the HRA is not an additional benefit but a reallocation of existing resources to allow for broader use, including dental and eyeglasses. She cited a specific concern from the fiscal officer regarding high dental and vision costs, noting the proposed change would enable employees to use their HRA funds for these expenses without altering the total amount allocated.

Trustee Evans raised concerns about the motion, emphasizing the distinction between an HRA and a Health Savings Account (HSA). He stated that the proposed change would effectively increase benefits by extending HRA coverage to dental and vision expenses, which were previously not included under the HRA designed for medical expenses tied to a high-deductible plan. He argued that this would constitute a significant policy change and require further review. Trustee Burkholder suggested adding the matter to the next meeting agenda, with detailed documentation and a prosecutor's opinion for clarity. The discussion concluded with an agreement to revisit the issue at a later date, with additional facts and written details.

Motion to adjourn the meeting at 8:15 p.m.

Moved by: Mark Evans

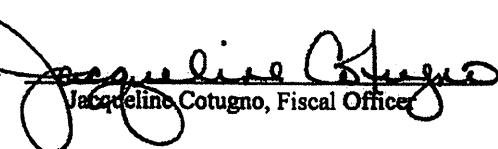
Seconded by: Gary Burkholder

Yes Gary Burkholder, Mark Evans, 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.

R/D