

**ETNA TOWNSHIP, LICKING COUNTY
BOARD OF TRUSTEES**

RESOLUTION No. 23-1121-07

The Board of Trustees of Etna Township, Licking County, Ohio met in a regular meeting on November 21, 2023 at 81 Liberty Street with the following members present:

Rozland McKee, President Jeff Johnson, Vice-President Mark Evans, Trustee

Trustee McKee moved the following:

WHEREAS, on or around August 31, 2023, the Board of Trustees (the “Board”) of Etna Township, Licking County, Ohio, received an employee complaint against a Trustee submitted by the Township Administrator, attached hereto as Attachment 1, and incorporated herein by reference (the “Complaint”); and

WHEREAS, upon receipt of the Complaint, the Board authorized the Chair to search for an independent third-party investigator to conduct an investigation into the Complaint, to determine if the Trustee engaged in conduct that violates the Township’s policies and procedures or violates applicable Ohio law; and

WHEREAS, on or around October 3, 2023, the Board adopted Resolution 23-10-03-02 for the purpose of hiring a third-party investigator (the “Investigator”) to conduct an investigation into the Complaint, consistent with the provisions of Section 14.4.4 of the Etna Township Personnel Policies and Procedures Manual (the “Personnel Manual”); and

WHEREAS, on or around November 14, 2023, the Investigator issued her report, attached hereto as Attachment 2, and incorporated herein by reference (the “Report”); and

WHEREAS, the Report concluded that the Trustee has engaged in conduct that is considered to be “bullying”, which is prohibited under the Personnel Manual; and

WHEREAS, it is in the best interest of the Township and its residents for the Board to reprimand Trustee Evans for violating the Personnel Manual and establish a mechanism for engaging in constructive comment, criticism, and feedback on work performance for the Township Administrator.

RESOLUTION

NOW THEREFORE, be it resolved by the Board of Trustees of Etna Township, Licking County, Ohio, that the following Resolution be and it hereby is adopted:

Section 1. The Board hereby formally reprimands Trustee Mark Evans for engaging in conduct that constitutes “bullying”, in violation of the Personnel Manual. The Board requests that Trustee Evans carefully review the Personnel Manual; in particular Section 14.4, and immediately cease any and

all prohibited conduct set forth within the Personnel Manual.

Section 2. The Board strives to promote a respectful working environment. To that end, trustees shall provide comment, criticism, and feedback on work performance to an employee's immediate supervisor, and, with respect to the Township Administrator, to Trustee Jeff Johnson. Any discussion or deliberation regarding said comment, criticism and/or feedback submitted to Trustee Johnson shall be held during a public meeting or in executive session.

Section 3. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall be in force and effect immediately upon its adoption.

Trustee Johnson seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

YEAS: McKee Johnson

NAYS: Evans - Abstain

The motion carried and the Resolution was adopted.

Dated: November 21, 2023

**BOARD OF TOWNSHIP TRUSTEES
OF ETNA TOWNSHIP, LICKING
COUNTY OHIO**

Mark Evans, Trustee

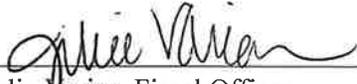


Jeff Johnson, Trustee



Rozland McKee, Trustee

ATTEST:



Julie Varian, Fiscal Officer

ATTACHMENT 1

Nita L. Hanson

51 Ridgewood Drive SW

Etna, Ohio 43062

614.209.3615

NitaHanson2008@gmail.com

August 31, 2023

Rozland McKee-Flax, President
Etna Township Board of Trustees
81 Liberty Street
Etna, Ohio 43018

Jeff Johnson, Vice-President
Etna Township Board of Trustees
81 Liberty Street
Etna, Ohio 43018

Mark Evans, Trustee
Etna Township Board of Trustees
81 Liberty Street
Etna, Ohio 43018

Dear Ms. McKee, and Messrs. Johnson and Evans:

It is with a heavy heart, and only after prayerful consideration, that I bring this complaint against Mark Evans as provided at least by Article 4.5 of the existing Personnel Policies and Procedures Manual.

Mr. Evans' continued conduct (about which I have emailed him directly, and copied the other Trustees) is unfavorable, and discriminatory. The conduct rises to harassment and impermissible gender based conduct. Since I have asked multiple times over the brief five months that I have been employed by the Township for the conduct to stop and it has not, I have reached the obvious conclusion that enduring the offensive conduct is a condition of continued employment. The harassment is severe and pervasive enough to the work environment that any reasonable person would consider the conduct to be intimidating, hostile, discriminatory, and abusive.

Indeed, Mrs. McKee has acknowledged that Mr. Evans' conduct is intimidating, hostile, discriminatory, and abusive. His frequent name calling, intimidation, ridicule, mockery, and interference with work performance can only be received as harassment. Others, including Mrs. McKee, Mr. Johnson, Mrs. Brown, and Mr. Singleton have also been affected by the offensive conduct.

I have attached examples of the emails from Mr. Evans (most often sent between midnight and the very early hours of the morning) that are indicative of this conduct. In addition, Mr. Evans has impugned my integrity in public on his Mark Evans Etna Township Trustee Facebook page and on comments to other pages by accusing me of not being truthful on at least two separate issues. Mr. Evans will often repeat prior accusations even when it has been proven that his

Complaint
August 31, 2023
Page 2

observation is patently incorrect. Most recently, Mr. Evans has stated in a public meeting that he does not expect my employment with the Township to continue even for the next two years, let alone for any longer period of time. You may recall that I left a very secure, long-term private practice of commercial and fiduciary litigation to join the Township in April of this year.

I am left with the only alternative to ask the Board to consider publicly condemning or renouncing Mr. Evans' conduct. This formal statement of disapproval that has been previously stated in internal emails will hopefully serve as a deterrent to future conduct.

I know that you will investigate this formal complaint, give it due consideration, and take whatever action you believe to be wise and necessary.

Respectfully submitted,

A handwritten signature in blue ink that reads "Nita L. Hanson". The signature is written in a cursive style with a large initial "N".

Nita L. Hanson

Nita Hanson

From: Rozland McKee
Sent: Friday, July 21, 2023 10:13 AM
To: Mark Evans; Nita Hanson
Cc: Jeff Johnson
Subject: Garage Video PW

Mark,

As a master deceiver, you are projecting onto our Administrator, Nita Hanson, the very things that define the qualities and attributes of your life, “derelict in your duty lack of proper due diligence.” They are false charges and misrepresentations meant to defame and damage Ms. Hanson's reputation and dispirit her.

As has been previously documented in Ms. Hanson’s responses to you, your emails continuously slander her work product and character and your presence creates hostile work environment harassment for our entire office staff, including former consultant Bill Vance, Laura, John and me. We have all been victims of your workplace hostility harassment.

Your 19-month tenure as a Trustee has been a complete failure marked by continuous hubris, coupled with non-stop workplace hostility and harassment, misogyny, verbal and non-verbal insults and unwelcome behavior, and ceaseless lies. With this trail of brokenness, failure and chaos, it is clear to any reasonable person that you are the problem. Your behavior demonstrates that you have decided to work **against** Etna Township, attacking me, the staff, and our accomplishments while lying to residents about what you plan to do and have actually done – which amounts to nothing. It’s truly a disgrace.

As more and more residents wake up to your lies and the social media smokescreens you spew regularly, the truth about your putrid character and do-nothing record is nevertheless being revealed to residents. They know who you are and what you represent. We know who you are and what you represent. You work **against** us and never with us, but for yourself and your own selfish gain.

Thank you.

Rozland

Rozland McKee-Flax
President – 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

From: Mark Evans <mevans@etnatownship.com>
Sent: Thursday, July 20, 2023 12:49 PM
To: Nita Hanson <nhanson@etnatownship.com>

Cc: Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>; Julie Varian <jvarian@etnatownship.com>

Subject: Re: Garage Video PW

Nita,

The password and quick access code is retained by the fiscal officer.

When John Carlisle left without any transition, and his pseudo father-in-law who was provided numerous security work with the township did not provide any of the passwords, I had to gain access to the system myself.

Once I set the access, I provided the fiscal officer the required information as not only the right thing to do but as it was required. This was on or around 4/18/22.

I do not feel it is appropriate to provide passwords over unsecured email. Please contact the fiscal officer for the passwords.

Once you receive the passwords, if they are changed, I expect them to be provided to not only the fiscal officer but myself.

Additionally, I am concerned you are still attempting to delete public records illegally. Just because the board passed the changes does not allow for the destruction of those records. Proper procedures must be followed.

If you change the system at this moment and delete records without a properly approved policy, you will be complicate in additional illegal destruction of public records.

It appears there continues to be a lack of proper due diligence on your part.

With all the records requests and notification of illegal overwriting of records, why are you only now attempting to access the security system which was under your preview as administrator and being over the road department? I am greatly concerned about your inactions.

Additionally, any video previously requested cannot be destroyed. This includes video you have denied as I have been told that will be challenged.

This includes video on the SD cards on the security cameras.

To date, you have been derelict in your duty to properly maintain and produce public records while knowingly allowing records to be illegally destroyed. Can you explain why you have done this?

Sincerely,

Mark Evans

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

P.O. Box 188
Etna, OH 43018-0188

etnatownship.com

On Jul 20, 2023, at 11:32 AM, Nita Hanson <nhanson@etnatownship.com> wrote:

Please provide me with the garage video password which appears to be either a pattern and/or a more traditional password. State Security needs the pw in order to adjust the network video recorder to conform with the records retention policy adopted by the Board.

Nita L. Hanson
Administrator, Etna Township



740.927.7717 Town Hall
740.814.9365 Cell

Nita Hanson

To: Mark Evans
Cc: Rozland McKee-Flax; Jeff Johnson
Subject: RE: Commissioners and Solar
Attachments: County's Position on Solar/Wind Project Restrictions

Mark – I spoke to Ken Oswalt last week. In that conversation he reiterated that the Commissioners' position on exclusionary zones remained unchanged from their April 27, 2023 letter (reattached here.) If there has been a change since last week, I am not aware of that.

I am once again asking you to stop personally attacking me on Facebook, and impugning my integrity. It is difficult enough when you do so by internal email.

Nita L. Hanson
Administrator, Etna Township



740.927.7717 Town Hall
740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>
Sent: Thursday, July 13, 2023 6:30 PM
To: Nita Hanson <nhanson@etnatownship.com>
Subject: Commissioners and Solar

Nita,

I spoke to the commissioners at their meeting today and they stated your contention that they would not take up a request from Etna Township for an exclusionary solar zone is not true. They welcome it and stated you can contact them if you would like.

Please stop stating there is no reason to take it up because they won't. It's simply not true.

As was stated at our meeting, Tim Bubb even stated so to the reporter. Please perform proper due diligence in all matters. It was improper for you to again repeat the false claim at the CAC meeting.

Sincerely,

Mark Evans
Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Administration to the Township

614.831.1600 Cell

Nita Hanson

From: Oswalt, Ken <KOswalt@LickingCounty.gov>
Sent: Friday, April 28, 2023 4:18 PM
To: Rozland McKee; Jeff Johnson; Mark Evans
Cc: Julie Varian; Nita Hanson
Subject: County's Position on Solar/Wind Project Restrictions
Attachments: Letter to Etna re solar project restriction zone.pdf

Importance: High

Township Officers and Staff:

The Commissioners discussed yesterday how they propose to handle new requests for large solar or wind projects within Licking County. After that discussion, the decision was made to send the Township a letter that explains, in essence, that the Commissioners would likely wait until a project was actually being considered and then seek the Township's position on the specific project before proceeding with formalizing any restrictions.

The letter attached hereto explains this position better than I have, so please read it and make any comments back to the Commissioners should you have any questions or concerns. I was just asked to get it out to you today.

Kenneth W. Oswalt

Compliance Officer/Staff Counsel, J.D. (0037208)
Licking County Board of Commissioners
20 S. Second Street, 4th Fl., Newark, Ohio 43055
740-670-5115 (direct); 740-403-6711 (cell)
740-670-5112 (fax); kenoswalt@lickingcounty.gov



LICKING COUNTY BOARD OF COMMISSIONERS

TIMOTHY E. BUBB • DUANE H. FLOWERS • RICK BLACK

April 27, 2023

Trustee Rozland McKee (rmckee@etnatownship.com)

Trustee Jeff Johnson (jjohnson@etnatownship.com)

Trustee Mark Evans (mevans@etnatownship.com)

Dear Trustees McKee, Johnson, and Evans:

We are responding to a recent inquiry about the possibility of the County Government formally designating Etna Township as an exclusion zone for potential development of industrial scale wind or passive solar farms. We appreciate your concern and look forward to any position the Township Board takes when you discuss this, as we understand it, in early May. Since Licking County is not considered a 'wind county' then really this pertains to the possibility of passive solar projects.

The current situation is that the Ohio Power Siting Board has approved two large scale passive solar projects. One in Harrison Township and one in Hartford Township that also includes a part of Bennington Township. The Harrison Township projects is on hold and not under construction, and the Harvey Project in northern Licking County is approved but on hold pending a court appeal. As of this writing there are no other solar projects under consideration for Licking County, or at least that we have been made aware of for consideration.

In brief, please note that if any additional solar farm discussion comes forward we will make it public, and will seek feedback and guidance from any affected township(s). It has been the long-standing policy of our Board to communicate with and respect the wishes of our townships on such matters of mutual interest. We have no plans to initiate the public process of exclusion zones unless there is an actual project on the horizon and thereafter a formal request comes from an affected township(s) to bring forth such action, which is now

Donald D. Hill County Administration Building 20 South Second Street Newark, Ohio 43055

740.670.5110 (office) • 740.670.5119 (fax) • www.lickingcounty.gov

permitted by Ohio law. Please stay in touch on this issue and advise if you or your township becomes aware of any proposal for a passive solar project.

Very Best Regards:

Licking County Commissioners


Timothy Bibb


Duane Flowers


Rick Black

cc: Julia Varian, Etna Township Fiscal Officer (jvarian@etnatownship.com)
Nita Hanson, Etna Township Administrator (nhanson@etnatownship.com)

Nita Hanson

From: Mark Evans
Sent: Tuesday, July 4, 2023 1:54 PM
To: Rozland McKee
Cc: Nita Hanson; John Singleton; Jeff Johnson
Subject: Re: New Firehouse

The proper word is residents. Residence is a place where someone lives.

My communications address improper behavior not gender. Shameful anyone would have such a lack of foundation to have to resort to such ludicrous claims.

Sincerely,

Mark Evans
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 Jul 4, 2023, at 10:56 AM, Rozland McKee <rmckee@etnatownship.com> wrote:

Again, the trustee that likes to put down women. This will not go unnoticed by the Etna residence. Mark my words on this Mark Evans. I have watched several emails from you since Saturday after the movie and music night. You have a reprobate spirit.

Rozland McKee-Flax
President – Board of Trustees
rmckee@etnatownship.com

81 Liberty Street
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740-927-7717-O
740-814-9419-C
etnatownship.com

From: Mark Evans <mevans@etnatownship.com>
Sent: Monday, July 3, 2023 2:44 PM

To: Nita Hanson <nhanson@etnatownship.com>

Cc: John Singleton <etnatwpzoning@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>

Subject: Re: New Firehouse

Nita,

Please forward a copy of the PUD to me. Thank you.

Sincerely,

Mark Evans

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

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On Jul 3, 2023, at 10:55 AM, Nita Hanson <nhanson@etnatownship.com> wrote:

Mark – According to John, the PUD permits uses that were included in the old R-3 zoning district, which was still in the Zoning Resolution when the PUD was established and does allow for a fire station (Section 906.G. Governmental Buildings).

I am at a loss to understand how you consider this to be some failing on my part.

Nita L. Hanson

Administrator, Etna Township

<image001.jpg>

740.927.7717 Town Hall

740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>

Sent: Saturday, July 1, 2023 12:04 AM

To: Nita Hanson <nhanson@etnatownship.com>

Subject: New Firehouse

Nita,

It is disappointing that I have to hear about what is going on in our fire district and township from a newspaper instead of our administrator. The lack of proper updates and reports is not acceptable.

Please forward information on this as it appears this land is zoned a PUD. Can it be built without rezoning? If so, please provide the documentation indicating so.

If not, are there plans or actions in progress for any rezoning. I am a little concerned about a fire station going in so close to residential.

https://www.newarkadvocate.com/story/news/local/pataskala/2023/06/30/west-licking-fire-district-to-relocate-fire-station-due-to-etna-growth/70319067007/?fbclid=IwAR02A_y9tRX5mVpValin5YRdLNyv3jVeHOGkzNC6CnMAHbH6uqan4xJXfqc_aem_Afppy_aB7qL3giBAV5A7Selprj8r9tfumgdS8rOUAUSZI_XLU7r1lsrz4yYzNT1ptU-E&mibextid=Zxz2cZ#ljefhat2embbw4tv8m

<image002.png>

Sincerely,

Mark Evans

Etna Township Board of Trustees

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<Cumberland Trail PUD.pdf>

<Section 906 Old R-3 Removed.pdf>

Nita Hanson

From: Mark Evans
Sent: Monday, June 12, 2023 10:48 AM
To: Nita Hanson
Cc: Jeff Johnson; Julie Varian; John Singleton; Laura Brown; Rozland McKee
Subject: Re: Special Meeting for 629 Global Way

Nita,

There are serious concerns about Mrs. McKee's behavior and actions throughout the area that are widely discussed. I will bring them to light as they need to be documented. It's not normal behavior.

Sincerely,

Mark Evans
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 Jun 12, 2023, at 10:32 AM, Nita Hanson <nhanson@etnatownship.com> wrote:

Mr. Evans – I have asked you not to include me in communications that only serve the purpose of name calling, and denigration. This type of communication is not conducive to promoting cohesively working together; but, rather adds to the already hostile work environment. I was gravely concerned when you referred to Ms. McKee as the “evil Trustee” at the last public meeting. At a minimum, I would hope that as adults we could refrain from name calling.

Nita L. Hanson
Administrator, Etna Township
<image001.jpg>
740.927.7717 Town Hall
740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>
Sent: Monday, June 12, 2023 10:25 AM
To: Nita Hanson <nhanson@etnatownship.com>

Cc: Jeff Johnson <jjohnson@etnatownship.com>; Julie Varian <jvarian@etnatownship.com>; John Singleton <etnatwpzoning@etnatownship.com>; Laura Brown <etnatownship@etnatownship.com>; Rozland McKee <rmckee@etnatownship.com>

Subject: Re: Special Meeting for 629 Global Way

Everything was stripped from me due to a megalomaniac. Someone that couldn't be truthful or knowledgeable about even park land farming.

Sincerely,

Mark Evans

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 Jun 12, 2023, at 10:10 AM, Rozland McKee <rmckee@etnatownship.com> wrote:

Mark,

I am glad they are too after receiving this email back on January 11, 2023, from Jennifer.

This is the copy of the email sent to us from Jen.

From: Jennifer Huber <jhuber@bjglaw.net>
Sent: Wednesday, January 11, 2023 1:43 PM
To: Rozland McKee <rmckee@etnatownship.com>
Cc: Julie Donnan <jdonnan@bjglaw.net>; Peter Griggs <pgriggs@bjglaw.net>
Subject: CRG 629 Grant

Dear Roz,

Regarding the CRG 629 grant project (Schuster Way), just as an FYI, Mark is handling that project pretty much exclusively. I am more than happy to help anytime, and I'm fine with it, if the current setup with Mark handling is working for the Board. I'm not fully in the loop with him of goings-on with this project, but based on what I do know, I'm not aware of anything amiss at this point.

As always, please let me know if you need any additional information from me.

Best,
Jenn

Jennifer L. Huber, Member

<image001.jpg>

BROSIUS, JOHNSON & GRIGGS, LLC

1200 Dublin Road, Suite 100

Columbus, Ohio 43215

Telephone: (614) 464-3563

Fax: (614) 224-6221

Email: jhuber@BJGlaw.net

Website: www.BJGlaw.net

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Rozland McKee-Flax

President – Board of Trustees

rmckee@etnatownship.com

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740-814-9419-C

etnatownship.com

From: Mark Evans <mevans@etnatownship.com>

Sent: Friday, June 9, 2023 6:20 PM

To: Nita Hanson <nhanson@etnatownship.com>

Cc: Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>; Julie Varian <jvarian@etnatownship.com>; John Singleton <etnatwpzoning@etnatownship.com>; Laura Brown <etnatownship@etnatownship.com>

Subject: Re: Special Meeting for 629 Global Way

I'm glad the attorney is getting involved to handle it properly as I suggested to Julie. I may be able to attend Tuesday.

Sincerely,

Mark Evans

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

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On Jun 9, 2023, at 4:33 PM, Nita Hanson <nhanson@etnatownship.com> wrote:

In order to proceed with the processing of the 629 for Global Way, Jen Huber at Brosius, Johnson & Griggs is preparing the necessary resolution, along with step-by-step instructions for the processing of the funds. It would seem that this is most expeditiously attended to by a special meeting next Tuesday. If it is scheduled at 5:30, it should not interfere with the Zoning Commission meeting. Does this make sense? Please let me know your thoughts.

Nita L. Hanson
Administrator, Etna Township
<image001.jpg>
740.927.7717 Town Hall
740.814.9365 Cell

Nita Hanson

From: Rozland McKee
Sent: Monday, May 22, 2023 7:29 PM
To: Nita Hanson; Mark Evans
Cc: Jeff Johnson; Julie Varian
Subject: Action not on the agenda

Mark,

While you unmasked yourself to me and the public at large in January 2022, you have now fully unmasked yourself to our newest employee, Ms. Hanson. It did not take much time for you to reveal yourself to Ms. Hanson. This response, together with other email threads have revealed that along with me, she is now in your crosshairs. Importantly, your correspondences and in-person behavior are creating an indisputable record that will, in time, hoist you by our own petard.

Your continuous attempts to undermine me at every opportunity are on full display. I cannot say that I am surprised or astonished, but it nevertheless further emphasizes and underscores that my assertions below are accurate and precisely describe who you are and the affect it is having in our office.

So, in addition to creating a work environment that is intimidating, hostile, and/or offensive to the reasonable person, your last response highlighted below has once again shown that you are an unabashed classic **misogynist and sexist**. At best, these gender-biased attitudes are discriminatory and a direct personal attack on my cognitive and intellectual capabilities, displaying an attitude of superiority to women in terms of ability, intelligence, etc.

Extrapolated to the women on our staff, there is little doubt that harboring these disgusting, sexist, and misogynistic attitudes against woman affects how you treat women, impeding the progress of women on our staff. Indeed, your aggressive, public outward displays of misogyny at our Township meetings are consistent with the sentiments you have expressed in these email threads.

Predictably, you will launch further personal attacks in reply to this response. Ms. Hanson has asked you kindly to refrain from “disparag[ing] anyone” and to change your “professional conduct.”

I hope that at some point, you will look in the mirror and realize that we are not your enemies. The enemy is within you.

Thank you.

Rozland

Rozland McKee-Flax
President – Board of Trustees
rmckee@etnatownship.com

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740-927-7717-O
740-814-9419-C

etnatownship.com

From: Nita Hanson <nhanson@etnatownship.com>
Sent: Monday, May 22, 2023 8:34 AM
To: Mark Evans <mevans@etnatownship.com>
Cc: Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>; Julie Varian <jvarian@etnatownship.com>
Subject: RE: Action not on the agenda

Mr. Evans – Please do not include me in communication that is intended to disparage anyone, especially the other Trustees.

Ms. McKee – Thank you for your support. It is my privilege, and a blessing to be on the team and serve our community.

Nita L. Hanson
Administrator, Etna Township



740.927.7717 Town Hall
740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>
Sent: Sunday, May 21, 2023 8:03 PM
To: Nita Hanson <nhanson@etnatownship.com>
Subject: Re: Action not on the agenda

Nita,

It is inappropriate that Mrs. McKee attempts to discuss township business and employees outside township meetings.

There is a reason there is an open meeting act. I understand that she does not feel a need to follow it as she has violated it numerous times.

She started out her tenure asking me to violate the open meetings act regarding the administrator position back at the 2022 OTA. She attempted to discuss the position and hiring in the hall before the presentation. When I indicated we couldn't discuss the matter, she stated "Why? Are you recording?", "No one will hear."

Any issues should be discussed in a meeting as required. Otherwise they violate the law. The violations of rules and laws must cease.

Also, based on the email, I also doubt Mrs. McKee was the author. Likely her husband wrote it like prior documents.

Sincerely,

Mark Evans
Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Administration to the Township

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mevans@etnatownship.com

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Etna, OH 43018-0188

etnatownship.com

On May 21, 2023, at 7:23 PM, Rozland McKee <rmckee@etnatownship.com> wrote:

Mark,

When our new Township Administrator, Nita Hanson, begun her tenure in April, I was hopeful that you would curtail your despicably boorish behavior, at least for the sake of onboarding and appearing to foster a welcoming work environment that could lead to a sustainable working relationship with her. Now, it is clear that this was too much to expect from you.

In the almost eighteen (18) months into my tenure as a Trustee, you have harassed, belittled and undermined not just me, but the entire staff. Unfortunately for us, your consistent disrespect and blatant lack of sensitivity to the feelings or values of others has now been directly visited upon Ms. Hanson. In less than one (1) month, she has been subjected to the full force of your harassment, belittling, intimidation and abuse. She is now able to clearly articulate, recognize and tell her own stories about the hostility visited upon her (which I have endured for all of my tenure). This is more than just petty slights, annoyances and unprofessionalism but is seemingly unlawful and should not be tolerated. My view, based on the totality of the facts and circumstances is that your conduct has created a work environment that is intimidating, hostile, and/or offensive to reasonable people.

While nothing I say or do will alter your behavior or character, it should be noted that Ms. Hanson is now the latest individual in our office who now has experienced your blatant hostility, intimidation and offensive behavior. Ms. Hanson has warned you that you have “impugn[ed] my integrity” and rightly considers your correspondences to her a “personal attack.” Having recently met you less than sixty (60) days ago, it is remarkable that her experience with you is similar to and parallels my relationship with you. It has been consistent and incontrovertible.

As a Trustee, you are one of her supervisors and as such, your behavior should be above reproach, respectful, professional and without malice. It is indeed embarrassing to have to tell you how to behave in the workplace but I have the responsibility to speak up. Speaking up for what is right and requesting that you conduct yourself in a professional and respectful manner (both in-person and in-correspondences) so as not to continue to create this hostile, intimidating and offensive work environment is the right thing to do. I will never stop speaking up and imploring you to conform your conduct accordingly.

Thank you.

Rozland

Rozland McKee-Flax
President – Board of Trustees

rmckee@etnatownship.com

81 Liberty Street
PO Box 188
Etna, OH 43018-0188
740-927-7717-O
740-814-9419-C
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From: Mark Evans <mevans@etnatownship.com>
Sent: Wednesday, May 17, 2023 1:22 PM
To: Nita Hanson <nhanson@etnatownship.com>
Cc: Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>
Subject: Re: Action not on the agenda

Nita,

It's your professional conduct I am discussing. Period. I expect better. The residents deserve better.

Sincerely,

Mark Evans
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 May 17, 2023, at 1:15 PM, Nita Hanson <nhanson@etnatownship.com> wrote:

Mark – Instead of recognizing the business necessity of the recommendation that ultimately resulted in unanimous agreement by the Board, you impugn my integrity. That is the personal attack.

Nita L. Hanson
Administrator, Etna Township
< >
740.927.7717 Town Hall
740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>
Sent: Wednesday, May 17, 2023 9:51 AM

To: Nita Hanson <nhanson@etnatownship.com>

Cc: Rozland McKee <rmckee@etnatownship.com>; Jeff Johnson <jjohnson@etnatownship.com>

Subject: Re: Action not on the agenda

Nita,

Personal attacks?!? No. This is about improper administration and you not keeping your word. Period.

There was absolutely no reason not to have that on the agenda.

And to not call for an executive session, unbelievable. So unprofessional.

I'm shocked and disappointed. I expect this behavior from McKee and Johnson as they have proved time and time again they don't want to do what is right. I hoped better of you.

We have to do better for the residents.

Sincerely,

Mark Evans

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

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On May 17, 2023, at 9:22 AM, Nita Hanson <nhanson@etnatownship.com> wrote:

Mr. Evans – As I explained to all of the Trustees in my email yesterday afternoon, because of the timing of the JEDZ board meeting vis a vis the next Trustee meeting, I wanted to get before you the recommendation to approve the purchase of the equipment so that it could be presented to the JEDZ. The information was not new. And, I provided it to each of you again yesterday afternoon. It did not need to be a controversial issue. The Trustees could have denied the recommendation, and the reimbursement request made to the JEDZ at a subsequent meeting.

Your personal attacks only add to the hostile work environment that you create.

Nita L. Hanson

Administrator, Etna Township

<image001.jpg>

740.927.7717 Town Hall

740.814.9365 Cell

From: Mark Evans <mevans@etnatownship.com>
Sent: Tuesday, May 16, 2023 10:30 PM
To: Nita Hanson <nhanson@etnatownship.com>
Subject: Action not on the agenda

Mrs. Hanson,

Once again you recommended action you were fully aware of prior to the agenda and you again requested action. This is directly contrary to what you stated prior that you would not do this. This is twice. Why did you break not only your word but no even request it to be added to the agenda when I requested it? This is not proper administration nor proper procedure. This type of action cannot be excused due to your lack of experience since this is very basic.

Please explain why you do not want to be transparent to not only the full board but to the public?

Sincerely,

Mark Evans
Etna Township Board of Trustees

Committed to Serving Residents and Restoring Proper Administration to the Township

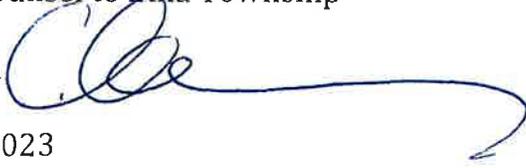
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www.etnatownship.com

ATTACHMENT 2

MEMORANDUM

TO: Julie Donnan, Counsel to Etna Township
FROM: Christina L. Corl 
DATE: November 14, 2023
RE: Report Regarding Investigation of Complaint Against Township
Trustee Mark Evans

Via a resolution of the Etna Township Trustees dated October 3, 2023, I was appointed to act as an outside investigator to investigate allegations of hostile work environment and discrimination against Township Trustee Mark Evans. Section I of this report details the witnesses interviewed and video/documentation reviewed during the investigation. Section II of this report details my findings. In summary, the conduct of Trustee Mark Evans toward employees of the Township constitutes bullying, which is prohibited by the personnel policies of the township. Insufficient evidence of illegal discrimination or hostile work environment was adduced in the investigation, so those allegations are unsubstantiated.

I. Summary of Investigation.

A. Interview of Nita Hanson

Nita Hanson serves as the Township Administrator. She has been in the position since April 2023. Ms. Hanson submitted a written complaint to the Township Trustees on August 31, 2023. In the complaint, Ms. Hanson complained

that Trustee Evans created a hostile work environment by engaging in gender-based intimidation, ridicule and mockery and interfering with her official duties.

During her interview, Ms. Hanson related that when she was appointed by the Trustees, she attempted on multiple occasions to meet with Trustee Evans. Although it took a long time to schedule, Ms. Hanson stated that she eventually met with Trustee Evans and the first meeting "seemed fine." She stated that Trustee Evans gave her a list of actions he wanted her to take as the Township Administrator, including bringing meeting minutes "up to date." She stated that she immediately went to work and made it a "priority" to "catch up" the Trustee's meeting minutes, but "that was not good enough" for Trustee Evans. Even though the minutes were up to date Trustee Evans stated, "Why are these behind and what is the plan to keep them on track?" Ms. Hanson stated that she then realized that Trustee Evans is difficult to work with.

She stated that Trustee Evans is constantly critical of her and treats her in a hostile fashion. She stated that he has filed multiple public records requests for "records he already has" in order to "make busy work" for her. Ms. Hanson has also heard from multiple residents of Etna Township that Trustee Evans frequently speaks in public about terminating her employment. She stated that he frequently posts derogatory comments about her and Rozland McKee (another Township Trustee) on Facebook. Ms. Hanson provided several Facebook postings and Facebook messages where he accuses her and other township officials of lying.

Specifically, Trustee Evans asked Ms. Hanson to “solve” an issue related to a property in the township which was low lying and had issues with flooding. She addressed the issue and came up with a comprehensive plan to address the flooding when a larger park development plan was put in place. She stated that Trustee Evans then posted on Facebook that Ms. Hanson was “bulldozing a wetland,” which was untrue.

In September, Trustee Evans was invited to a Trustee’s lunch which would also serve as a birthday lunch for a Township employee. Although all other Trustees attended, Trustee Evan refused to attend because there was no video camera surveillance in the Township Hall. (9/7/23 email to Hanson). I have also been provided numerous email communications involving messages from Trustee Evans, all of which are hostile and demeaning and accuse numerous employees and others of lying. In one email communication, he accuses female Trustee Rozland McKee of having her “husband” draft her email communications. (5/21/23 email to Hanson). In other email communications, he accuses Ms. Hanson of being “derelict” and frequently accuses her of providing “false” information to residents and in Trustee meetings. I have not seen any communication by Trustee Evans which is not derogatory and demeaning to its recipients.

When asked if Trustee Evans singles out women for this treatment, Ms. Hanson stated that, although multiple people have told her the Trustee Evans “hates women,” he is hostile and demeaning to men as well. Last, Ms. Hanson stated that

the Township was seeking to hire new employees for their “road crew.” She stated that Mr. Evans actually contacted one of the road crew candidates and encouraged him to not accept the employment offer. He also stated the same thing to “Bob” who was eventually hired by the Township despite the statements of Trustee Evans.

B. Interview of Township Trustee Rozland McKee.

Trustee McKee was first elected in November 2021 and took her seat in January 2022. She stated that she and Trustee Evans were elected at the same time. She stated that Trustee Evans “had an agenda” to be President of the Trustees and she was Vice President. She stated that Trustee Evans unnecessarily prolonged Trustee meetings by criticizing prior Township Trustees which resulted in meetings lasting “hours and hours.” Because she believed this to be a waste of Township resources she ran for, and was elected, President of the Trustees. She stated that, after that, Trustee Evans has “targeted” her with hostile behavior.

Trustee McKee related her impression that Trustee Evans only wants to work with “timid” women who will do what he wants. When the Trustees are interviewing candidates for various positions, Trustee Evans favors young women with “no experience” because, in Trustee McKee’s estimation, he wants to have “someone he can push around.” She stated that Trustee Evans has sent her misogynistic emails including asking her if her husband drafts her emails for her. She also stated that Trustee Evans is constantly attacking her on Facebook. She provided me with multiple postings and messages from Trustee Evans threatening

to fire all Township employees, including Ms. Hanson and Zoning Inspector, John Singleton and email communications in which he disparages Township employees to Township residents, including stating he would bring a complaint to the attention of Mr. Singleton but “[Singleton] refuses to work together or even provide a response. It’s shameful.” (1/17/23 email to Linda Harmon). In another post, he accuses the local “school superintendent” of “kissing McKee’s ass.” He also posted a “Licking County News” post titled “Roz McKee is a liar from head to toe.” Another post refers to a female running for office and states her campaign photo “looks like she is constipated trying to take a shit.”

In addition, Trustee Evans referred to Trustee McKee as “evil” in a public meeting and, in various email communications referred to her as a “megalomaniac” (6/12/23 email to Hanson) and corrects her grammar in written communications in a demeaning fashion. (7/4/23 email to McKee).

C. Interview of John Singleton.

John Singleton is the Zoning Inspector for Etna Township. In February 2023, he stated he was in the Township offices when Trustee Evans came in, wearing a body-worn camera and demanded to the Township Secretary, Laura Brown, to produce some public records he had requested. According to Mr. Singleton, Trustee Evans had requested that records be produced within a certain time, but that the time had not yet come. He stated that Ms. Brown refused to deal with Trustee Evans while he was wearing a body camera. As a result, Ms. Brown left the office, but left

her laptop open on her desk. After Ms. Brown left, Trustee Evans began looking through the items on Ms. Brown's desk and looking at her email communications on her computer. (This fact is confirmed upon review of the video).

Mr. Singleton stated that he then received a call from Ms. Brown, asking him to go to her desk and shut her laptop. When he tried to do so, Trustee Evans "grabbed his wrist and twisted it." (This fact is confirmed upon review of the video.) Mr. Singleton called the Licking County Sheriff's Office, which "took a report and left." He stated that Trustee Evans has "berated" him on several occasions and that he "treats everyone like crap." Mr. Singleton also stated that he has heard Trustee Evans refer to Trustee McKee as a "dumb bitch" or "stupid bitch" during meetings.

D. Laura Brown.

Ms. Brown has worked for Etna Township since May 2004. She is currently Secretary to the Board of Trustees and Clerk for the Zoning Commission and Board of Zoning Appeals. After Trustee Evans was elected, Ms. Brown stated that he made a Facebook post which "put down" her office and implied that she was not competent. She stated that she has tried and tried to work collaboratively with Trustee Evans, but it never works. He is constantly threatening to "sue her" or the Township over public records issues and stated that he is "intimidating" and threatening to her. He also is constantly threatening to terminate her employment.

She stated that Trustee Evans seems to "target people who don't fight back," and that he has rifled through her desk at the Township on multiple occasions. In

February 2023 he came to the Township Offices wearing a body camera and demanded that she produce public records which he had requested. She stated that his records request had set a time to have the records ready, that the time had not yet come, but he demanded the records anyway. Because he was wearing a body camera, Ms. Brown did not feel comfortable and left the office. She later called and asked Mr. Singleton to close her laptop computer on her desk. She heard that there was an altercation between Mr. Singleton and Trustee Evans so she returned to the office and gave a statement to the Licking County Sheriff's Deputy who was taking a report.

E. Interview of Don Copely.

Don "Bubba" Copely has been the Road Superintendent at Etna Township for nearly 15 years. He stated that he has never personally had an issue with Trustee Evans but that he has heard him in meetings refer to Ms. McKee as a "bitch." He also stated that he has witnessed "talking down" to women and talking to women "like trash." He has not heard Trustee Evans take a similar tone with men.

F. Documentary and Video Evidence.

In addition to the witness interviews, I also reviewed documentary and video evidence. First, I have reviewed the Township's Policies and Procedures Manual, particularly Section 14.4, the Township's Discrimination, Harassment and Bullying Policy. The policy prohibits harassing behavior and bullying, including prohibiting "the use of abusive or offensive language . . . insults . . . threats . . . interfering with

workplace equipment . . . [and] the use of social media sites to bully others.” I have reviewed multiple Facebook posts, text messages and email communications with Trustee Evans and Township employees or residents. I have also reviewed multiple videos, including the body camera video for the February 2023 incident at the Township Offices between Mr. Singleton, Ms. Brown and Trustee Evans.

G. Interview of Trustee Mark Evans.

Despite my best efforts, I was unable to interview Trustee Evans for this investigation. The first request for an interview was sent to Trustee Evans on October 10, 2023. He responded the same day and stated that it was a “very hectic” time for him and he would “review” his schedule and “see when [he] could accommodate my request [for an interview].” Six days later, on October 16, I followed up again. Trustee Evans again responded to state he was not available and would check his schedule. He then communicated on October 24, 2023, that he would not be available during the month of October and asked for dates in November. On the same date, I provided him with available dates in November for an interview. I re-transmitted my availability in November to Trustee Evans on November 1. On November 2, 2023, Trustee Evans responded that he was not available on the November dates and that he would “give you a few dates I’m available” on Monday November 6. On November 7, he provided a date in November and a date in December on which I was not available. I then provided some alternate dates in November. Mr. Evans did not respond to that email. He

then emailed on November 10 and provided several dates in January. Because the Board of Trustees, through the Township's legal counsel, requested the investigation to be completed by month's end, and because Trustee Evans has stated he is not available to be interviewed until January, the report will be finalized without his interview.

II. Findings and Conclusions.

A. Bullying and Unprofessional Conduct.

There is no question that Trustee Evan's behavior and communications with and about Township personnel and other Trustees is violative of the Township's policy against bullying. Multiple communications and messages drafted by Trustee Evans are abusive, demeaning and insulting to Township employees and Trustee McKee. He has repeatedly and publicly accused Township employees and officials of lying, of being incompetent and consistently threatens their appointment or employment with the Township. It is one thing to hold the belief that a particular employee is not doing his or her job, it is another to repeatedly threaten the employees with the loss of their jobs and to engage in behavior designed to publicly demean and ridicule them. This is exactly the type of behavior the Township's policy is designed to address.

Further, Trustee Evans has publicly called Trustee McKee names such as "megalomaniac," "evil" and "bitch" and has referred to her as "stupid" and "dumb." In addition, Trustee Evans violated Township policy by physically grabbing John

Singleton's arm and by tampering with the "workplace equipment" of Laura Brown. It is beyond dispute that during the confrontation in February 2023 at the Township offices, Trustee Evans looked through the items on Ms. Brown's desk and was accessing her computer and/or email on her computer.

Public officials, especially elected public officials, should be setting the example of professionalism in their public communications and actions. Trustee Evans' behavior is the antithesis of this sentiment. The allegation that Trustee Evans has engaged in unprofessional and bullying behavior in violation of Township policy is substantiated.

B. Gender Discrimination and Hostile Work Environment.

Trustee Evans was also alleged to have engaged in misogynistic and gender discriminatory behavior toward female employees and Trustee McKee. This question is a much closer call. Most troubling are the statements of two male Township employees who have heard Trustee Evans refer to Trustee McKee as a "bitch," a "dumb bitch" or "stupid bitch." In addition, Trustee Evans has engaged in misogynistic communications with Trustee McKee by asking her if her "husband" drafts her emails for her. There is no question that these types of comments and behaviors are indicative of misogynistic and discriminatory attitudes. However, all witnesses interviewed also stated that Trustee Evans is an "equal opportunity" degrader. In other words, the witnesses stated that he was equally demeaning and insulting to male employees. Because all witnesses stated that Trustee Evans is

demeaning to men and women, the allegation that he engaged in illegal gender discriminatory conduct is unsubstantiated. Future demonstrations of misogyny, however, could change the opinion of this investigator (or a Court) on this subject.

Please let me know any questions. Otherwise, I will be closing my file on this matter. Thank you for the opportunity to serve the Township.

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