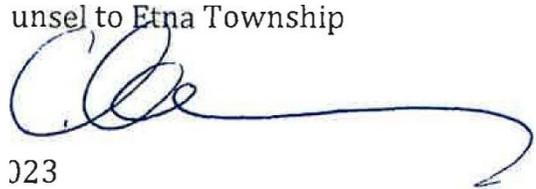


ATTACHMENT 2

MEMORANDUM

TO: Julie Donnan, Counsel
FROM: to unsel to Etna Township
DATE: Christina L. Corl
November 14, 2023



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.

1. 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 Evans 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 Sheriffs 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 Sheriffs 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.

11. 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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