The electronic recordings of this meeting serve as the official meeting minutes.

A full and accurate account of this meeting’s audio and video can be found at [www.orangetwp.org](http://www.orangetwp.org)

Mr. Grumbles called the meeting to order at 5:30 p.m.

**PRESENT:** Ben Grumbles, Chair

Lisa Knapp, Vice Chair

Erica Fouss, Trustee

Lisa Kraft, Fiscal Officer

**ALSO PRESENT:** Michele Boni, Township Administrator

Valerie Bunting, Administrative Manager

Silas Bowers, Director of Operations

Robin Duffee, Development and Zoning Director

**ABSENT:** Nathan McNeil, Fire Chief

Mike Kremnitzer, Senior Human Resources Manager

**DELAWARE COUNTY ENGINEER’S OFFICE – ROBERT RILEY**

**RES.22-363 BREAK FOR 5 MINUTE RECESS**

Motion by Mr. Grumbles for a 5 minute recess.

Seconded by Ms. Knapp

VOTE: Grumbles – Yes Knapp – Yes Fouss – Yes

**RES.22-364 RETURN TO REGULAR SESSION FROM 5 MINUTE RECESS**

Motion by Mr. Grumbles to return to Regular Session from a 5 minute recess.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Yes Fouss – Yes

**RES.22-365 BREAK FOR 5 MINUTE RECESS TO MEET WITH LEGAL**

Motion by Mrs. Fouss for a 5 minute recess to meet with legal.

Seconded by Mr. Grumbles

VOTE: Grumbles – Yes Knapp – Yes Fouss – Yes

**RES.22-366 RETURN TO ZONING HEARING FROM 5 MINUTE RECESS**

Motion by Mr. Grumbles to return to Zoning Hearing from a 5 minute recess.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Yes Fouss – Yes

**RES.22-367 TO DENY THE RECOMMENDATION OF APPROVAL OF THE ZONING COMMISSION AS TO ZONING APPLICATION #ZON-22-06** **OF PJ LAND DEVELOPMENT LLC FOR REZONING FROM PLANNED COMMERCIAL & OFFICE DISTRICT (“PCD”) TO PLANNED COMMERCIAL & OFFICE DISTRICT (“PCD”)**

Mrs. Fouss moved the adoption of the following Resolution:

**WHEREAS**, the Zoning Commission, by its *Resolution* adopted on September 13, 2022, which is incorporated herein by reference, recommended the approval of Zoning Application #ZON-22-06 of applicant PJ Land Development, LLC (the “Applicant”), requesting the rezoning of three (3) parcels totaling 2.5+/- acres located on the southeast corner of Columbus Pike and Lewis Center Road, Lewis Center, Ohio (the “Property”) from PCD to PCD; and

**WHEREAS**, public notice was given in accordance with Ohio Revised Code Section 519.12(F) and a public hearing regarding Application #ZON-22-06 was held on October 5, 2022 before the Board, and continued to November 2nd, 2022; and

**WHEREAS**, the Township received significant public comment relating to serious traffic, lighting, noise, and traffic concerns that will have a serious and detrimental impact on the general welfare of the surrounding area. In particular, neighboring residents expressed concerns about the ingress and egress to the property, and the impact of traffic and the general public using private property in order to otherwise avoid the flow and direction of traffic patterns egressing from the proposed development. In addition, the public expressed concerns about the noise and lights from the machinery and operation of the proposed development, as well as from vehicles visiting or idling while waiting to use the proposed site.

**WHEREAS**, based on all evidence and testimony included in the record, the Board finds the application is not consistent in all respects with the purpose, intent and general standards of the Orange Township Zoning Resolution, is not in conformity with the comprehensive plan or portion thereof as it may apply, and the proposed development does not advance the general welfare of the Township and the immediate vicinity.

**NOW THEREFORE BE IT RESOLVED** that the recommendation of the Zoning Commission of approval of the Zoning Application #ZON-22-06 of Applicant, PJ Land Development LLC, is denied, rendering the application denied.

Seconded by Mr. Grumbles   
VOTE: Grumbles – Yes Knapp – No Fouss – Yes

**RES.22-368 ENTER INTO EXECUTIVE SESSION**

Motion by Mr. Grumbles that the Board enter into Executive Session to

* 1. Pursuant to R.C.121.22(G)(8) for the purpose of considering confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, that is directly related to a request for economic development assistance that is to be provided or administered under RC 715, 5709.73-5709.75, and/or RC 715.

The executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the proposed economic development project.

Invited to attend: Ben Grumbles, Lisa Knapp, Erica Fouss, Lisa Kraft, Michele Boni, Robin Duffee, Orange Township Legal Counsel

Seconded by Ms. Knapp

VOTE: Grumbles – Yes Knapp – Yes Fouss – Yes

**RETURN TO REGULAR SESSION**

**RES.22-369 RETURN TO REGULAR SESSION**

Mr. Grumbles made a motion to return to regular session

Seconded by Mrs. Fouss  
VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**APPROVAL OF CONSENT AGENDA**

**1) IN THE MATTER OF APPROVING THE CONSENT AGENDA FOR THE REGULAR MEETING HELD ON NOVEMBER 2, 2022:**

It was moved by Mr. Grumbles, seconded by Mrs. Fouss, to approve the consent agenda for Regular Meeting held on November 2, 2022

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD HEREBY APPROVES THE FOLLOWING CONSENT AGENDA ITEMS FOUND IN LINE ITEMS A) & B)

1. **RES.22-370 APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM THE REGULAR MEETING HELD ON OCTOBER 19, 2022**

**WHEREA**S, the Board of Trustees for Orange Township, Delaware County, Ohio (the “Board”) met in regular session on October 19, 2022

**WHEREAS**, the Fiscal Officer has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby approves the electronic record of proceedings at the Regular Meeting held on October 19, 2022

1. **RES.22-371 APPROVING PURCHASE ORDERS, THEN AND NOW PURCHASE ORDERS, AND BLANKET PURCHASE ORDERS AS LISTED:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | |  | |  | |  | |
| **Vendor** | | **Description** | | **Account** | | **Amount** | |

|  |  |  |  |
| --- | --- | --- | --- |
| Amazon | 74 Trapezoidal Back Banquet Chair, Black Vinyl/Black Frame - | Admin | $4,028.56 |
| Sellers Electric Company, Inc. | North Road Park | Parks Levy | $58,500.00 |

**RES.22-372 APPOINTMENT OF BRETT WIEMKEN TO FULL-TIME POSITION OF SENIOR ZONING OFFICER AND ESTABLISHMENT OF COMPENSATION**

Mr. Grumbles moved the adoption of the following resolution:

**BE IT RESOLVED** that Brett Wiemken is appointed to the non-exempt, full-time, non-bargaining unit employment position of Senior Zoning Officer, effective November 3, 2022.

**BE IT FURTHER RESOLVED** that the compensation for this position shall be at the rate of $26.20 per hour, with paychecks to be issued based on a 14-day pay period.

**BE IT FURTHER RESOLVED** that the compensation for this position shall also include the standard employee benefits package for all full-time non-union personnel.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**RES.22-373 AUTHORIZING THE POSTING OF THE JOB ANNOUNCEMENT FOR THE ZONING INSPECTOR POSITION VACANCY**

Mr. Grumbles moved the adoption of the following resolution:

**BE IT RESOLVED** that the non-exempt, full-time, non-bargaining unit position of the Zoning Inspector is hereby created.

**BE IT FURTHER RESOLVED** that the Zoning Inspector shall serve under the direction of the Development and Zoning Director as well as the Board of Township Trustees.

**BE IT FURTHER RESOLVED** that the Zoning Inspector shall have those

qualifications, requirements, duties and responsibilities, and serve under those terms and provisions, stated in the position description presented to the Board.

**BE IT FURTHER RESOLVED** that the aforementioned position description is presented for informational purposes only and can be changed at any time by the Board, with or without notice.

**BE IT FURTHER RESOLVED** that, unless otherwise provided by the Board, appointment to this position shall be contingent upon the applicant's satisfactory completion of a drug screening and background investigation.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

RES.22-374 ADOPTION OF EMPLOYEE MILESTONE AND EVENT RECOGNITION PROGRAM

Mr. Grumbles moved the adoption of the following Resolution:

# PREAMBLE

**WHEREAS**, R.C. § 511.10 authorizes a board of township trustees to fix the compensation of township employees, which includes benefits that induce an employee to accept employment or continue employment with the township; and,

**WHEREAS**, the Orange Township Board of Trustees, Delaware County, Ohio (“Board”) desires to establish a program to recognize and benefit Orange Township (“Township”) non-bargaining unit employees.

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED:**

1. Pursuant to the provisions of R.C. § 511.10, the Board hereby establishes a program to recognize non-bargaining unit employee milestones that may include, but are not limited to, birthdays, employment anniversaries, exemplary attendance, longevity of service to the Township, and similar milestones, and employee events that may include, but are not limited to, the employee’s illness, condition, or hospitalization, the death of an employee’s family member, and an employee working unexpected overtime or working a special event at the direction of the Township, as a benefit that may induce an employee to accept employment or continue employment with the Township (“Program”).
2. To govern the Program, the Board adopts the Employee Milestone and Event Recognition Program Policy (“Policy”) attached hereto as Exhibit A. Such Policy is consistent with R.C. § 511.10 and by this reference incorporated herein.
3. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.
4. This Resolution and the Program established by this Resolution shall be in full force and effect immediately upon adoption.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**(SIGNATURES ON FOLLOWING PAGE)**

**BOARD OF TRUSTEES OF**

**ORANGE TOWNSHIP,**

**DELAWARE COUNTY, OHIO**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ben Grumbles

Chair

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Lisa Knapp

Vice Chair

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Erica Fouss

Trustee

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa Kraft

Orange Township Fiscal Officer

**CERTIFICATE**

State of Ohio, Delaware County:

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing **RES.22-374** is taken and copied from the record of proceedings of the Board, and that it has been compared by me with the Resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such Resolution occurred in an open meeting held in compliance with R.C. § 121.22.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa Kraft

Orange Township Fiscal Officer

**EXHIBIT A**

**ORANGE TOWNSHIP**

**DELAWARE COUNTY, OHIO**

**EMPLOYEE MILESTONE AND EVENT RECOGNITION PROGRAM POLICY**

**(R.C. § 511.10)**

1. **PURPOSE**

The Board has established a Program to recognize non-bargaining unit Employee milestones and events. This Policy governs the Program.

1. **SCOPE**

This Policy applies to all non-bargaining unit Employees.

1. **AUTHORITY**

The Board is authorized by R.C. § 511.10 to establish this Program.

1. **DEFINITIONS**
   1. **Board.** Board means the Board of Trustees of Orange Township, Delaware County, Ohio.
   2. **Township.** Township means Orange Township, Delaware County, Ohio.
   3. **Employee.** Employee means a non-bargaining unit Employee of the Township.
   4. **Department.** Department means any office or department of the Township.
   5. **Policy.** Policy means this Employee Milestone and Event Recognition Program Policy.
   6. **Program.** Program means the Employee Milestone and Event Recognition Program established by the Board and governed by this Policy.
2. **POLICY**

Pursuant to **RES.22-374** the Board established a Program through which the Board may recognize Employee milestones and events. The Program shall operate in accordance with the following:

1. **Board Discretion:**

The Board may recognize a Township Employee for the Employee’s achievement of a milestone or occurrence of an event.

1. **Employee Milestones:**

Employee milestones may include but are not limited to, birthdays, employment anniversaries, exemplary attendance, longevity of service to the Township, and similar milestones. The Board has discretion to determine when a milestone is considered achieved and which, if any, milestone(s) to recognize.

1. **Employee Events:**

Employee events may include, but are not limited to, the Employee’s illness, condition, or hospitalization, the death of an employee’s family member, and an Employee working unexpected overtime or working a special event at the direction of the Township. For employees working unexpected overtime or working a special event at the direction of the Township, food and non-alcoholic beverages may be provided as the acknowledgment under this Policy. The Board has discretion to determine when an event is appropriate for acknowledgment under this Policy and which, if any, event(s) to recognize.

1. **Nature of Awards/Acknowledgments:**

Milestone achievement or event may be recognized by an award or acknowledgment made to the Employee who achieved a milestone or experienced the event. Unless otherwise specified in this Policy, awards/acknowledgments may include, but are not limited to, cash awards, additional paid leave, or other additional benefits as the Board, in its sole discretion, approves and considers appropriate, so long as the costs of the Program do not exceed the total amount of compensation fixed by the Board for the Department. The value of any individual award/acknowledgment shall not exceed $100.

1. **Usage Limits:**

There is no limit to the number of times the Board may utilize the Program or the number of times a given Employee may be recognized for milestones or events. Alternatively, the Board is not required to utilize the Program or recognize any Employee through the Program.

1. **DEPARTMENTAL USE**

Upon notifying the Board, any appointing authority of a Department may establish a program to recognize Employee milestones and/or events. Any such program shall be governed by the requirements and limits of this Policy. For this purpose, the appointing authority of the Department shall be substituted for the Board in Section 5 of this Policy (except that, as referenced in Section 5(D), the Board remains responsible for fixing the compensation for the Department). Before making any recognition under Section 5 of this Policy, the appointing authority of a Department shall receive the approval of the Township Administrator, who may seek input from the Township Human Resources Department to help achieve a consistent application of this Policy.

1. **EFFECTIVE**
2. This Policy and the Program shall be in full force and effect from the effective date of **RES.22-374** and shall continue until amended, superseded, and/or terminated by the Board.
3. This Policy supersedes any previously approved and/or issued employee milestone or event recognition policy or other similar policy or writing regarding Employee milestone and/or event recognition.

**RES.22-375 FINDING CERTAIN PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE, OBSOLETE, OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED TO HAVE NO VALUE AND ORDERING IT TO BE AUCTIONED ON GOVDEALS, INC. BE DISCARDED OR SALVAGED**

Mr. Grumbles moved the adoption of the following Resolution:

**WHEREAS**, the Township has certain used property not needed for public use, obsolete, or is unfit for the use for which it was acquired to have no value and ordering it to be auctioned on GovDeals, Inc. be discarded or salvaged;

**NOW THEREFORE BE IT RESOLVED** that the property listed in Exhibit "A" of this resolution, incorporated herein by reference as if fully repeated, if found to be not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and to have no value.

**BE IT FURTHER RESOLVED** that such property shall be discarded or salvaged and the Director of Operations or his designee shall oversee its disposal.

Exhibit “A”

|  |  |  |
| --- | --- | --- |
| **Amount** | **Description** | **Make/Model** |
| 1 | Antique Couch | N/A |
| 50 | Chairs | N/A |
| 24 | Beams/Logs from Thompson Room | N/A |
| 1 | Desk and Hutch | N/A |

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**RES.22-376 TO APPOINT BRYAN NEWELL AS A MEMBER OF THE DELAWARE COUNTY LAND BANK BOARD TO SERVE OUT MIKE SHULLING’S REMAINING TERM**Mr. Grumbles moved the adoption of the following Resolution:

**WHEREAS**, Orange Township hereby appoints Bryan Newell to serve out Mike Schulling’s term of the Delaware County Land Bank Board, with the term expiring December 31, 2022.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**RES.22-377 TO APPOINT MICHELE BONI AS A MEMBER OF THE DELAWARE COUNTY LAND BANK BOARD**Mr. Grumbles moved the adoption of the following Resolution:

**WHEREAS**, Orange Township hereby appoints Michele Boni to serve a one (1) year term of the Delaware County Land Bank Board, effective January 1, 2023 with the term expiring December 31, 2023.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

RES.22-378 AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO NEGOTIATE FOR AND APPROVE A FIXED RATE PRICE FOR THE NATURAL GAS AGGREGATION PROGRAM

Mr. Grumbles moved the adoption of the following Resolution:

# PREAMBLE

**WHEREAS**, the Board and Archer Energy LLC (“Vendor”) entered a Master Service Agreement (“MSA”), dated March 21, 2022, for the Township’s Natural Gas Aggregation Program (“Program”) for the Vendor to supply natural gas to the Program’s members (“Members”); and,

**WHEREAS,** natural gas supplied through the Program is currently supplied at a variable rate price; and,

**WHEREAS,** MAS Exhibit A provides that at “[a]nytime during the Agreement, Vendor and the Board may work together to provide a fixed rate to the participants of the aggregation in accordance with Section 1.1(f) of the Agreement. The fixed rate shall remain the same from the time established until termination of this Agreement;” and,

**WHEREAS,** the Board now desiresto exercise this option, with the help of the Township’s Program Consultant, Trebel, LLC (“Consultant”), to negotiate with the Vendor to potentially provide a fi

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED:**

1. The Board hereby authorizes Township Administrator, Michele Boni (“Administrator”), to work with the Consultant to negotiate with the Vendor, consistent with the MSA, to potentially provide a fixed rate price for the Program for the benefit of its Members. The goal is to obtain the lowest fixed rate price possible. In accordance with MSA Exhibit A, any negotiated fixed rate price shall remain the same from the time established until termination of the MSA.

1. If in the opinion of the Administrator an acceptable fixed rate, not to exceed $0.749, is negotiated and such rate will remain the same until termination of the MSA, the Administrator is hereby authorized to approve and given full authority to sign all necessary and required documents on behalf of the Board to effectuate such negotiated fixed rate. The Administrator’s signature on such documents shall be binding upon the Board as if they had been signed by at least a majority of the Board’s entire membership:
2. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.
3. This Resolution shall be in full force and effect immediately upon adoption.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

Voted on and signed this 2nd day of November, 2022 in Orange Township, Delaware County, Ohio.

**BOARD OF TRUSTEES OF**

**ORANGE TOWNSHIP,**

**DELAWARE COUNTY, OHIO**

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Ben Grumbles

Chair

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Lisa Knapp

Vice Chair

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Erica Fouss

Trustee

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Township Fiscal Officer

Orange Township, Delaware County, Ohio

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. \_22-378\_ is taken and copied from the record of proceedings of the Board, and that it has been compared by me with the Resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such Resolution occurred in an open meeting held in compliance with R.C. § 121.22.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa Kraft

Township Fiscal Officer

Orange Township, Delaware County, Ohio

**CON.22-11.02.01 THE BOARD GAVE CONSENSUS TO HOLD A CONTEST FOR ORANGE TOWNSHIP HOLIDAY LIGHT FIGHT**

**RES.22-379 MEETING ADJOURNMENT**

Motion by Mr. Grumbles to adjourn.

Seconded by Mrs. Fouss

VOTE: Grumbles – Yes Knapp – Absent Fouss – Yes

**Notice:**            Copies of documents referred to in this journal can be obtained by contacting the Orange Township Administrator.

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Ben Grumbles

Chair

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Lisa Knapp Vice Chair

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Erica Fouss Trustee

Attest:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa Kraft, Fiscal Officer