

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

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

Mrs. Fouss called the meeting to order at 3:00 p.m.

PRESENT: Erica Fouss, Chair
Lisa Knapp, Vice Chair
Michael Ringle, Trustee
Lisa Kraft, Fiscal Officer

ALSO PRESENT: Michele Boni, Township Administrator
Valerie Bunting, Administrative Manager
Silas Bowers, Director of Operations
Nathan McNeil, Fire Chief
Mike Kremnitzer, Senior Human Resources Manager
Robin Duffee, Development and Zoning Director

APPROVAL OF CONSENT AGENDA

1) IN THE MATTER OF APPROVING THE CONSENT AGENDA FOR THE REGULAR MEETING HELD ON OCTOBER 18, 2023:

It was moved by Mrs. Fouss, seconded by Ms. Knapp to approve the consent agenda for the Regular Trustee Meeting held on October 18, 2023

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

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

A) RES.23-261 APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM THE REGULAR TRUSTEE MEETING ON OCTOBER 4, 2023

Motion by Mrs. Fouss

WHEREAS, the Board of Trustees for Orange Township, Delaware County, Ohio (the "Board") met in regular session on October 4, 2023

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 Trustee Meeting held on October 4, 2023.

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

B) RES.23-262 APPROVING PURCHASE ORDERS, THEN AND NOW PURCHASE ORDERS, AND BLANKET PURCHASE ORDERS AS LISTED:

Vendor	Description	Account	Amount
Cooper Concrete Services	USACE Cricket	Parks Levy	\$7,785.00
Cooper Concrete Services	1680 Concrete Pads	Parks Levy	\$4,361.00
Truck Pro	Flat Deck Lift	Fire/Public Works	\$25,956.95
Blanket	Contracted Services	Fire	\$18,000.00

RES.23-263 ACCEPTING AND ADOPTING THE CHANGES TO THE ORANGE TOWNSHIP PARKS & ATHLETIC FIELD USE POLICY

Mrs. Fouss moved to accept and adopt the changes to the Orange Township Parks & Athletic Field Use Policy.

Seconded by Mr. Ringle

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

RES.23-264 AUTHORIZING THE DIRECTOR OF OPERATIONS TO APPLY FOR THE COMMUNITY TRAILS IMPROVEMENT GRANT FROM PRESERVATION PARKS FOR \$60,000.00 AND AGREEING TO PARTICIPATE AND ABIDE BY THE GRANT TERMS FOR THE BALE KENYON ROAD WIDENING PHASE III

Motion by Mrs. Fouss

A RESOLUTION AUTHORIZING that the Board of Township Trustees of Orange Township, Delaware County, Ohio (“Board”), authorize the Director of Operations to apply for the Community Trails Improvement Grant from Preservation Parks for \$60,000.00. Agreeing to participate and abide by the terms of the Community Trails Improvement Grant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio (“Board”), authorize the Director of Operations to apply for the Community Trails Improvement Grant from Preservation Parks for \$60,000.00. Agreeing to participate and abide by the terms of the Community Trails Improvement Grant.

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

September 30, 2023 Bank Reconciliation

- Ending cash: \$30,320,414.56
 - Which includes investments of:
 - \$11.0M w/5th 3rd

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

- \$17.1 M w/StarOhio
 - = ~ \$28.1 M in investments
- Fund or department cash balance (fund status):
 - General: \$8.9M
 - Roads: \$3.2M
 - Fire: \$8.6M
 - Parks: \$4.3M
- Expenses thru 9/30/2023: \$14.6 M
- Revenue thru 9/30/2023: \$18 M
- Delaware County Foundation balance as of 9/30: Veterans Memorial Fund \$30.82; Community Fund \$1,359.72

**RES.23-265 REJECTING THE FISCAL YEAR 2024 CEMETERY GRANT
ASSESSMENT AGREEMENT, DIVISION OF REAL ESTATE AND PROFESSIONAL
LEECING**

Motion by Mrs. Fouss

PREAMBLE

WHEREAS, the Board was awarded the following grant (“Grant”):

Grant Name: FY2024 Cemetery Grant

Grant Type: Upgrade to Cemetery Records Software

Grant Amount: \$814.27 and,

WHEREAS, after careful consideration, the Board now desires to gratefully and respectfully reject the Grant.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED:

- A. After careful consideration, the Board hereby gratefully and respectfully rejects the above-named Grant.
- B. Lisa Kraft, Township Fiscal Officer (“Fiscal Officer”), is hereby appointed and given full authority to sign all documents required and take all necessary steps to reject the Grant. The Fiscal Officer’s signature on any such documents related to rejecting the Grant shall be binding upon the Board as if the documents had been signed by at least a majority of the Board’s entire membership:

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

C. 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.

D. This Resolution shall be in full force and effect immediately upon adoption.

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

Voted on and signed October 18, 2023 in Orange Township, Delaware County, Ohio.

**BOARD OF TRUSTEES OF
ORANGE TOWNSHIP,
DELAWARE COUNTY, OHIO**

Erica Fouss
Chair

Lisa Knapp
Vice Chair

Michel Ringle
Trustee

Attest:

Lisa Kraft
Orange Township Fiscal Officer

CERTIFICATE

State of Ohio, Delaware County

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. RES.23-266 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: October 18, 2023

Lisa Kraft
Orange Township Fiscal Officer

RES.23-266 RESCIND RESOLUTION 23-232

Motion by Mrs. Fouss to rescind RES 23-232.

Seconded by Mr. Ringle

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

**RES.23-267 RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION
AND DELIVERY OF A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT
BY AND BETWEEN THE CITY OF WORTHINGTON, OHIO AND ORANGE
TOWNSHIP (DELAWARE COUNTY), OHIO**

Mrs. Fouss moved for the adoption of the following resolution

WHEREAS, the City of Worthington, Ohio (the “City”) and Orange Township (Delaware County), Ohio (the “Township”) desire to facilitate economic development, preserve and create jobs and employment opportunities and improve the economic welfare of the residents of the City and the Township; and

WHEREAS, pursuant to Ohio Revised Code Section 715.72 (the “JEDD Statute”), the City and the Township have negotiated the Joint Economic Development District Contract (the “JEDD Contract”) now on file with this Board creating the Orange Township Joint Economic Development District (the “JEDD”) as described and depicted in Attachment A attached to the JEDD Contract and incorporated therein; and

WHEREAS, pursuant to the JEDD Statute, the Township published notice of the time and place of a public hearing concerning the JEDD Contract and the JEDD at least 30 days prior to that hearing; and

WHEREAS, since the publication of that notice, there has been on file with the Fiscal Officer of the Township: (1) a copy of the JEDD Contract, including an economic development plan for the JEDD and the schedule for the provision of new, expanded, or additional services, facilities or improvements described in Ohio Revised Code Section 715.72 (F) (3) (the “Economic Development Plan”), (2) a description of the area to be included in the JEDD including a map in

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

sufficient detail to denote the boundaries of that area and indicating the zoning restrictions applicable to that area and (3) a schedule for the collection of the JEDD Income Tax; and

WHEREAS, this Board and the Council of the City each held a public hearing concerning the JEDD Contract and the JEDD that allowed public comment and recommendations; and

WHEREAS, the parties have received petitions from a majority of the owners of record of real property located within the JEDD consenting to the JEDD; and

WHEREAS, the parties received petitions from a majority of the owners of businesses operating within the JEDD consenting to the JEDD; and

WHEREAS, the territory to be included in the JEDD is zoned in a manner appropriate to the function of the JEDD; and

WHEREAS, the City and the Township desire to enter into the JEDD Contract; and

WHEREAS, it is in the best interest of the Township and its residents to enter into the JEDD Contract with the City.

NOW, THEREFORE, BE IT RESOLVED by a unanimous vote of the Board of Township Trustees of Orange Township (Delaware County), Ohio, that:

Section 1. This Board finds and determines that the creation of the JEDD pursuant to the JEDD Contract will facilitate economic development, will create and preserve jobs and employment opportunities and will improve the economic welfare of the residents of the City and Township.

Section 2. This Board approves the JEDD Contract now on file with this Board, consistent with this Resolution, and authorizes Trustee Erica Fouss, as Chair, to execute the JEDD Contract on behalf of the Township.

Section 3. This Board finds and determines that the Township's approval, execution and delivery of the JEDD Contract was and will be done freely and without duress or coercion.

Section 4. The Board finds and determines that the conditions set forth in Ohio Revised Code Section 715.72 (M) (1) (a), (b) and (c) are satisfied. Accordingly, the Board hereby invokes its authority under division (M) (1) of said Section and chooses not to submit this Resolution approving the JEDD Contract to the electors of the Township for approval.

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

Section 5. The members of this Board, the Township Fiscal Officer and other appropriate officers of the Township are authorized and directed to: (i) jointly with the City, file with the Director of Development Services, the documents prescribed by the JEDD Statute to be filed, and (ii) execute and deliver such instruments and certificates necessary to effect the creation of the JEDD.

Section 6. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 7. This Resolution shall be in full force and effect immediately upon its adoption.
The roll was called on the question of its adoption. The vote was as follows:

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

The motion passed and the Resolution was adopted on October 18, 2023.

ATTEST:

**BOARD OF TOWNSHIP TRUSTEES
ORANGE TOWNSHIP
DELAWARE COUNTY, OHIO**

Erica Fouss, Trustee

Lisa Knapp, Trustee

Michael Ringle, Trustee

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

I, Lisa Kraft, Fiscal Officer of Orange Township (Delaware County), Ohio, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Township Trustees of Orange Township (Delaware County), Ohio, duly adopted on October 18, 2023.

Dated: October 18, 2023

Lisa Kraft, Fiscal Officer
Orange Township (Delaware County), Ohio

**RES.23-268 ESTABLISHMENT OF COMPENSATION FOR ZONING INSPECTOR,
ANDREW KOENIG**

Mrs. Fouss moved the adoption of the following resolution:

BE IT RESOLVED that the compensation for this position shall be at the rate of \$23.08 per hour, with paychecks to be issued based on a 14-day pay period, effective October 19, 2023.

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 Mr. Ringle

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

**RES.23-269 APPOINTMENT TO POSITION OF ADMINISTRATIVE SPOT LABOR
AND ESTABLISHMENT OF COMPENSATION**

Mrs. Fouss moved the adoption of the following resolution:

BE IT RESOLVED that Nick Sanchez Zarkos is appointed to the at-will, non-exempt, part-time spot labor, non-bargaining unit position of Administrative - Spot Labor, effective October 19, 2023.

BE IT FURTHER RESOLVED that the compensation for this limited position shall be at the rate of \$20.00 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 employee benefits for part-time non-bargaining unit personnel stated in the Personnel Policies and Procedures Manual.

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

**RES.23-270 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**

Mrs. Fouss moved the adoption of the following Resolution:

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

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 auctioned on GovDeals, Inc., be discarded, or salvaged and the Director of Operations or his designee shall oversee its disposal.

Exhibit "A"

Amount	Description	Make/Model
4	FireKing File Cabinet	Legal Size Model 25 - 4 Drawer
1	FireKing File Cabinet	Letter Size Model 25 – 4 Drawer
3	Remington Rand SAFE-File Cabinet	Legal Size – 4 Drawer

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

EXECUTIVE SESSION

RES.23-271 ENTER INTO EXECUTIVE SESSION

Motion by Mrs. Fouss that the Board enter into Executive Session to

- a) Adjourn Into Executive Session Pursuant to Ohio Revised Code Section 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.

- b) Consider the Appointment, Demotion, or Compensation of a Public Employee or Official and/or Investigation of Complaints Against a Public Employee

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

- c) Concerning a Dispute that is the Subject of Imminent Litigation Pursuant to Ohio Revised Code Section 121.22(g(3))

Seconded by: Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Yes

Invited to attend: Erica Fouss, Lisa Knapp, Michael Ringle, Lisa Kraft, Michele Boni, Orange Township Legal Counsel, Silas Bowers, Nathan McNeil and Mike Kremnitzer

RETURN TO REGULAR SESSION

RES.23-272 RETURN TO REGULAR SESSION

Mrs. Fouss made a motion to return to regular session

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Absent

RES.23-273 APPROVING AN ENGAGEMENT AGREEMENT WITH SQUIRE PATTON BOGGS (US) LLP FOR LEGAL SERVICES

Mrs. Fouss moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, pursuant to R.C. § 309.09(B)(1), when a board of township trustees finds it advisable or necessary to have additional legal counsel, it may by resolution employ an attorney other than the township law director or the prosecuting attorney of the county, either for a particular matter or on an annual basis, to represent the township and its officers, boards, and commissions in their official capacities and to advise them on legal matters; and,

WHEREAS, the resolution approving additional legal counsel shall fix the compensation to be paid for the legal services and that such compensation shall be paid from the township fund; and,

WHEREAS, the Board finds it advisable and necessary to employ additional legal counsel to advise the Board as to, including, but not limited to, tax increment financing (TIF) matters, new community authorities (NCA), joint economic development districts (JEDD), tax abatements or other development incentives, financing and construction of infrastructure, and to serve as bond counsel for bonds issued by Orange Township secured by tax increment financing (TIF) or other revenues; and,

WHEREAS, the law firm of Squire Patton, and Boggs (US) LLP (“SPB”) is qualified, willing, and able to provide these legal services; and,

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

WHEREAS, the Board desires to employ SPB and enter into an Engagement Agreement with SPB to provide such legal services.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED:

- E. The Board hereby approves the employment of SPB on an annual basis for the aforementioned purposes and for such purpose approves the attached Engagement Agreement, inclusive of an Engagement Letter dated August 3, 2023, Standard Terms and Conditions of Engagement Applicable Worldwide, and First Amendment to Squire Patton Boggs (US) LLP Engagement Agreement (collectively "Agreement"). The Agreement is incorporated herein by this reference.
- F. In accordance with R.C. § 309.09(B)(1), the maximum amount of compensation to be paid to SPB for the stated legal services is hereby fixed at \$100,000. Amounts payable to SPB for said legal services shall be paid from the township fund.
- G. Michele Boni, Township Administrator ("Administrator"), is hereby appointed and given full authority to negotiate any additional terms and conditions of the Agreement not inconsistent with those already in the Agreement and hereby approved by the Board and to sign the Agreement and any other necessary and required documents related to the Agreement on behalf of the Board. The Administrator's signature on the Agreement and any other necessary and required documents related to the Agreement shall be binding upon the Board as if the Agreement had been signed by at least a majority of the Board's entire membership:
- H. 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.
- I. This Resolution shall be in full force and effect immediately upon adoption.

Seconded by Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Absent

**BOARD OF TRUSTEES OF
ORANGE TOWNSHIP,
DELAWARE COUNTY, OHIO**

Erica Fouss

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

Chair

Lisa Knapp
Vice Chair

Michael Ringle
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 Resolution No. 23-273 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

RES.23-274 MEETING ADJOURNMENT

Motion by Mrs. Fouss to adjourn

Seconded by: Ms. Knapp

VOTE: Fouss – Yes Knapp – Yes Ringle - Absent

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

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD OCTOBER 18, 2023
ORANGE TOWNSHIP - DELAWARE COUNTY**

Erica Fouss, Chair

Lisa Knapp, Vice Chair

Michael Ringle, Trustee

Attest: _____
Lisa Kraft, Fiscal Officer