

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR TRUSTEE MEETING HELD MAY 3, 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

Ms. Knapp called the meeting to order at 3:00 p.m.

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

ABSENT: Ben Grumbles, Trustee

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

EXECUTIVE SESSION

RES.23-126 ENTER INTO EXECUTIVE SESSION

Motion by Ms. Knapp 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, Employment, Dismissal, Discipline, Promotion, Demotion, or Compensation of a Public Employee or Official

Those Invited to Executive Session: Erica Fouss, Lisa Knapp, Lisa Kraft, Michele Boni, Orange Township Legal Counsel

Seconded by: Mrs. Fouss

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VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RETURN TO REGULAR SESSION

RES.23-127 RETURN TO REGULAR SESSION

Ms. Knapp made a motion to return to regular session

Seconded by: Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

APPROVAL OF CONSENT AGENDA

1) IN THE MATTER OF APPROVING THE CONSENT AGENDA FOR THE REGULAR MEETING HELD ON MAY 3, 2023:

It was moved by Ms. Knapp, seconded by Mrs. Fouss, to approve the consent agenda for the Regular Meeting held on May 3, 2023

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

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

A) RES.23-128 APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM THE SPECIAL TRUSTEE MEETING HELD ON APRIL 24, 2023

WHEREAS, the Board of Trustees for Orange Township, Delaware County, Ohio (the “Board”) met in regular session on April 24, 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 Special Trustee Meeting, held on April 24, 2023

B) RES.23-129 APPROVING PURCHASE ORDERS, THEN AND NOW PURCHASE ORDERS, AND BLANKET PURCHASE ORDERS AS LISTED:

Vendor	Description	Account	Amount
Alum Creek Sailboat Association	Boat Dock for 2023	Fire	\$1,175.00
Blanket	Other Fees	Operations	\$4,000.00
ODP Business Solutions	Office Furniture	Admin	\$2,579.98

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**RES.23-130 ACCEPT RESIGNATION OF BOARD OF ZONING APPEALS MEMBER
PAMELA FOSTER**

Motion by Ms. Knapp to accept the resignation of Board of Zoning Appeals Member Pamela Foster effective April 30, 2023.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

**RES.23-131 AUTHORIZING TOWNSHIP ADMINISTRATOR EXECUTION OF A
REQUEST FOR ENGINEERING ASSISTANCE WITH THE DELAWARE COUNTY
ENGINEER’S OFFICE REGARDING BALE KENYON ROAD PHASE 2**

Motion by Ms. Knapp

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio (“Board”), enter into and execute a request for engineering assistance (“Request”) and related paperwork with the Delaware County Engineer’s Office seeking OPWC funding for Bale Kenyon Road Phase 2 (included E. Powell Road, to just north of Pine Ridge Drive).

BE IT FURTHER RESOLVED that the Township Administrator shall execute the Request and related paperwork.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

**RES.23-132 ACKNOWLEDGE AND ACCEPT DONATION FROM GROUNDSMITH
LLC**

Motion by Ms. Knapp to accept a donation of 10 tons of road rock salt from GroundSmith LLC estimated value \$750.00.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

**RES.23-133 AUTHORIZING THE DIRECTOR OF OPERATIONS TO ACCEPT THE
AGREEMENT WITH G&J PEPSI COLA-BOTTLERS, INC. FOR BEVERAGE
VENDING SERVICES AND COOLERS**

Motion by Ms. Knapp

A RESOLUTION AUTHORIZING that the Board of Township Trustees of Orange Township, Delaware County, Ohio (“Board”), authorize the Director of Operations to accept, enter into and execute an agreement with G&J Pepsi Cola-Bottlers, Inc. for the provision of soft drinks, including carbonated and non-carbonated beverages, and water on a basis for a period of four (4) years, through vending machines at certain park locations and over-the-counter

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sales at the concession stand of the North Orange Aquatic Center (“Request For Proposal”) and related paperwork located in back up materials.

WHEREAS, by the Board of Trustees of Orange Township (Delaware County): hereby authorized The Director of Operations to accept, enter into and execute an agreement with G&J Pepsi Cola-Bottlers, Inc. for the provision of soft drinks, including carbonated and non-carbonated beverages, and water.

WHEREAS, authorized entry into a contract with such entity and directed the Director of Operations to prepare a written contract in accordance with the Request for Proposal issued by the Township and the Partnership Proposal received from such entity, dated April 20, 2023; and

NOW THEREFORE BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approves the agreement for Soft Drink and Water Sales as presented to the Board on this date of May 3,2023.

BE IT FURTHER RESOLVED that, pursuant to the Board’s prior action authorizing entry into such an agreement with G&J Pepsi Cola-Bottlers, Inc, the Operations Director shall execute the agreement on behalf of the Board.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RES.23-134 ACCEPT RESIGNATION OF FULL-TIME FIREFIGHTER PARAMEDIC PHIL COUCH

Motion by Ms. Knapp to accept the resignation of Full-Time Firefighter Paramedic Phil Couch effective May 16, 2023.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RES.23-135 APPOINTMENT OF PHIL COUCH TO POSITION OF FULL-TIME FIRE INSPECTOR

Ms. Knapp moved for the adoption of the following Resolution:

BE IT RESOLVED that Phil Couch is appointed to the non-exempt, full-time, bargaining unit position of Fire Inspector, effective May 17, 2023.

BE IT FURTHER RESOLVED that the compensation for this position shall be as provided for a Fire Inspector in the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816, 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 provided for all fulltime union personnel in resolutions of

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the Board of Township Trustees and/or the current collective bargaining agreement between Orange Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that, in view of this appointee’s long-time and current employment with Orange Township:

1. This appointment is final upon the effective date of this resolution and shall not be contingent upon satisfactory completion of a drug screen, physical examination, and background investigation; and
2. No probationary period shall apply to this appointment.

BE IT FURTHER RESOLVED that, unless otherwise provided by the board, all future appointments to this position shall be subject to the probationary period provided in the collective bargaining agreement between the Township and the Orange Township Professional Firefighters and contingent upon the applicant’s satisfactory completion of a drug screen and background investigation.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RES.23-136 AUTHORIZING THE POSTING OF JOB ANNOUNCEMENT FOR FULL-TIME FIREFIGHTER/PARAMEDIC VACANCIES

Ms. Knapp moved the adoption of the following resolution:

BE IT RESOLVED that the non-exempt, full-time, bargaining unit position of the full-time Firefighter/Paramedic(s) is hereby created.

BE IT FURTHER RESOLVED that the Firefighter/Paramedic(s) shall serve under the direction of the Fire Chief as well as the Board of Township Trustees.

BE IT FURTHER RESOLVED that the Firefighter/Paramedic(s) shall have those qualifications, requirements, duties and responsibilities, and serve under those terms and provisions, stated in the position description presented to the Board.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RES.23-137 APPROVING AN AGREEMENT WITH ALUM CREEK SAILING ASSOCIATION

Ms. Knapp moved for the adoption of the following Resolution:

WHEREAS, Alum Creek has proposed a contract for “Boat Dock Lease Agreement” services (the “Agreement”).

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WHEREAS, the Board desires to authorize the adoption and execution of the Agreement;

WHEREAS, it is in the best interest of the Township for the Board of Trustees to adopt and enter into the Agreement.

BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio (the “Board”), that the following Resolutions be and hereby are adopted:

BE IT RESOLVED, that the Board hereby adopts and approves the form of the Agreement, together with any such changes therein and amendments thereto not inconsistent with this Resolution and not adverse to the Township. The Board hereby authorizes, empowers, and appoints, on behalf of the Board and the Township, Chief McNeil (the “Representative”) to execute the Agreement in substantially that form on file with the Township, along with any changes or amendments thereto, provided that the approval of those changes and amendments by the Representative and the character of those changes and amendments are not being inconsistent with this Resolution or adverse to the Township, and shall be evidenced conclusively by the Representative’s execution of the Agreement. Furthermore, the Representative is authorized to, on behalf of the Township, take any and all actions and execute any and all documents that may be necessary to be completed by the Township in order to finalize the Agreement.

BE IT FURTHER RESOLVED, that the Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

BE IT FURTHER RESOLVED, that this Resolution shall be in full force and effect immediately upon its adoption.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

CON.23-05.03.01 THE BOARD GAVE CONSENSUS NOT TO HOLD A HEARING FOR A LIQUOR LICENSE FOR SANCHEZ GUERRERO LLC

RES.23-138 REVISING AND/OR INCREASING PERMANENT APPROPRIATIONS ESTABLISHED IN RES.22-384

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the appropriations for the fiscal year ending December 31, 2023, as made at the Trustee Meeting on November 21, 2022, in Res.22-384, are changing as follows:

Purposes for which expenditures are to be made for and during said fiscal year, as follows, via:

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Veterans Memorial Grant Fund

That the appropriations for the below account codes be revised in the Special Assessment Fund:

<u>Account code</u>	<u>Description</u>	<u>Previous</u>	<u>Revised</u>
4901-590-519-1104	Other – Dues and Fees	0	\$1,000.00
	Total:	0	\$1,000.00

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

April 2023 Financials

- Ending cash: \$29,305,094.82
 - Which includes investments of:
 - \$10.9M w/5th 3rd
 - \$14.7 M w/StarOhio
 - = ~ \$25.6 M in investments
- Fund or department cash balance (fund status):
 - General: \$8.4M
 - Roads: \$3.0M
 - Fire: \$7.8M
 - Parks: \$5.4M
- Expenses thru 4/30/2023: \$5.4M
- Revenue thru 4/30/2023: \$7.9 M
- Delaware County Foundation balance as of 2/28/23: \$90,492.72 (no changes through April)

RES.23-139 A RESOLUTION TO ENTER INTO AN INTERGOVERNMENTAL COST-SHARING AGREEMENT WITH GENOA TOWNSHIP AND LIBERTY TOWNSHIP FOR ADMINISTRATION OF THE JOINT BID FOR THE COLLECTION, TRANSFER, AND DISPOSAL OF SOLID WASTE BY AN INDEPENDENT CONTRACTOR

Ms. Knapp moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, the Board of Trustees of Orange Township, Delaware County, Ohio (“Board”) has recently resolved to issue a joint bid with the Genoa Township Board of Trustees (“Genoa”) and Liberty Township Board of Trustees (“Liberty”) (collectively, “Townships”), for the collection, transfer, and disposal of solid waste by an independent contractor according to the specifications included in the Joint Request for Bids package (“Joint RFB”); and,

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WHEREAS, the Board has authority to enter into written agreements with townships and other political subdivisions related to the rendering of services and/or the sharing of costs in connection with any joint bid effort, pursuant to R.C. Sections 9.48, 9.482, 307.15, and 505.27.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED:

1. That the Board agrees to enter into an Intergovernmental Cost-Sharing Agreement (“Agreement”) with Genoa and Liberty establishing the terms and conditions under which the Townships will collectively share the burden of expenses associated with administering the Joint RFB.
2. That the Agreement shall be in the form presently submitted to the Board, the contents of which are hereby incorporated by reference as if fully repeated herein.
3. That, in accordance with its terms, the Agreement shall take immediate effect upon formal approval of all Townships.
4. 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.
5. This Resolution shall be in full force and effect immediately upon adoption.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

Voted on and signed this 3rd day of May, 2023 in Orange Township, Delaware County, Ohio.

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

Erica Fouss
Trustee

Lisa Knapp

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Trustee

Ben Grumbles
Trustee

RES.23-140 A RESOLUTION TO PROCEED ON A JOINT REQUEST FOR BIDS WITH GENOA AND LIBERTY TOWNSHIPS FOR THE COLLECTION, TRANSFER, AND DISPOSAL OF SOLID WASTES BY AN INDEPENDENT CONTRACTOR (R.C. § 505.27)

Ms. Knapp moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, the Board of Trustees of Orange Township, Delaware County, Ohio (“Board”) desires to enter into a contract with an independent contractor to collect, transfer and dispose of the solid waste produced in the township and desires to identify the lowest cost independent contractor by public bid pursuant to R.C. 505.27(A)(2)(a)(i); and,

WHEREAS, the Board is aware that the Board of Trustees of Genoa Township (“Genoa”) and Liberty Township (“Liberty”) also desire to publicly bid their waste disposal contracts; and,

WHEREAS, the Board believes that issuing a joint bid with Genoa and Liberty will result in a significant cost savings to the Township and its residents; and,

WHEREAS, the Board has authority to enter into written contracts with other townships and independent contractors for the collection, transfer and disposal of solid waste pursuant to R.C. 505.27; and,

WHEREAS, the Board desires to be included in a joint bid for the collection, transfer and disposal of solid waste with Genoa and Liberty Townships.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED:

1. That the Board agrees to be included in a joint bid for the collection, transfer and disposal of solid waste with Genoa and Liberty Townships.
2. That the Board will have the ability to review all submitted bids before making the final determination if Orange Township will agree to the joint contract for services.

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3. That the Board agrees, for the purpose of this joint bid package, that the award of the contract will go to the lowest and best bidder.
4. That the township Administrator has the authority, at her discretion, to enter into an Intergovernmental Agreement that effectuates the intent of this Resolution.
5. 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.
6. This Resolution shall be in full force and effect immediately upon adoption.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

Voted on and signed this 3rd day of May, 2023 in Orange Township, Delaware County, Ohio.

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

Erica Fouss
Chair

Lisa Knapp
Vice Chair

Ben Grumbles
Trustee

RES.23-141 RESCHEDULE REGULAR SCHEDULED TRUSTEE MEETING OF MAY 17, 2023

Motion by Ms. Knapp to move the Regular Scheduled Trustee Meeting of May 17, 2023 at 3:00 p.m. to Tuesday, May 16, 2023 at 9:30 a.m.

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Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

RES.23-142 MEETING ADJOURNMENT

Motion by Ms. Knapp to adjourn.

Seconded by Mrs. Fouss

VOTE: Fouss – Yes Knapp – Yes Grumbles – Absent

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

Erica Fouss
Chair

Lisa Knapp
Vice Chair

Ben Grumbles
Trustee

Attest: _____
Lisa Kraft, Fiscal Officer