

Orange Township Trustees  
January 3, 2017  
Regular Meeting

The audio recording, resolutions passed, and any attachments constitutes an accurate record of the Orange Township Trustee Minutes at the above dated meeting as determined by the Fiscal Officer. The following summary is provided as an overview of the meeting and a “road map” to the audio recording. Copies of this record are available by request at the Orange Township Fiscal Office, 1680 East Orange Road, Lewis Center, Ohio 43035.

Fiscal Officer Joel Spitzer called the meeting to order at 7:00 p.m.

This meeting was held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035.

PLEDGE OF ALLEGIANCE

ROLL CALL: Deborah Taranto – present, Robert Quigley – present, Knapp – absent.

Mr. Spitzer confirmed with Township Administrator Lee Bodnar that at prior meeting it was discussed that Ms. Knapp had a prior business conflict and could not be present this evening.

TOWNSHIP OFFICIALS ALSO PRESENT

Matt Noble	Fire Chief
Joel Spitzer	Fiscal Officer
Amanda Sheterom	Human Resources/Communications Manager
Beth Hugh	Maintenance and Parks Director
Anthony Hray	Planning and Zoning Director
Lee Bodnar	Township Administrator
Michael McCarthy	Township General Counsel

The minutes were prepared by Administrative Assistant for Maintenance and Parks Mary Ann Ross.

**ORGANIZATIONAL BUSINESS**

Fiscal Officer Joel Spitzer opened the floor for nominations for Chairman of the Board of Trustees.

**RES.17-001 CHAIRMAN 2017**

Motion by Ms. Taranto to elect Trustee Rob Quigley as Chairman of the Board of Trustees for the calendar year 2017.

Seconded by Mr. Quigley.

VOTE: Taranto – yes, Quigley – yes, Knapp – absent.

**RES.17-002 VICE CHAIRMAN 2017**

Motion by Mr. Quigley to elect Trustee Taranto as Vice Chairman of the Board of Trustees for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

The remainder of the meeting was turned over to the Chairman.

**PUBLIC COMMENTS**

Mr. Quigley asked if there was anyone who would like to come forward with public comment about anything other than what is on the agenda. No one came forward.

**CONTINUATION OF ORGANIZATIONAL BUSINESS**

**DEPARTMENT REPRESENTATIVES AND LIAISONS**

There was a brief discussion on whether they would like to do liaisons. Ms. Taranto indicated yes, she would like to do liaisons.

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**RES.17-003 MAINTENANCE/PARKS DEPARTMENT LIAISON**

Motion by Mr. Quigley that Trustee Taranto serve as Trustee Liaison to the Orange Township Maintenance/Parks Department, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-004 PUBLIC SAFETY DEPARTMENT LIAISON**

Motion by Mr. Quigley that Trustee Taranto serve as Trustee Liaison to the Orange Township Fire Department and the Delaware County Sheriff Department for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-005 ZONING OFFICE LIAISON**

Motion by Mr. Quigley that Trustee Quigley serve as Trustee Liaison to the Zoning Office, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-006 REGIONAL PLANNING REPRESENTATIVE**

Motion by Mr. Quigley to appoint Anthony Hray, Planning and Zoning Director, as Orange Township Representative to the Delaware County Regional Planning Commission, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-007 REGIONAL PLANNING ALTERNATE REPRESENTATIVE**

Motion by Mr. Quigley to appoint Michele Boni as Orange Township Alternate Representative to the Delaware County Regional Planning Commission, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-008 RECORDS COMMISSION**

Motion by Mr. Quigley that the Township Fiscal Officer, Chairman of the Board of Trustees of Orange Township, and the Township Administrator serve as our Records Commission, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-009 ENTERPRISE ZONE REPRESENTATIVE**

Motion by Mr. Quigley to appoint Robert Quigley as Orange Township Representative on the Enterprise Zone Committee, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-010 ORANGE TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY BOARD LIAISON**

Motion by Mr. Quigley that Trustee Quigley serve as Trustee Liaison to Orange Township Economic Development Advisory Board for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-011 ORANGE TOWNSHIP COMMUNITY PARK BOARD LIAISON**

Motion by Mr. Quigley that Trustee Taranto serve as Trustee Liaison to the Orange Township Community Park Advisory Board, for the calendar year 2017.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**TRUSTEE MEETING SCHEDULE**

The dates were reviewed with the Board and Mr. Bodnar.

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**RES.17-012 2017 TRUSTEE MEETING SCHEDULE**

Motion by Mr. Quigley to schedule 2017 Trustee meetings on the following dates. All dates are on Monday at 7:00 p.m.

January 03, 2017*	July 10, 2017
January 17, 2017*	July 17, 2017
February 06, 2017	August 07, 2017
February 27, 2017	August 28, 2017
March 06, 2017	September 18, 2017
April 03, 2017	October 02, 2017
April 17, 2017	October 16, 2017
May 01, 2017	November 06, 2017
May 15, 2017	November 20, 2017
June 05, 2017	December 04, 2017
June 19, 2017	December 18, 2017

The meetings with a \*; those being, January 03, 2017, and January 17, 2017, are being held on Tuesday due to Monday being a Holiday.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**GOV.DEALS**

**RES.17-013 RESOLUTION OF INTENT TO SELL BY INTERNET AUCTION PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES, ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, THAT IS NOT NEEDED FOR PUBLIC USE, IS OBSOLETE, OR IS UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED**

Mr. Quigley moved the adoption of the following resolution:

WHEREAS, the Board of Township Trustees of Orange Township, Delaware County, Ohio, routinely has personal property, including motor vehicles, road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, which it desires to sell; and

WHEREAS, the Board desires to sell that property by Internet auction and R.C. Section 505.10(D) authorizes the Board to sell such personal property by Internet auction;

NOW, THEREFORE BE IT RESOLVED that it is the intent of the Board of Township Trustees of Orange Township (“Board”) to sell by Internet auction personal property, including motor vehicles, road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired.

BE IT FURTHER RESOLVED that the manner in which the Internet auctions will be conducted, the number of days for bidding on the property, the identity of the representative contracted to conduct the Internet auctions, the contact information of the representative and the general terms and conditions of sale shall be as indicated in Exhibit “A” attached hereto, bearing in its footer the version identifier of 121416 and fully incorporated by reference into this Resolution as if fully repeated herein.

BE IT FURTHER RESOLVED that the Orange Township Administrator is hereby designated as, and for all purposes shall act as, the Board’s agent in conducting and/or administrating Internet auctions held pursuant to this Resolution and that this authority includes, but is not limited to, interacting with the contracted representative that will actually conduct the Internet auctions.

BE IT FURTHER RESOLVED that, after adoption of this Resolution, notice of the Board’s intent to sell unneeded, obsolete, or unfit-for-use township personal property by Internet auction shall be published in a newspaper of general circulation in the township (Delaware Gazette). The notice shall include a summary of the information provided in this Resolution and

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shall be published at least twice and a notice similar to the published notice shall be posted continually throughout the calendar year in a conspicuous place in the Board's office. The notice may also be posted on the Board's Internet web site

BE IT FURTHER RESOLVED that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this 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. Section 121.22.

BE IT FURTHER RESOLVED that this Resolution supersedes any Resolution of intent to sell personal property via Internet auction adopted by this Board prior to the effective date of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall be effective for calendar year 2017.

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

Exhibit "A"

Version 121416

**MANNER OF CONDUCT OF INTERNET AUCTIONS, NUMBER OF DAYS FOR BIDDING ON PROPERTY, IDENTITY AND CONTACT INFORMATION OF CONTRACTED REPRESENTATIVE CONDUCTING INTERNET AUCTIONS AND GENERAL TERMS AND CONDITIONS OF SALE.**

**Section 1. Minimum price; terms and conditions**

When property is to be sold by Internet auction, the Board of Township Trustees of Orange Township ("Board") or its agent may establish a minimum price that will be accepted for specific items and may establish any other terms and conditions for the particular sale, including requirements for pick-up or delivery, method of payment, and sales tax. This type of information shall be provided on the Internet at the time of the auction and may be provided before that time upon request, after the terms and conditions have been determined by the Board or its agent.

**Section 2. Auctions to be conducted by contractor**

The Board, having entered into a contract with GovDeals, Inc. ("GovDeals"), a Delaware corporation, having its principal place of business at 100 Capital Commerce Blvd, Suite 110, Montgomery Alabama 36117, shall utilize such agreement to conduct the Internet auctions. The GovDeals representative assigned to the Board and his/her contact information is as follows:

Name: Greg Thomas  
Title: Client Services Representative  
Region: State of Ohio  
Cell Phone: (937) 344-0286  
Email: gthomas@govdeals.com

**Section 3. Description of how auctions will be conducted**

Township owned personal property, including motor vehicles, road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired will be posted on an Internet-based auction system for sale for potential buyers to bid upon and purchase these items. The Internet site where the items are posted is owned, managed, and operated by a contractor known as GovDeals, Inc. ("GovDeals"). The Board has contracted with GovDeals to post items and act as a representative of the Board to conduct the auction. Items will be listed for no less than the minimum number of days established by this Resolution.

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GovDeals will charge a fee for items that are sold through GovDeal's Internet auction. For any items that are sold, GovDeals will charge a total fee of twelve and one half percent (12.5%) of the sales price. Of that fee, the Board pays seven and one half percent (7.5%) and the winning bidder pays five percent (5%). There is a minimum fee of Five Dollars (\$5.00).

The base fee of seven and one half percent (7.5%) charged to the Board is reduced as follows on sales where the sale price is greater than One Hundred Thousand Dollars (\$100,000.00):

1. Where an asset sells for more than \$100,000, and up to \$500,000 the GovDeals fee is seven and one-half percent (7.5%) of the winning bid up to \$100,000, plus five and one-half percent (5.5%) of the winning bid for auction proceeds in excess of \$100,000 up to \$500,000.
2. Where an asset sells for greater than \$500,000, and up to \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the bid amount in excess of \$500,000 up to \$1,000,000.
3. Where an asset sells for greater than \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the next \$500,000 of the winning bid, plus a fee of two and one-half percent (2.5%) of the bid amount in excess of \$1,000,000.

GovDeals shall collect such fees by collecting all proceeds due the Board from the winning bidder and remitting the proceeds to the Board less the GovDeals fee.

The Board may utilize other disposal approaches including, but not limited to, traditional auctioneer services or sealed bids in addition to GovDeal's services. However, the Board may not simultaneously utilize other disposal approaches for an asset at the same time the asset is listed on the GovDeals online auction site.

#### **Section 4. Minimum number of days that property will be offered**

Personal property sold via Internet auction shall be offered for a minimum of ten (10) days including Saturdays, Sundays, and legal holidays.

#### **Section 5. General terms and conditions of sales**

The following terms and conditions shall apply to all sales via Internet auction:

1. **Guaranty Waiver.** All assets are offered for sale "AS IS, WHERE IS." Neither the Board nor Orange Township, Delaware County, Ohio (collectively "Seller") make any warranty, guaranty or representation of any kind, express or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.
2. **Description Warranty.** Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for mis-description must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. Please note upon removal of the property, all sales are final.
3. **Personal and Property Risk.** Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the Seller and GovDeals from liability therefor.

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4. Inspection. Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See special instructions on each asset page for inspection details.
5. Consideration of Bid. Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.
6. Buyer's Certificate. Successful bidders will receive a Buyer's Certificate by email from GovDeals.
7. Buyers Premium. If a Buyers Premium is shown on the auction page bidder box, then that amount (expressed as a percentage of the final selling price) will be added to the final selling price of all items in addition to any taxes imposed.
8. Payment. Payment in full is due not later than 5 business days from the time and date of the Buyers Certificate. Payment must be made electronically through the GovDeals Website. Acceptable forms of payment are:
  - PayPal
  - Wire Transfer
  - Visa
  - MasterCard
  - American Express
  - Discover

PayPal and Credit Card purchases are limited to below \$5,000.00. If the winning bid plus applicable taxes, if any indicated, and the buyer's premium, equals more than \$4,999.99, PayPal and Credit Cards may not be used. If Wire Transfer is chosen, a Wire Transfer Transaction Summary page will provide payment and account information. The Wire Transfer must be completed within 5 days.

9. Removal. All assets must be removed within ten (10) business days from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will Seller assume responsibility for packing, loading or shipping. See special instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.
10. Vehicle Titles. Seller will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.
11. Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, Seller may exercise such rights and may pursue such remedies as are provided by law. Seller reserves the right to reclaim and resell all items not removed by the specified removal date.
12. Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on GovDeals. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

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13. State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.
14. Sales to Employees. Except as permitted in R.C. Section 511.13, employees of the Seller may not bid on the property listed for auction.

121416

**REGULAR SESSION**

**APPROVAL OF MINUTES**

There were no minutes to approve.

**ZONING REPORT**

**ORANGE TOWNSHIP ZONING HEARINGS/MEETING REPORT**

Mr. Hray commented the Zoning Commission would be meeting this Thursday, January 5, 2017 and the Board of Zoning Appeals will be meeting on Thursday, January 19, 2017, and hear three cases.

**ACCEPTANCE OF PUBLIC RECREATIONAL BIKE AND PEDESTRIAN TRAIL EASEMENT**

Mr. Hray gave a brief history regarding this resolution.

**RES.17-014 ACCEPTANCE OF PUBLIC RECREATIONAL BIKE AND PEDESTRIAN TRAIL EASEMENT FROM THOMAS A. SANFILLIPO, TRUSTEE OF THE THOMAS A. SANFILLIPO REVOCABLE TRUST, AS TO PROPERTY ABUTTING LEWIS CENTER ROAD AND LOCATED EAST OF U.S. ROUTE 23 IN ORANGE TOWNSHIP**

Mr. Quigley moved the adoption of the following Resolution:

BE IT RESOLVED, that the Board of Township Trustees of Orange Township, Delaware County, Ohio hereby accepts the donation of the *Public Recreational Bike and Pedestrian Trail Easement* tendered to the Board by Thomas A. Sanfillipo, Trustee of the Thomas A. Sanfillipo Revocable Trust u/a/d June 5, 2001, as to property abutting Lewis Center Road and located east of U.S. Route 23 in Orange Township, being the same as approved by the Delaware Common Pleas Court in Case No. 16-CVH-12-0770, filed on December 29, 2016.

BE IT FURTHER RESOLVED, that Michael J. McCarthy, Township counsel, is hereby directed to file such easement in the office of the Delaware County Recorder.

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp –absent.

**MAINTENANCE REPORT**

**DISCUSSION AND POSSIBLE ACTION REGARDING 2017 ROAD IMPROVEMENT PROGRAM**

Maintenance and Parks Director, Ms. Hugh reviewed information she had placed in the Trustees' mailboxes and gave her concerns. Ms. Hugh answered the Board's questions.

**RES.16-015 APPROVE 2017 ROAD IMPROVEMENT PROGRAM**

Motion by Mr. Quigley to approve the 2017 Road Improvement Program as dated December 20, 2016, as modified, as received from the Delaware County Engineer's Office.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

ACCEPTANCE OF ROAD AND SET SPEED LIMITS AND STOP CONDITIONS

**RES.17-016 ACKNOWLEDGE ROADS**

Motion by Mr. Quigley to acknowledge the addition of the following roads:

⇒ 0.28 additional miles to Township Road TR 1669, Weeping Rock Drive

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-017 DECLARE A REASONABLE AND SAFE PRIMA-FACIE SPEED LIMIT FOR CERTAIN HIGHWAYS UNDER TOWNSHIP JURISDICTION AND LOCATED WITHIN COMMERCIAL SUBDIVISIONS OR RESIDENTIAL SUBDIVISIONS**

Motion by Mr. Quigley;

WHEREAS, R.C. Section 4511.21(K) (5) authorizes The Board of Township Trustees to declare a reasonable and safe prima-facie speed limit of less than fifty-five miles per hour, but not less than twenty-five miles per hour, upon a finding that the prima-facie permitted speed of fifty-five miles per hour is greater than is reasonable and safe in regard to certain township highways; and

WHEREAS, such authority is limited to those highways under township jurisdiction which are located within commercial or residential subdivisions; and

WHEREAS, residents of subdivisions within the township have indicated that such prima-facie limit of fifty-five miles per hour is greater than is reasonable and safe, and have asked for lower speed limits to promote health, safety and welfare in their neighborhoods, and

WHEREAS, The Board of Township Trustees have conducted an investigation of those township highways listed in the attached Exhibit “A,” and have received a recommendation from the Delaware County Engineer’s Office to the Delaware County Commissioners regarding the appropriate speed limit which should be established for such highways; and

WHEREAS, the Delaware County Engineer's Office has previously, by letter to this Board dated December 16, 2004, confirmed that, prior to making such a recommendation to the Commissioners, it is the practice and policy of the Delaware County Engineer's office to conduct an engineering and traffic investigation as to each affected road; and

WHEREAS, that correspondence stated the belief of the Delaware County Engineer's Office that this practice and policy, and the resulting recommendation of the Delaware County Engineer, satisfies the requirement of RC 4511.21(k) (5) for an “engineering and traffic investigation,” and that The Board, upon being presented with a copy of such a document, thus has a basis upon which to establish a speed limit conforming with the recommendation; and

WHEREAS, that correspondence further advised The Board that, pending further written notice from that office, it may rely upon such a written recommendation of the Delaware County Engineer's Office to the Commissioners as being in compliance with the foregoing and that the speed limit recommended therein is appropriate on the streets in platted subdivisions that are the subject of the document; and

WHEREAS, that correspondence further advised The Board that the foregoing applies to recommendations received in the future and to such recommendations as may have been received bearing a date subsequent to May 18, 1998; and

WHEREAS, upon such basis, it is the finding of The Board that the Delaware County Engineer’s Office has reviewed those township highways listed in the attached Exhibit “A” and found them to be appropriate for a prima-facie permitted speed of twenty-five (25) miles per hour;

NOW THEREFORE BE IT RESOLVED that The Board of Township Trustees of Orange Township, Delaware County, Ohio, upon the basis of the investigation conducted and the

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recommendation received from the Delaware County Engineer’s Office, finds that the prima-facie speed limit of fifty-five miles per hour set forth in R.C. 4511.21(B) (5) is greater than is reasonable and safe under the conditions existing at the location of those township highways listed in the attached Exhibit “A.”

BE IT FURTHER RESOLVED that The Board finds all highways listed in the attached Exhibit “A” are located within residential or commercial subdivisions of the township outside the limits of a municipal corporation, and that all other requirements of R.C. 4511.21(K)(5) have been met or satisfied.

BE IT FURTHER RESOLVED that The Board declares the reasonable and safe prima-facie speed limit upon those township highways listed in the attached Exhibit “A” to be twenty-five miles per hour.

BE IT FURTHER RESOLVED that the Maintenance Manager is hereby directed to erect appropriate signage giving notice of this altered speed limit as soon as possible so that enforcement may begin.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp –absent.

**Exhibit A:**

ROAD INVENTORY					
Project #	13067	Project Name	Woods at Weeping Rock		
Road Name	Weeping Rock Drive	Road Number	TR 1669		
Township	Orange	Map Location	I-7		
R/W Width	60 feet	Pavement Width	Varies		
Shoulder Width	Curb & Gutter	Surface Type	I		
Starting Point	Centerline of intersection with CR 106 Lewis Center Road at Station 0+00				
Ending Point	Mid-point of the cul-de-sac at sta 14+76+/-				
Length of Section	0.28mile	Existing Inv. Length	0.0 mile	New Inv. Length	0.28 mile
Date Accepted	12/19/2016	Inventory Year	2016		
Notes:	Establishes a stop condition for TR 1669 Weeping Rock Drive at its intersection with CR 106 Lewis Center Road				

**DISCUSSION AND POSSIBLE ACTION REGARDING BALE KENYON ROAD IMPROVEMENT – AWARD CONSTRUCTION CONTRACT**

Removed from the agenda.

**PARK REPORT**

**DISCUSSION AND POSSIBLE ACTION REGARDING 5K VETERANS RACE NOVEMBER 11, 2017**

Mr. Quigley commented he started this last year. He commented he wanted to get ahead of the game and start earlier this year. He felt last year, with the help of all involved departments, it went well.

**RES.17-018 APPROVING AN EVENT PRODUCTION TIMING AGREEMENT WITH RACEPENGUIN LLC.**

Motion by Mr. Quigley:

WHEREAS, the Orange Township Board of Trustees (the “Board”) desires to host a community 5K race in the Township on November 11, 2017; and

WHEREAS, the Board has authority pursuant to R.C. § 505.261 to host such a community event and to expend any funds necessary for presenting the community event; and

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WHEREAS; the Board desires to enter into a contract with RacePenguin LLC for the purpose of providing race timing technology on race day.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby authorizes and approves the attached Event Production Timing Agreement with RacePenguin LLC.

Section 2. Pursuant to the terms of the Agreement, the Board hereby approves issuing a purchase order to RacePenguin in the amount that is determined on race day. The actual cost is dependent on the number of participants. In no event shall the amount exceed five thousand dollars (\$5,000.00)

Section 3. The Board hereby authorizes Ms. Beth Hugh to execute the Agreement on the Board's behalf.

Section 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.

Section 5. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**APPROVE CHANGE ORDER FOR NORTH ORANGE PARK IMPROVEMENT**

Removed from the agenda.

**APPROVE FINAL PAY APPLICATION FOR NORTH ORANGE PARK IMPROVEMENT**

Removed from the agenda.

Ms. Hugh commented she is finalizing all the field use agreements for 2017. She discussed possibly increasing the cost of the field use, due to the increase of lawn care and fertilization of the fields. She asked the Board to consider a 10%. The Board commented they would like to look at the figures before making a decision. She commented she would send to the requestors the information with a possible 10% increase and then will get back with the Board any feedback.

**PUBLIC SAFETY REPORT**

**REIMBURSEMENT OF SICK LEAVE HOURS**

**RES.17-019 AUTHORIZE THE TRANSFER OF SICK TIME TO INJURY LEAVE FOR DONNY PETTIS**

Motion by Mr. Quigley to authorize the transfer of 360 hours of sick time to injury leave for Donny Pettis.

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

Chief Noble reviewed an incident where the on duty crew went above and beyond what was necessary for a resident.

**FISCAL OFFICER REPORT**

**DISCUSSION AND POSSIBLE ACTION REGARDING THE DELAWARE COUNTY BANK & TRUST COMPANY FOR DEPOSIT OF PUBLIC FUNDS**

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Mr. Spitzer commented this is done annually. It has been reviewed by Mr. Bodnar, Mr. McCarthy and their legal department. He thought mid-year there would probably be another agreement when the bank's name change comes about.

**RES.17-020 DESIGNATING THE DELAWARE COUNTY BANK & TRUST COMPANY  
A TOWNSHIP DEPOSITORY FOR ACTIVE PUBLIC MONEYS AND AUTHORIZING  
AGREEMENT**

Mr. Quigley moved the adoption of the following Resolution:

WHEREAS, the Township Fiscal Officer has recommended that The Delaware County Bank and Trust Company ("Bank") be designated as a depository of active public moneys; and

WHEREAS, the Board of Township Trustees has considered this recommendation;

NOW THEREFORE BE IT RESOLVED that the Bank is hereby designated a depository for the active public moneys of Orange Township in accordance with its proposed *Agreement for Deposit of Public Funds* ("Agreement"), as modified herein.

BE IT FURTHER RESOLVED that this designation shall be for the period extending from December 31, 2016 through January 1, 2021.

BE IT FURTHER RESOLVED that the Board shall enter into an agreement with the Bank for the period of December 31, 2016 through January 1, 2021. Such contract shall be in the form of the Agreement submitted to the Board by the Bank, the contents of which are incorporated by reference into this resolution as if fully repeated herein, modified as follows:

1. In the first line of the first paragraph on the first page of the Agreement, and in the first signature block on the third page of the Agreement, "The Delaware County Bank and Trust Company" is substituted for "The Delaware County Bank & Trust Co."
2. On the first page of the Agreement, just prior to text reading "(Subdivision)", and in the second signature block on the third page of the Agreement, "Board of Township Trustees of Orange Township, Delaware County, Ohio" is substituted for "Orange Township Trustees".
3. In the fifth line of the first full paragraph on the second page of the Agreement, "active," is inserted prior to the work "inactive."

BE IT FURTHER RESOLVED that the agreement shall be executed by Mr. Joel Spitzer on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-021 DEPOSIT OF PUBLIC FUNDS**

Motion by Mr. Quigley to enter into agreement with the Delaware County Bank & Trust Company for the Deposit of Public Funds.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**TRANSFER OF FUNDS**

**RES.17-022 RESOLUTION TO ESTABLISH THE NORTH ROAD IMPROVEMENTS  
CAPITAL PROJECT FUND**

Mr. Quigley moved the adoption of the following Resolution:

WHEREAS, Section 5705.13(C) of the Ohio Revised Code permits the Board to establish, by resolution, capital projects funds to accumulate resources for the acquisition, construction, or improvement of fixed assets of the Township;

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NOW THEREFORE BE IT RESOLVED by the Board of Township Trustees of Orange Township, Delaware County, Ohio, that the North Road Improvements Capital Project Fund is established to accumulate resources for the following fixed asset that the Board intends to acquire, construct, or improve with the money to be accumulated in the fund for improvements to North Road.

BE IT FURTHER RESOLVED that the amount of money to be accumulated for the above purpose in the North Road Improvements Capital Project Fund shall be the sum of Two Million Dollars (\$2,000,000.00).

BE IT FURTHER RESOLVED that the foregoing sum shall be accumulated over a period of ten (10) years.

BE IT FURTHER RESOLVED that the source of the money to be used to acquire, construct, or improve the above named fixed asset shall be the General Fund (Fund 1000).

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-023 RESOLUTION TO ESTABLISH THE BALE KENYON ROAD IMPROVEMENTS PHASE 2 CAPITAL PROJECT FUND**

Mr. Quigley moved the adoption of the following Resolution:

WHEREAS, Section 5705.13(C) of the Ohio Revised Code permits the Board to establish, by resolution, capital projects funds to accumulate resources for the acquisition, construction, or improvement of fixed assets of the Township;

NOW THEREFORE BE IT RESOLVED by the Board of Township Trustees of Orange Township, Delaware County, Ohio, that the Bale Kenyon Road Improvements Phase 2 Capital Project Fund is established to accumulate resources for the following fixed asset that the Board intends to acquire, construct, or improve with the money to be accumulated in the fund for improvements to Bale Kenyon Road, from Orange Road to Waverly Place Drive.

BE IT FURTHER RESOLVED that the amount of money to be accumulated for the above purpose in the Bale Kenyon Road Improvements Phase 2 Capital Project Fund shall be the sum of One Million Dollars (\$1,000,000.00).

BE IT FURTHER RESOLVED that the foregoing sum shall be accumulated over a period of ten (10) years.

BE IT FURTHER RESOLVED that the source of the money to be used to acquire, construct, or improve the above named fixed asset shall be the General Fund (Fund 1000).

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-024 RESOLUTION TO ESTABLISH THE BALE KENYON ROAD IMPROVEMENTS PHASE 3 CAPITAL PROJECT FUND**

Mr. Quigley moved the adoption of the following Resolution:

WHEREAS, Section 5705.13(C) of the Ohio Revised Code permits the Board to establish, by resolution, capital projects funds to accumulate resources for the acquisition, construction, or improvement of fixed assets of the Township;

NOW THEREFORE BE IT RESOLVED by the Board of Township Trustees of Orange Township, Delaware County, Ohio, that the Bale Kenyon Road Improvements Phase 3 Capital Project Fund is established to accumulate resources for the following fixed asset that the Board intends to acquire, construct, or improve with the money to be accumulated in the fund for improvements to Bale Kenyon Road, from Waverly Place Drive to East Powell Road.

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BE IT FURTHER RESOLVED that the amount of money to be accumulated for the above purpose in the Bale Kenyon Road Improvements Phase 3 Capital Project Fund shall be the sum of One Million Dollars (\$1,000,000.00).

BE IT FURTHER RESOLVED that the foregoing sum shall be accumulated over a period of ten (10) years.

BE IT FURTHER RESOLVED that the source of the money to be used to acquire, construct, or improve the above named fixed asset shall be the General Fund (Fund 1000).

Motion seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**LIQUOR PERMITS**

Mr. Spitzer commented he had received a letter from the Department of Commerce and the Department of Liquor Control that the liquor permits were up for renewal February of 2017. The Board could contest any if they so chose. The Board did not feel the need to contest.

Mr. Spitzer also commented he did an audit of licenses and the Township was way below their quota in any category of license. He answered the Board's questions and explained some of the process.

**DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASE AMOUNT FOR PURCHASE ORDERS AND THEN AND NOW PURCHASE ORDERS**

Mr. Spitzer explained his reasons for wanting to increase the amounts for purchasing. Chief Noble also spoke on the reasoning. There was discussion among the Board, Mr. Spitzer, Mr. McCarthy. The Board delayed action until a resolution could be made.

**ADMINISTRATOR REPORT**

Mr. Bodnar commented he had nothing to report.

**OLD BUSINESS**

There was nothing to report.

**NEW BUSINESS**

**APPOINT OTCPB MEMBER**

Tabled.

**EXECUTIVE SESSION**

Motion by Mr. Quigley to go into Executive Session:

To Consider the Appointment, Employment, Dismissal, Promotion, Demotion, or Compensation of Public Employees or Officials

Purchase of Property

The following were invited to attend: the Board, Fiscal Officer, Mr. Spitzer; Township General Counsel, Mr. McCarthy; Maintenance and Parks Director, Ms. Hugh; Fire Chief Noble; Township Administrator, Mr. Bodnar; Human Resources/Communications Manager, Ms. Sheterom, and Planning and Zoning Director, Mr. Hray.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

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Motion by Mr. Quigley to return to Regular Session and possibly Organizational Business.  
Seconded by Ms. Taranto.  
VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**REGULAR SESSION**

**FISCAL OFFICE (Continued)**

**SUPPLEMENTAL APPROPRIATION**

**RES.17-025 SUPPLEMENTAL APPROPRIATIONS**

Motion by Mr. Quigley to authorize the Township Fiscal Officer to make supplemental appropriations within a fund, when necessary, in order to prepare warrants.  
Seconded by Ms. Taranto.  
VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-026 RESOLUTION TO AUTHORIZE CERTAIN TOWNSHIP OFFICERS AND EMPLOYEES TO INCUR OBLIGATIONS OF TWO THOUSAND FIVE HUNDRED DOLLARS OR LESS**

Mr. Quigley moved the adoption of the following Resolution:

WHEREAS, Section 507.11 of the Ohio Revised Code empowers the Board to authorize Township officers and employees to incur obligations of two thousand five hundred dollars (\$2,500.00) or less on behalf of the Township; and

WHEREAS, it is deemed prudent and necessary to utilize this power to authorize certain Township officers and employees to incur such obligations up to a maximum amount of two thousand five hundred dollars (\$2,500.00);

BE IT RESOLVED that the Board of Township Trustees of Orange Township hereby authorizes the following listed Township officers and employees to incur obligations of two thousand five hundred dollars (\$2,500.00) or less on behalf of the Township: the Board of Trustees, the Fiscal Officer, Township Administrator, the Fire Chief, the Maintenance and Parks Director and the Planning and Zoning Director.

BE IT FURTHER RESOLVED that, pursuant to Section 507.11 of the Ohio Revised Code, the obligations incurred on behalf of the Township by such Township officers and employees acting pursuant to this resolution shall be subsequently approved by the adoption of a formal resolution of the Board.

BE IT FURTHER RESOLVED that all resolutions, or parts thereof, previously passed by the Board and inconsistent with this resolution are hereby repealed and of no further force or effect.

Motion seconded by Ms. Taranto.  
VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**MAINTENANCE REPORT (Continued)**

**DISCUSSION AND POSSIBLE ACTION REGARDING ADDITIONAL MAINTENANCE EMPLOYEE**

Not discussed.

**CONTINUATION OF ORGANIZATIONAL BUSINESS**

Mr. Quigley commented this is only for the non-union employees. The union employees are governed by their contract. Fire Chief Noble declined his increase. The Board thanked him. It was decided 2% across the board.

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**RES.17-027 FACILITIES AND EQUIPMENT SUPERVISOR**

Motion by Mr. Quigley to set the pay for the Facilities and Equipment Supervisor at \$32.60 per hour, effective December 21, 2017. Paychecks will be issued based on a 14-day pay period.  
Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-028 FACILITIES AND EQUIPMENT WORKER**

Motion by Mr. Quigley to set the pay for the Facilities and Equipment Worker at \$28.40 per hour, effective December 21, 2017. Paychecks will be issued based on a 14-day pay period.  
Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-029 ROADS AND PARKS MANAGER**

Motion by Mr. Quigley to set the pay for the Roads and Parks Manager at \$32.64 per hour, effective December 21, 2017. Paychecks will be issued based on a 14-day pay period.  
Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-030 AMEND RES.17-027 FACILITIES AND EQUIPMENT SUPERVISOR**

Motion by Mr. Quigley to amend the Facilities and Equipment Supervisor's effective date to be December 21, 2016.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-031 AMEND RES.17-028 FACILITIES AND EQUIPMENT WORKER**

Motion by Mr. Quigley to amend the Facilities and Equipment Worker's effective date to be December 21, 2016.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-032 AMEND RES.17-029 ROADS AND PARKS MANAGER**

Motion by Mr. Quigley to amend the Roads and Parks Manager's effective date to be December 21, 2016.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-033 ASSISTANT FISCAL OFFICER**

Motion by Mr. Quigley to set the pay for the Township Assistant Fiscal Office Assistant at \$22.44 per hour, effective December 21, 2016. Paychecks will be issued based on a 14-day pay period and upon the agreement and consent of the Fiscal Officer.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-034 PARK ASSISTANT**

Motion by Mr. Quigley to set the pay for the Park Assistant at \$20.40 per hour, effective December 21, 2016. Paychecks will be issued based on a 14-day pay period.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-035 MAINTENANCE AND PARKS DIRECTOR**

Motion by Mr. Quigley to set the bi-weekly salary for the Maintenance and Parks Director at \$3,200.80, effective December 21, 2016. Paychecks will be issued on a 14-day pay period.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-036 HUMAN RESOURCES/COMMUNICATIONS MANAGER**

Motion by Mr. Quigley to set the bi-weekly salary for the Human Resources/Communications Manager at \$2,080.80, effective December 21, 2016. Paychecks will be issued on a 14-day pay period.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

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**RES.17-037 PLANNING AND ZONING DIRECTOR**

Motion by Mr. Quigley to set the bi-weekly salary for the Planning and Zoning Director at \$1,856.33, effective December 21, 2016. Paychecks will be issued on a 14-day pay period.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-038 AMEND RES.17-037 PLANNING AND ZONING DIRECTOR**

Motion by Mr. Quigley to amend the Planning and Zoning Director bi-weekly salary to read \$2,745.60, effective December 21, 2016.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

**RES.17-039 PLANNING AND ZONING OFFICER**

Motion by Mr. Quigley to set the pay for the Planning and Zoning Officer at \$22.06 per hour effective December 21, 2016. Paychecks will be issued on a 14-day pay period.

Seconded by Ms. Taranto.

VOTE: Quigley – yes, Taranto – yes, Knapp – absent.

There being no further business, meeting adjourned at 8:45 p.m.

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Robert W. Quigley, Chairman

\_\_\_\_\_  
Deborah Taranto, Vice Chairman

\_\_\_\_\_  
Lisa Knapp, Trustee

Attest: \_\_\_\_\_  
Joel M. Spitzer, Fiscal Officer