

**BOARD OF TRUSTEES JOURNAL OF ACTIONS  
FROM REGULAR MEETING HELD FEBRUARY 16, 2021  
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](http://www.orangetwp.org)

Mr. Grumbles called the meeting to order at 6:00 p.m.

**PRESENT:** Ben Grumbles, Chair  
Deborah Taranto, Vice-Chair  
Ryan Rivers, Trustee  
Lisa Kraft, Fiscal Officer

**ALSO PRESENT:** Bill Cowan, Director of Operations  
Scott Rice, Fire Chief  
Michele Boni, Development and Zoning Director  
Andrew King, Township Administrator

**RES. 21-054 ADOPTING THE RECOMMENDATION OF APPROVAL OF THE ZONING COMMISSION AS TO ZONING APPLICATION #ZON-20-03 OF KERBLER FARMS LLC/KERBLER BUILDERS**

Mr. Grumbles moved the adoption of the following Resolution:

WHEREAS, the Zoning Commission, by its *Motion* adopted January 26, 2021, recommended the conditional approval of Zoning Application #ZON-20-03 of Kerbler Farms LLC/Kerbler Builders, requesting the amendment of the currently effective development plan for Slate Ridge Single Family Planned Residential District (application #13-0305)

WHEREAS, that this recommendation is for amendment in accordance with the changes to the Development Text and Exhibits “A” and “D” reflected in the revised versions of that text and exhibits, all submitted by the applicant in a hard copy binder, the pages of which are stamped RECEIVED with ORANGE TWP. ZONING above and JAN 19 2021 superimposed over RECEIVED by Orange Township Zoning (collectively, the “Development Plan”), as modified by the stipulations listed for correction/modification in the *Statement of Stipulations* and incorporated herein by reference, all of which stipulations have been agreed to by the owner/applicant; and

WHEREAS, a replacement version of that submission, the contents of which are stamped RECEIVED with ORANGE TWP. ZONING above and FEB 9 2021 superimposed over RECEIVED by Orange Township Zoning (“Replacement Version”), has been received from the applicant, which version addresses the comments and concerns of the Zoning Commission; and

WHEREAS, the Board of Township Trustees (“Board”), following the required public hearing, determines that the *Replacement Version* should be adopted and approved;

NOW THEREFORE BE IT RESOLVED that the Replacement Version is adopted and approved.

BE IT FURTHER RESOLVED that the version of the application hereby approved consists of the Development Plan as modified by those materials of the Replacement Version stated in the Listing of

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Approved Documents appended hereto as Attachment “1”, the contents of which are incorporated by reference herein.

BE IT FURTHER RESOLVED that to the extent any materials listed in Attachment “1” vary from the Development Plan, by conflict or addition, they shall amend or supplement it.

BE IT FURTHER RESOLVED that all portions of the previously approved Development Plan, not changed herein, shall continue in full force and effect.

Motion seconded by Ms. Taranto

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

*Attachment “1”*

**Listing of Approved Documents**

**Re: Zoning Application #ZON-20-03 of Kerbler Farms LLC/Kerbler Builders requesting the amendment of Application #13-0305**

Development Text

Exhibit A – Development Plans (A-1.0, A-1.1, A-1.2, A-1.3, A-2.0, A-2.1, A-2.2, A-2.3, A-3.0, A-4.1, A-4.2, A-4.3)

Exhibit D – Landscape Plans (D, D-1.1, D-1.2, D-2, D-2.1, D-3)

**APPROVAL OF CONSENT AGENDA**

**1) IN THE MATTER OF APPROVING THE CONSENT AGENDA FOR THE REGULAR MEETING HELD ON FEBRUARY 16, 2021:**

It was moved by Mr. Grumbles, seconded by Mr. Rivers to approve the consent agenda for Regular Meeting held on February 16, 2021;

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

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

**A) RES.21-055 APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM THE REGULAR MEETING HELD ON FEBRUARY 1, 2021:**

WHEREAS, the Board of Trustees for Orange Township, Delaware County, Ohio (the “Board”) met in regular session on February 1, 2021; and

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;



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BE IT FURTHER RESOLVED that Director of Operations Mr. William Cowan shall execute such Agreement on behalf of the Board.

This Resolution shall take effect and be in force immediately upon passage.

Motion seconded by Mr. Rivers

VOTE: Grumbles – YES                      Taranto – YES                      Rivers – YES

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. 21-059 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  
Orange Township, Delaware County, Ohio

**CON.21-0216.1: THE BOARD GAVE CONSENSUS NOT TO HOLD A HEARING FOR A LIQUOR LICENSE FOR LT PIZZA CO LLC dba PIZZA COTTAGE.**

**RES.21-060 AUTHORIZE THE ISSUANCE OF THEN AND NOW PURCHASE ORDER TO EASTMAN & SMITH LTD.**

Motion by Mr. Grumbles to authorize the issuance of Then and Now Purchase Order to Eastman & Smith, LTD. in the amount of \$14,491.00 for legal counsel.

Seconded by Mr. Rivers

VOTE:              Grumbles – YES                      Taranto – YES                      Rivers – YES

**RES.21-061 APPROVING TOWNSHIP PERMANENT APPROPRIATION MEASURE FOR THE CORONAVIRUS RELIEF FUND**

The Board of Trustees of Orange Township, Delaware County, Ohio (“Board”) met in regular session on February 1, 2021 with the following members present:

Ben Grumbles

Deborah Taranto

Ryan Rivers



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ORANGE TOWNSHIP - DELAWARE COUNTY**

Voted on and signed this 16 day of February, 2021 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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Deborah Taranto  
Vice-Chair

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Ryan Rivers  
Trustee

Attest:

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Lisa Kraft  
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. 21-061 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: \_\_\_\_\_

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Lisa Kraft

**BOARD OF TRUSTEES JOURNAL OF ACTIONS  
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Township Fiscal Officer  
Orange Township, Delaware County, Ohio

**RES. 21-062 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO IMAGESOFT**

Motion by Mr. Grumbles to authorize the issuance of a Purchase Order to ImageSoft, LLC, in the amount of \$19,990.70 for contracted services. The Administrator is authorized to execute documents on behalf of Orange Township.

Seconded by Ms. Taranto

VOTE:           Grumbles – YES                           Taranto – YES                           Rivers – YES

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. 21-062 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.21-063 APPOINTMENT TO FULL-TIME POSITION OF FACILITIES AND PARKS MANAGER**

Mr. Grumbles moved the adoption of the following resolution:

BE IT RESOLVED that Mike Kelly is appointed to the non-exempt, full-time, non-bargaining unit employment position of Parks and Facilities Manager, effective February 24, 2021

BE IT FURTHER RESOLVED that the compensation for this full time, salaried, exempt position shall be at the rate of \$62,400 per year, paid equally according to the Orange’s established payroll schedule, with paychecks to be issued based on a 14-day pay period. In the first quarter of 2022 and upon a satisfactory performance review and approval by the Administrator, his salary shall be increased to \$68,700.00. In the first quarter of 2023 and upon a satisfactory performance review and approval by the Administrator, his salary shall be increased to \$75,000.00. Mike Kelly may be required to receive additional licensing or certificates to achieve these increases, which shall be approved by the Administrator. This resolution shall not be interpreted as to create an employment contract.

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.

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Seconded by Mr. Rivers

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

**RES. 21-064 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO QUALITY CUSTOM SIGNS LLC**

Motion by Mr. Grumbles to authorize the issuance of a Purchase Order to Quality Custom Signs LLC in an amount up to \$11,000.00 for installation and production of signs for the fire station. The Administrator is authorized to execute documents on behalf of Orange Township.

Seconded by Mr. Rivers

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. 21-064 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.21-065 ORANGE TOWNSHIP OUTREACH AND COMMUNICATIONS COMMITTEE (“OTOCC”)**

Motion by Mr. Grumbles to re-appoint Tony Benishek to a full two year term as a member on the Orange Township Outreach and Communications Committee (“OTOCC”) commencing January 1, 2021, and expiring December 31, 2022.

Seconded by Ms. Taranto

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

**RES.21-066 ORANGE TOWNSHIP OUTREACH AND COMMUNICATIONS COMMITTEE (“OTOCC”)**

Motion by Mr. Grumbles to appoint Jon D. Hartwell to a full two year term as a member on the Orange Township Outreach and Communications Committee (“OTOCC”) commencing January 1, 2021, and expiring December 31, 2022.

Seconded by Mr. Rivers

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES



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**RES.21-067 ORANGE TOWNSHIP OUTREACH AND COMMUNICATIONS COMMITTEE  
("OTOCC")**

Motion by Mr. Grumbles to appoint Kimberly Boston to a full two year term as a member on the Orange Township Outreach and Communications Committee ("OTOCC") commencing January 1, 2021, and expiring December 31, 2022.

Seconded by Mr. Rivers

VOTE:           Grumbles – YES                           Taranto – YES                           Rivers – YES

**EXECUTIVE SESSION**

**RES.21-068 ENTER INTO EXECUTIVE SESSION**

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

- a) to conference with its attorneys to discuss pending legal actions, as permitted by R.C. 121.22(G)(3).

**Seconded Ms. Taranto**

VOTE:           Grumbles – YES                           Taranto – YES                           Rivers – YES

Those invited to attend Executive Session: Andrew King; Chris Betts; Paul LaFayette

**RES.21-069 RETURN TO REGULAR SESSION**

Mr. Grumbles made a motion to return to regular session

Seconded by Mr. Rivers

VOTE:           Grumbles – YES                           Taranto – YES                           Rivers – YES

**RES.21-070 IN THE MATTER OF AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO  
NEGOTIATE AND APPROVE SETTLEMENT OF ACTION BEFORE PUCO**

The Board of Trustees of Orange Township, Delaware County, Ohio ("Board") met in regular open session on February 16, 2021.

Mr. Grumbles moved the adoption of the following Resolution.

**PREAMBLE**

**WHEREAS;** the Township is a party to case number 19-180-RR-UNC currently pending before the Public Utilities Commission of Ohio (PUCO) and captioned as: In the Matter of the Joint Petition of Norfolk Southern Railway Company and CSX Transportation, Inc. to Close the Franklin Street Crossings (DOT Nos. 481482D & 518257V) in Orange Township, Delaware County, Ohio ("Franklin Street Crossings Closure Case"); and,

**WHEREAS;** it is desire of the Board to authorize the Township Administrator to negotiate and approve settlement of the Franklin Street Crossings Closure Case on behalf of the entire Board and, to that end, sign all related necessary documents on behalf of the entire Board and in so doing bind the Board.

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**NOW THEREFORE, BE IT RESOLVED:**

1. Township Administrator, Andrew J. King (“Administrator”), is hereby authorized to negotiate and approve settlement of the Franklin Street Crossings Closure Case on behalf of the entire Board for a) the dollar amounts stated in the letter from the Ohio Rail Development Commission (ORDC) dated August 14, 2018 attached as Exhibit A and b) with a crossings closure date on or before December 31, 2021 (“Settlement”).
2. The Administrator is hereby given full authority to sign on behalf of the entire Board any and all necessary documents related to Settlement (“Documents”). The signature of the Administrator on such Documents shall be binding upon the Board as if the Documents had been signed by at least a majority of the Board’s entire membership.
3. 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 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 shall take effect immediately upon adoption.

Ms. Taranto seconded the motion.

**APPROVED AND ADOPTED FEBRUARY 16, 2021 BY:**

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

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Ben Grumbles  
Chair

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Deborah Taranto  
Vice-Chair

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Ryan Rivers  
Trustee

**ATTEST:**

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Lisa Kraft

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Date

**BOARD OF TRUSTEES JOURNAL OF ACTIONS  
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Orange Township Fiscal Officer

State of Ohio :  
Delaware County :

I, the undersigned Orange Township Fiscal Officer hereby certify that the foregoing Resolution is taken and copied from the record of proceedings of the Orange Township Board of Trustees and that it has been compared by me with the resolution on the record and is a true copy. Further, I certify that the adoption of such resolution occurred in an open meeting held in compliance with R.C. § 121.22.

\_\_\_\_\_  
Lisa Kraft  
Orange Township Fiscal Officer  
Delaware County, Ohio

\_\_\_\_\_  
Date

**RES.21-071 MEETING ADJOURNMENT**

Motion by Mr. Grumbles to adjourn.

Seconded by Mr. Rivers

VOTE:            Grumbles – YES                            Taranto – YES                            Rivers – YES

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

\_\_\_\_\_  
Ben Grumbles, Chair

\_\_\_\_\_  
Deborah Taranto, Vice-Chair

\_\_\_\_\_  
Ryan Rivers, Trustee

Attest: \_\_\_\_\_  
          Lisa Kraft, Fiscal Officer