

Orange Township Trustees
March 5, 2018
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.

Ms. Knapp called the meeting to order at 7:00 p.m.

Motion by Ms. Knapp to appoint Mr. Bodnar as Interim Fiscal Officer.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

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

ROLL CALL:, Lisa F. Knapp – yes, Ryan Rivers – yes, Deborah Taranto – yes.

PLEDGE OF ALLEGIANCE

TOWNSHIP OFFICIALS ALSO PRESENT

Matt Noble	Fire Chief
Amanda Sheterom	Human Resources/Communications Manager
Beth Hugh	Maintenance and Parks Director
Michele Boni	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.

Township Administrator, Lee Bodnar shared that Fiscal Officer, Joel Spitzer was unable to attend the meeting.

REGULAR SESSION

PUBLIC COMMENT

Ms. Knapp asked anyone to come forward with public comment about anything other than what is on the agenda. No one came forward.

7:00 P.M. DELAWARE COUNTY SHERIFF RUSSELL L MARTIN TO PROVIDE AN ACTIVITIES UPDATE

Delaware County Russ Martin came forward and commented:

- He likes to give updates from time to time on crime trends specific to the township
- He provided the Board with information which he described as:
 - An overview of what they have tracked throughout the county and Orange Township
 - He described a dashboard piece that was a week in the life of the county, Orange Township the most recent week
- Orange Township makes up 15% of the county’s unincorporated population
- Is one quarter of the sheriff office’s jurisdiction
- Deputies responded to over 10,000 calls for service in the township for 2017
- Included in that count was deputy initiated traffic stops
- The Township remains an active township for response by the deputies
- The most common types of calls they respond to in the township are suspicious person or vehicle; followed by theft and larceny
- Shoplifting remains the most common theft

Orange Township Trustees
March 5, 2018
Regular Meeting

- They have conducted over 1,000, business and residential checks in the township
- That is response to people on vacation
- 2,200 traffic stops; 30% result in traffic citations
- Incidents overall in the township:
 - Deputies wrote 1,861 reports in the township for 2017; a 10% increase over 2016
 - Traffic citations increased largely do to citizen concern of residential speeding
 - There has been an increase in domestics; that is in line with the rest of the county
 - These type calls continue to trend up
 - They are the most dangerous calls a deputy goes on
 - As experienced in the recent Westerville incident
 - He is currently waste deep in the capital campaign to bring a domestic violence shelter to Delaware County
 - They have raised a little over 2.3 million dollars towards a 3.2 million dollars capital campaign
 - Delaware County remains the largest county in the state of Ohio without a domestic violence shelter
 - He felt it is embarrassing and has gone on way too long
 - He is an honorary co-chair and they will take any assistance
 - Stolen vehicles have gone up a little in the township; largely contributed to people leaving keys in their cars
- He provided a comparison trend between 2016-2017 page for the Board to review
- Drug overdoses are on the way up everywhere, all illegal drug use
- There was an increase of 85% overdose deaths in the county for 2017
- Traffic deaths: 21 in 2016; 12 in 2017
- Suicide 27 in 2016; and 20 in 2017
- Combined there is still more deaths by overdose in 2017
- Student safety in the schools is on everyone's mind
 - He still feels that day in and day out schools are the safest places in America
 - In last 2 months they have arrested 3 juveniles that have made threats on social media
 - He stressed if something is put on social media that is perceived as a threat; it will be investigated and could lead to criminal charges
 - He felt there is a great relationship with the schools and their resource officers
 - He communicates with the superintendents on a regular basis
- He briefly reviewed the overview of their webpage
- The jail has the capacity for 290; recent months it has been running to 150 to 170 inmates
- He reviewed the county/sheriff's integration of inmates back into society
- The county is housing less federal inmates than in the past
- The last page reviewed the services they provide
- He opened it up for questions

Ms. Knapp asked how many deputies they have. They have 90 sworn deputies for the entire county. The numbers have stayed fairly consist. He reviewed the staffing. A short discussion was held among the Board, department heads, and Sheriff.

APPROVAL OF MINUTES

Nothing to report.

ZONING REPORT

ORANGE TOWNSHIP ZONING HEARINGS/MEETING REPORT

Michele Boni, Planning and Zoning Director reviewed the hearings/meeting report.

**SET DATE FOR THE BOARD OF TRUSTEES HEARING REGARDING ZONING CASE
#ZON-17-09, CCBI LEWIS CENTER LLC**

RES.18-088 SET HEARING DATE

Orange Township Trustees

March 5, 2018

Regular Meeting

Motion by Ms. Knapp to hold the zoning hearing for Case #ZON-17-09; CCBI Lewis Center, Ohio LLC, on April 2, 2018, at 7:30 p.m. at township hall.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING ZONING VIOLATION #ZV-17-40, 6229 1ST STREET

Ms. Boni commented this was something she and her Zoning Enforcement Officer has been working on. The property is located in old Lewis Center, 6229 First Street. They have sent multiple letters out; they have not received much response. They have contacted the Delaware County Prosecutor's Office to pursue such violation, but before he gets going on all his documentation; she would like some sort of consensus from the Board on whether they would like to move forward on this violation. Ms. Boni showed current pictures showing miscellaneous junk; more specifically a truck adjacent to the road. The tags on the truck have been expired for approximately 3 years. It is an inoperative vehicle. She has been working with Ms. Hugh and the Sheriff's Office to see if they can remove the vehicle since it is in the right of way. Ms. Hugh explained the concern of the Sheriff's Office regarding the two different right of ways for that area. Ms. Hugh and Ms. Boni answered the Board's questions. Township Counsel, Mr. McCarthy commented he thought there have been issues before with this property owner/address. Ms. Boni wanted to give the Board an overview. Mr. Bodnar suggested possibly contacting a church that wanted to help the community. Mr. Bodnar and Ms. Boni were going to check with the church.

MAINTENANCE REPORT

Nothing to report.

PARK REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING 8TH GRADE CLASS POOL AGREEMENT

Ms. Hugh commented this would be May 22, 2018, from 9:00 a.m. until 11:45 a.m. The school district pays for the lifeguards.

RES.18-089 ENTER INTO AGREEMENT WITH THE OLENTANGY LOCAL SCHOOL DISTRICT FOR USE OF RECREATIONAL PREMISES LOCATED AT NORTH ORANGE PARK

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with the Olentangy Local School District ("OLSD") for the use of recreational premises located at North Orange Park for OLSD's eighth grade end-of-the-school-year party. The agreement shall be in the form presented to the Board as being made with OLSD, titled *Orange Township Pool Rental Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Trustee Knapp of the Board shall execute such Agreement on behalf of the Board.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

Ms. Hugh reviewed each of the following agreements and answered questions directed to her.

APPROVE FIELD USE AGREEMENT WITH ORANGE PIONEERS LITTLE LEAGUE, INC

RES.18-090 ENTER INTO AGREEMENT WITH ORANGE PIONEERS LITTLE LEAGUE, INC. FOR USE OF RECREATIONAL PREMISES LOCATED AT RO PARK

Ms. Knapp moved the adoption of the following Resolution:

Orange Township Trustees
March 5, 2018
Regular Meeting

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with Orange Pioneers Little League, Inc. (“OPLL”) for the use of recreational premises located at Ro Park for Orange Pioneers Little League’s youth baseball program. The agreement shall be in the form presented to the Board as being made with Orange Pioneers Little League, titled *Ro Park Field Use Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Ms. Knapp of the Board shall execute such Agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

APPROVE FIELD USE AGREEMENT WITH OLENTANGY BRAVES LITTLE LEAGUE, INC

RES.18-091 ENTER INTO AGREEMENT WITH BRAVES LITTLE LEAGUE FOR USE OF RECREATIONAL PREMISES LOCATED AT RO PARK

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with Olentangy Braves Little League. (“OBLL”) for the use of recreational premises located at Ro Park for Olentangy Braves Little League youth baseball program. The agreement shall be in the form presented to the Board as being made with Olentangy Braves Little League, titled *Ro Park Field Use Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Trustee Knapp of the Board shall execute such Agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

APPROVE FIELD USE AGREEMENT WITH COLUMBUS UNITED

RES.18-092 ENTER INTO AGREEMENT WITH THE COLUMBUS UNITED SOCCER CLUB FOR USE OF RECREATIONAL PREMISES LOCATED AT GLEN OAK PARK

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with the Columbus United Soccer Club (“Columbus United”) for the use of recreational premises located at Glen Oak Park and North Orange Park for Columbus United's youth soccer program. The agreement shall be in the form presented to the Board as being made with Columbus United, titled *Glen Oak Park Field Use Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Trustee Knapp of the Board shall execute such Agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

APPROVE FIELD USE AGREEMENT WITH SLM ENTERPRISES, LLC (I-9 SPORTS)

RES.18-093 ENTER INTO AGREEMENT WITH SLM ENTERPRISES, LLC, ALSO KNOWN AS I9 SPORTS, FOR USE OF RECREATIONAL PREMISES LOCATED AT RO PARK

Ms. Knapp moved the adoption of the following Resolution:

Orange Township Trustees
March 5, 2018
Regular Meeting

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with SLM Enterprises, LLC, also known as i9 Sports, an Ohio Limited Liability Company, for the use of recreational premises located at Ro Park for its t-ball, soccer, and flag football programs. The agreement shall be in the form presented to the Board, titled *Ro Park Field Use Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Trustee Knapp of the Board shall execute such Agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

APPROVE FIELD USE AGREEMENT WITH OLENTANGY UNITED F.C.

RES.18-094 ENTER INTO AGREEMENT WITH THE OLENTANGY UNITED F. C. SOCCER CLUB FOR USE OF RECREATIONAL PREMISES LOCATED AT NORTH ORANGE AND WALKER WOOD PARK

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, approve and enter into an agreement with the Olentangy United F.C. (“Olentangy United”) for the use of recreational premises located at North Orange Park for Olentangy United youth soccer program. The agreement shall be in the form presented to the Board as being made with Olentangy United F.C., titled *North Orange Park Field Use Agreement* and bearing in its footer the identifying version date of 030518.

BE IT FURTHER RESOLVED that Trustee Knapp of the Board shall execute such Agreement on behalf of the Board.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

PURCHASE ORDER

RES.18-095 IN THE MATTER OF APPROVING AN AGREEMENT WITH THE LAKE DOCTORS, INC.

Motion by Ms. Knapp to move for the adoption of the following Resolution:

PREAMBLE

WHEREAS, Orange Township owns and maintains the lakes and ponds at North Orange, Glen Oak, Township Hall and Loveland Parks; and,

WHEREAS, Sections 505.261 and 511.32 of the Ohio Revised Code authorizes the Orange Township Board of Trustees (“Board”) to contract for the care, maintenance, and upkeep of public parks; and,

WHEREAS; the Lake Doctors Inc. (Lake Doctors) specializes in the care and maintenance of lakes and ponds; and,

WHEREAS; the Board desires to enter into contracts with Lake Doctors to care for and maintain the lakes and ponds at North Orange, Glen Oak, Township Hall and Loveland Parks.

RESOLUTION

NOW THEREFORE BE IT RESOLVED:

Orange Township Trustees
March 5, 2018
Regular Meeting

1. The Board hereby approves the attached Water Management Agreement (version 032018) with Lake Doctors for the care and maintenance of the lakes and ponds at North Orange, Glen Oak, Township Hall and Loveland Parks.
2. The Board hereby approves entering into four (4) separate, but identical, contracts with Lake Doctors, one for each park. The maximum amount of all contracts shall be \$4,696.00.
3. The Board hereby authorizes the Maintenance & Parks Director to sign the Agreement(s) with Lake Doctors on the Board's behalf.
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 Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

RES.18-096 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE LAKE DOCTORS

Motion by Ms. Knapp to authorize the issuance of a purchase order to The Lake Doctors, in the amount of \$4,696.00, for pond maintenance.

Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING COTF GRANT EXTENSION REQUEST

RES.18-097 APPROVING AN AMENDMENT TO A PROJECT AGREEMENT WITH THE STATE OF OHIO, OHIO DEPARTMENT OF NATURAL RESOURCES, FOR THE BALE KENYON TRAIL INTO ALUM CREEK STATE PARK PROJECT

Motion by Ms. Knapp:

WHEREAS, the Orange Township Board of Trustees (“Board”) has previously entered into an Agreement known as Grant Agreement COTF-213 with the State of Ohio, Department of Natural Resources, for the Bale Kenyon Trail pursuant to Resolution No. 16-449; and,

WHEREAS; the parties now desire to amend the Agreement to extend the completion date.

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

Section 1. The Board hereby approves the attached Amendment to Project Agreement (“Amendment”).

Section 2. The Board hereby authorizes Trustee Knapp to sign the Amendment on behalf of the Board.

Section 3. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

RES.18-098 APPROVING AN AMENDMENT TO A PROJECT AGREEMENT WITH THE STATE OF OHIO, OHIO DEPARTMENT OF NATURAL RESOURCES, FOR THE BALE KENYON ROAD TRAIL PROJECT

Motion by Ms. Knapp:

WHEREAS, the Orange Township Board of Trustees (“Board”) has previously entered into an Agreement known as Grant Agreement COTF-215 with the State of Ohio, Department of Natural Resources, for the Bale Kenyon Road Trail pursuant to Resolution No. 16-450; and,

WHEREAS; the parties now desire to amend the Agreement to extend the completion date.

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

Section 1. The Board hereby approves the attached Amendment to Project Agreement (“Amendment”).

Section 2. The Board hereby authorizes Trustee Knapp to sign the Amendment on behalf of the Board.

Section 3. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Mr. Rivers.

VOTE: Knapp – yes, River – yes, Taranto – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING POOL CONCESSIONS, SWIM LESSON AND MISCELLANEOUS POOL FEES AND POSSIBLE VETERANS DISCOUNT

Ms. Hugh gave a brief description of the following resolution; she gave her recommendations.

RES.18-099 SET NORTH ORANGE AQUATIC CENTER RATES FOR 2018 SEASON

Motion by Ms. Knapp to set the rates for the North Orange Aquatic Center for the 2018 season as found in “Exhibit “A” and as modified this evening:

Exhibit “A”

2018 NORTH ORANGE AQUATIC CENTER RATES

Season Passes (ages 2 and under free)	Resident Rate	Non-Resident Rate
Youth	\$90.00	n/a
Adult	\$95.00	n/a
Senior Citizen	70.00 (with Golden Buckeye Card)	n/a
Family of 2	\$155.00	n/a
Family of 3	\$170.00	n/a
Family of 4	\$185.00	n/a
Family of 5	\$200.00, plus \$15.00 for each additional person over 5	n/a
Babysitter w/family pass	\$30.00	n/a

Note: \$.50 for “Swimmies” diapers to pool patrons on an as-needed basis

Orange Township Trustees
 March 5, 2018
 Regular Meeting

Other Passes (ages 2 and under free)	Resident Rate	Non-Resident Rate	Season Holder	Pass
Daily pass	\$6.00	\$12.00	\$0	
Twilight Day Pass	\$4.00	\$10.00	\$0	
Special Event/BBQ	\$8.00	\$8.00	\$8.00	
Special Event – Swim Only	\$2.00	\$2.00	\$0	
Night Swim	\$2.00	\$2.00	\$0	

Swimming/Diving Lessons/Water Aerobics	Resident Rate	Non-Resident Rate
Group Lessons - Season Pass Holder	\$55.00	n/a
Group Lessons - Non-Season Pass Holder	\$65.00	\$75.00
Private Lessons (all)	\$35.00 per 30 minutes	\$35.00 per 30 minutes

Rentals	Resident Rate	Non-Resident Rate
Community Room Deposit	\$100.00 per rental	\$100.00 per rental
Rental Rate	\$ 35.00 per hour	\$ 60.00 per hour
Township Hall Resident Weekend Deposit	\$100.00 per room	n/a
Rental Rate(Friday 5:00pm –Sunday 11:30pm)	\$ 50.00 per hour	n/a
Shelter Deposit	\$ 25.00 per rental	n/a
Rental Rate	\$ 10.00 per hour	n/a
Pool Shelter Deposit	\$50.00 per 2 hour rental (\$25.00 refundable deposit)	\$75.00 per 2 hour rental (\$25.00 refundable deposit)
Rental Rate	n/a	n/a

Miscellaneous	Rate
Life Jacket Rental	no charge - provide ID for return of jacket)
Family Night - Wednesdays after 5:00 PM	\$2.00 per hotdog
Employee Discount	no discount

Concession Items	Price
Hot Dog	\$2.50
Pizza	\$2.00
Pretzel	\$1.50
Popcorn	\$1.00
Nachos	\$2.00
Chips	\$1.00
Water	\$1.50
Slushie	\$1.00
Cotton Candy	\$2.00 (cone or bag)
Pop	\$1.50
Gatorade/Juice	\$1.50
Candy	\$1.50
Cup of Ice	\$0.50
Cup of Cheese	\$0.50
Ice Cream	\$1.50 (novelty)
Ice Cream	\$2.00 (premium)

Orange Township Trustees

March 5, 2018

Regular Meeting

Veteran Discount – Memorial and July 4th – no charge for Orange Township Resident Veterans with valid military ID and immediate family (spouse and dependent children) on Monday, May 28, 2018 and Wednesday July 4 2018.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers, Taranto – yes.

PUBLIC SAFETY REPORT

RESIGNATION OF FIREFIGHTER/EMT

RES.18-100 ACCEPT RESIGNATION OF FIREFIGHTER/EMT

Motion by Ms. Knapp to accept the resignation of firefighter/EMT Jason Scaggs effective February 27, 2018.

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers - yes, Taranto – yes.

FISCAL OFFICER REPORT

THEN & NOW PURCHASE ORDER

RES.18-101 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO JEFFERSON HEALTH PLAN

Motion by Ms. Knapp to authorize the issuance of a then and now purchase order to Jefferson Health Plan in the amount of \$27,424.59, for medical premium (run out).

Motion seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

ADMINISTRATOR REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING THE TRANSIENT VENDOR REGISTRATION APPLICATION AND REGISTRATION CERTIFICATE

Mr. Bodnar gave a brief synopsis of what had happened at the previous meeting and what had lead up to this meeting. He answered the Board’s questions and concerns.

RES.18-102 ADOPT TRANSIENT VENDOR REGISTRATION APPLICATION AND REGISTRATION CERTIFICATE

Motion by Ms. Knapp to adopt the Transient Vendor Registration Application and Registration Certificate forms.

Motion Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSAL BY MERITAIN HEALTH INC., FOR THE PROVISION OF ADMINISTRATIVE SERVICES RELATED TO HEALTHCARE AND RELATED BENEFITS

Mr. Bodnar gave each board member what he described as a “hefty” document. He reviewed for the Board that back in late December the Board decided to go with a self insured health insurance. He went on to comment there is a requirement in the ORC (Ohio Revised Code) that requires that the document be presented to the Board then a time period of one week lapse before the Board could adopt that information. This is the second part of that information share; the administration portion. He went on to say at the next meeting he would like to go in depth with sharing the information.

OLD BUSINESS

TABLED ITEM: OBSOLETE ITEM

RES.18-103 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 DISCARDED OR SALVAGED

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Township has certain used property which has no value and is not needed for public use, is obsolete, or is unfit for the use for which it was acquired;

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

BE IT FURTHER RESOLVED that such property shall be discarded or salvaged and Maintenance and Parks Director Beth Hugh or his designee shall oversee its' disposal.

Exhibit "A"

Quantity	Item	Serial/Model #
	Tree Wood from Township Hall	

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

TABLED ITEM: NOVEMBER FINANCIALS

TABLED ITEM: DECEMBER FINANCIALS

Ms. Knapp commented they were okay this time, but when they received the information in five different emails; she felt it was convoluted; it wasn't all printed out; she gave examples. She commented she sent an email to the fiscal office asking for all the information together; in a searchable pdf. There was consensus to approve both the November and the December financials.

TABLED ITEM: PURCHASE ORDER ICE MILLER \$3,478.74 – LEGAL SERVICES

This was tabled to the next meeting.

NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION REGARDING DEFECTIVE POLYFILL/CRACK SEAL WORK

Ms. Knapp asked Ms. Hugh about the polyfill. She has received comments from residents and she had noticed it on her own street. She thought it looked terrible and there is gravel everywhere. She was dissatisfied. Ms. Hugh commented she had been talking with the rep the past month. Weather has prevented them from coming out to see. They did meet again the other day; they drove several of the roads. The rep agreed there is significant gravel that shouldn't be. Some areas held up well and some areas the gravel was not imbedded into the poly material. They are looking into what they are going to redo; what the alternatives are. She answered Ms. Knapp's questions. Ms. Knapp asked Ms. Hugh to keep the Board posted.

OTOCC RFP DISCUSSION

Mr. Rivers commented OTOCC is working with the zoning commission and assisting on different parts of the comp plan. One of the portions is the community image/identity piece. They are looking at taking it off the hands of the zoning commission and putting together a comprehensive plan that tackles all aspects of the community's image based upon the information and input provided in the comp plan. In doing this they would like the assistance of a consultant to help review it and help put this plan together. RFP has been provided and Mr. McCarthy has reviewed what necessary language is needed. He went on to say the full package

Orange Township Trustees
March 5, 2018
Regular Meeting

is not complete; the purpose of bringing this forth at this meeting just for review, any questions or input.

Mr. McCarthy and Mr. Rivers answered Ms. Knapp's questions about the next steps.

DISCUSSION NEVERLAND DRIVE

Ms. Knapp commented they have received numerous calls about this drive which is a private road. Ms. Hugh thought the road south of this, by Starbucks was private as well. Ms. Knapp asked for the history of this road, which Mr. McCarthy provided. At the time it was built the applicant involved did not want to build it to public standards. There was discussion about if it were access or through road and what would it entail for the township to take over this road or how to get the applicant to maintain the private road for safety sake. Mr. McCarthy and Chief Noble were asked to investigate this. Ms. Boni added they have sent letters out.

DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC RECORD POLICY

To be discussed after Executive Session

DISCUSSION AND POSSIBLE ACTION REGARDING RETENTION OF ADDITIONAL LEGAL COUNSEL

To be discussed after Executive Session.

EXECUTIVE SESSION

Motion by Ms. Knapp to go into Executive Session for the following purposes:

1. Purchase of Property
2. To Consider the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of Public Employee or Official
3. Conference with an Attorney for the Public Body Concerning Disputes Involving the Public Body that are Subject to Pending or Imminent Court Action

The following were invited to attend: Township General Counsel, Mr. McCarthy; Township Administrator, Mr. Bodnar; Fire Chief Matt Noble; Human Resources/Communication Manager, Ms. Sheterom and Maintenance and Parks Director, Ms. Hugh.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

Ms. Knapp returned the meeting to order at 9:45 p.m. and she also noted Fiscal Officer Joel Spitzer was in the room.

Ms. Knapp also motioned to return to session after Executive Session.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

REGULAR SESSION (CONT.)

PUBLIC SAFETY REPORT CONT.

APPOINT FULL-TIME FIRE FIGHTER/PARAMEDIC

**RES.18-104 APPOINTMENT OF KATHERINE KOEPKE AS A
FIREFIGHTER/PARAMEDIC, WITH PROBATIONARY PERIOD**

Ms. Knapp moved the adoption of the following resolution:

Orange Township Trustees

March 5, 2018

Regular Meeting

BE IT RESOLVED that Katherine Koepke is appointed to the non-exempt, full-time, bargaining unit position of Firefighter/Paramedic, effective March 28, 2018.

BE IT FURTHER RESOLVED that this appointment is probationary in accordance with Section 4.1 of the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that, during the probationary period, the compensation for this position shall be as provided for a probationary firefighter/paramedic 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, if the probationary period is successfully completed, the compensation for this position shall be as provided for a firefighter/paramedic 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 full-time union personnel in resolutions of 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 this appointment is contingent upon the satisfactory completion by Katherine Koepke of a drug screen, physical examination, background investigation and PRADCO assessment.

Motion seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

RESIGNATION OF FIREFIGHTER/PARAMEDIC

RES.18-105 ACCEPT RESIGNATION OF PART-TIME FIREFIGHTER/EMT

Motion by Ms. Knapp to accept the resignation of part-time firefighter/EMT Katherine Koepke effective March 27, 2018.

Seconded by Ms. Taranto.

VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

PURCHASE OF PROPERTY (Continued)

Ms. Taranto asked Mr. McCarthy if there needed any action to explore about the land. Mr. McCarthy gave his opinion on what needed to be done. There was short discussion. There was consensus for Ms. Hugh to go forward.

Ms. Knapp called for a 2 minute break to discuss something with Mr. McCarthy.

Ms. Knapp brought the meeting back to order.

Ms. Knapp explained this was discussed briefly; they needed to hire an attorney to represent them in a court of claims case. They have been having problems with public records responses lately; Mr. Spitzer didn't respond to the court of claims order. There are other issues going on. Ms. Knapp recommendation is to appoint Mr. Bodnar to be the records custodian for the township in order to alleviate many of these issues; to avoid being in contempt of court and to stream line the public records that are provided to the public on behalf of the township as well as to the court.

Mr. Spitzer commented there have been zero issues with providing public records. It was intentionally not provided to the court of claims as he was waiting on representation from the county prosecutor. They said there was conflicting out. After that, he proceeded to ask Mr. Bodnar to communicate to the Board about needing legal counsel due to the accusations made by Ms. Knapp. He continued the other issue is he didn't think statutorily the Board can appoint anyone else to be records custodian when there is an acting fiscal officer which is delineated in the code as a direct responsibility.

Orange Township Trustees
March 5, 2018
Regular Meeting

Ms. Knapp commented that was incorrect; she had it on legal advice that you are responsible for the financial work of the township, that is pretty much it. They can appoint another person to be the public records custodian; many other townships have done it, in fact, you can also appoint; some places actually have attorneys that have been appointed; separate outside attorneys appointed to perform that function.

Mr. Spitzer commented he thought if she would search further; that is the function of the fiscal officer to make a designee for that role.

Ms. Knapp asked Mr. McCarthy. He commented within his knowledge; he has seen public record policies where the response is made department by department; the department head is charged with that responsibility. The township is required to have a public records policy; it is not mandated who is to do what. He commented he would say that; he was sure he could find copies of that within the next hour if the Board cared to wait. He went on right now for example; he believes that certainly the fiscal records, the minutes, those; whoever is doing it; whoever is requesting those are going to request them through the fiscal office, unless there is a duplicate set somewhere he is unaware of.

Mr. McCarthy addressed Chief Noble; and asked him how many he has been through. Chief Noble replied several; a lot of those have been for fire reports and those are just automatic that they do. They keep the fiscal office informed; they keep the EMS reports; his HIPPA compliance officer keeps; they keep documentation for fiscal office. If there are another public records requests made they go back to the fiscal office; they accumulate the documents, if there is redaction needed they take care of it and then send it on to the fiscal office. He keeps fiscal office aware by email sometimes.

Ms. Knapp asked if he did this because he is the records custodian and Chief replied yes, that is the agreement they have on how to handle it. Ms. Knapp commented because we have appointed him records custodian. Ms. Knapp commented this would alleviate us from hiring two separate attorneys for this matter. They can hire one to represent the township as a whole. She commented it would save quite a bit of money and probably come to a faster resolution as well.

Mr. McCarthy commented just one thing to get back to the point; there was something he was looking at back in January; this is Butler Township in Montgomery County; he was looking at their policy for an example; they indicate that the township administrator is responsible for maintaining the security of the township files in compliance and strength with Ohio's public records law and disposing of those documents in accordance with the scheduled records retention and its disposition. He commented it went on from there. Mr. McCarthy commented it can essentially be anybody, but everyone has records; and the records are on going.

Ms. Knapp agreed and commented she had discussed this with Mr. Bodnar a few months ago and he said that if the Board was willing; wanted to appoint him; he would be willing to take it on.

Mr. Bodnar commented he works at the pleasure of the Board.

Ms. Taranto commented she thought there was a conflict of interest; this could be just part of the ongoing feud that she has with Mr. Spitzer.

Ms Knapp commented that is not relevant right now.

Ms. Taranto commented it was very relevant and she didn't think she could make a call to take away his job responsibility because of ongoing

Ms. Knapp interjected we want this issue resolved it has become a huge hassle; he didn't bother to respond to the court order. She didn't really care what his reasons or excuses were; he didn't respond; putting us in jeopardy.

Ms. Taranto asked if she did not properly respond correctly or not. Ms. Knapp commented she had responded with the exception of having; she commented she made a good faith effort to respond. She commented the county prosecutor didn't return her call so she was also without representation until he finally called back this week so she filed a.... she made a mistake in not

Orange Township Trustees
March 5, 2018
Regular Meeting

swearing in her affidavit was the only thing; but she did in fact respond. She continued she was trying to move the township forward; not having to have two different attorneys; we just want to get these records there; they want to do the right thing and move forward.

Mr. Spitzer commented honestly he thought an attorney would be conflicted out even if he was appointed to represent Mr. Bodnar in that capacity. He went on to say he didn't think they will find an attorney that will say they can do that job whole hardly being an advocate for one side or the other.

Ms. Knapp commented there is no advocate; he is just going to be representing the township.

Mr. Bodnar commented but he does work for the Board.

Mr. Spitzer commented his growing concern with Mr. Bodnar constantly being thrown in the mess of everything it was in difference to Mr. Bodnar.

Ms. Knapp commented she knew Mr. Bodnar to be neutral and she has seen his actions in some other situations where he just done his job and not get involved in all the drama and she appreciated that. Ms. Knapp asked if there were any questions of anybody else.

Mr. Rivers asked what Mr. Bodnar's duties would be.

Ms. Knapp commented he would be the records custodian; all records requests would go to him.

Mr. McCarthy commented he would be the respondent to all public records requests; technically, now you could change that; he would suggest (much talk over).

Ms. Knapp asked Mr. McCarthy that was (inaudible).

Mr. Spitzer commented he would ask the Board to hire an attorney for the fiscal office for the purpose of pursuing the perpetration of the statutory requirements of the fiscal office and conflict of interest of the Board....

Ms. Knapp asked what statutory; by statute you are not the person in charge of all the records you are in charge of the financial records. She went on to say many other townships have appointed administrators or even administrative assistants

Mr. Spitzer commented as a designee made by the fiscal office.

Ms. Knapp asked Mr. McCarthy to see the first paragraph. She asked Mr. McCarthy something that is inaudible. They had a discussion between them. Mr. McCarthy appeared to be advising Ms. Knapp.

Mr. Spitzer asked Mr. Rivers to take pause on this issue and Ms. Taranto as well.

Ms. Knapp continued to ask questions of Mr. McCarthy that are not completely audible.

Mr. Spitzer commented what he thought it would save money by providing the records up front.

Ms. Knapp commented he was obviously bias and has his own opinion and she commented she knew he had been in contact with Ms. Neff as well; that was completely inappropriate.

Mr. Spitzer commented only the same communication she had received.

Ms. Knapp commented that is incorrect.

Mr. Spitzer commented he saw her on meet the candidate's night that's it.

Ms. Knapp commented the court records show otherwise

RES.18-106 PUBLIC RECORDS POLICY

Orange Township Trustees
March 5, 2018
Regular Meeting

Motion by Ms. Knapp moved the adoption of the following resolution:

WHEREAS the public records policy was previously adopted in Orange Township in Resolution No. 07-374 and modified in Resolution 11-456 and Resolution 13-283; and

WHEREAS it is desirable that such policy be further modified;

NOW THEREFORE MAY IT BE RESOLVED that the Public Records Policy of Orange Township, of Delaware County ("Policy"), as presented to the Board and bearing in its footer the identifying version date of 030518 is hereby adopted. A copy of the policy will be maintained in the files of the township administrator

RESOLUTION INTERRUPTED:

Mr. McCarthy asked Ms. Knapp if the attachment 030518; what she was proposing goes in the blank.

Ms. Knapp commented in there; Section 1.1 the respondent to public records request directed to the township will be the township administrator

Ms. Taranto asked Mr. Rivers if he knew about this before.

Mr. Rivers commented he reviewed all this with Mr. McCarthy as far as court of claims as to what is out there.

Ms. Taranto asked what about what she is presenting right now.

Mr. Rivers responded no, he has not reviewed that.

Ms. Taranto asked if he knew about it.

Mr. Rivers responded he didn't know about it and he continued to say that he would tell her that in reviewing all of this information is all very personal intentions

Ms. Taranto commented that doesn't matter you take emotion

Mr. Rivers commented he knew he was just explaining himself. He went on to say this all seems motivated by personal intentions; it is very disappointing that the township has to be dragged into this and now it is costing us money as well as time. He would like to see the township removed from all of this.

Ms. Taranto commented this isn't the first time it has happened either. There was another situation that we were going to be sued.

Mr. Rivers commented he would hope that we get to the point where we don't see this continue on. Please continue on.

Mr. Spitzer commented Mr. Rivers there has never been one single records (talk over)

Ms. Knapp commented Mr. Spitzer, you are done talking

Mr. Spitzer commented in six years.

Ms. Knapp commented you are done talking.

CONTINUANCE OF RESOLUTION:

And the contents of such policy are incorporated by reference into this resolution as if fully repeated herein.

Orange Township Trustees
March 5, 2018
Regular Meeting

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 07-374, Resolution No. 11-456 and Resolution 13-283.

RESOLUTION INTERRUPTED:

Ms. Taranto commented this is wrong; and your conflict and you should not be doing this

Ms. Knapp denied it; she was protecting the township.

Mr. Rivers agreed.

CONTINUANCE OF RESOLUTION:

Ms. Knapp asked for a second.

Mr. Rivers commented; based on he wanted to see this moved to neutral party; to see the township removed from all liability in this situation; he seconded.

Seconded by: Mr. Rivers.

RESOLUTION INTERRUPTED:

Ms. Taranto commented but if they did their jobs and did what they were suppose to do it would be neutral; you wouldn't be involved.

Ms. Knapp asked Mr. Spitzer to call role and went on to say like Mr. Spitzer did not respond correctly at all.

Ms. Taranto responded she didn't either.

Ms. Knapp commented she didn't respond to the original request for documents either, so. She asked Mr. Spitzer to take role.

RESOLUTION CONTINUANCE

VOTE: Knapp – yes, Rivers – yes, Taranto – no.

RES.18-107 RETENTION OF ADDITIONAL LEGAL COUNSEL.

Motion by Ms. Knapp to retain Brian Zets as additional legal counsel to provide legal services in the representation of the Township, its' Board members in their official capacity and its Township Administrator in his official capacity in Case Number 2017-00876PQ currently pending in the Court of Claims of Ohio, for the purposes of responding to the Court's order of February 27, 2018 and complying with its' directives, preparation and filing of the requested records and reply materials, related communication with the Court and others, appearance and representation at any required hearings, together with related miscellaneous legal services, the same to be provided at an hourly rate not to exceed \$210.00, with the proviso that the total billing for such service shall not exceed \$5000.00, without further authorization of the Board.

INTERRUPTION OF RESOLUTION

Side bar of discussion between Ms. Knapp and Mr. McCarthy regarding cost not to exceed.

CONTINUATION OF RESOLUTION

\$5,000.00, worst case scenario without further authorization of the Board.

INTERRUPTION OF RESOLUTION

Mr. McCarthy asked what was the name of the counsel.

Ms. Knapp responded Brian.....Zet, Z-E-

Orange Township Trustees
March 5, 2018
Regular Meeting

Mr. Spitzer asked whose recommendation of counsel is this. I'm sorry Mr. McCarthy?

Mr. McCarthy responded nothing, not me.

Talk over

Ms. Knapp commented Brian Zets is the name

Mr. Spitzer asked who found this attorney.

Ms. Taranto commented Lisa did.

Ms. Knapp asked for a second.

Mr. Spitzer asked Mr. Rivers if he recommended the attorney.

Mr. Rivers asked what the dead line was on this.

Ms. Knapp responded now.

Mr. McCarthy responded they needed to have counsel retained, and firing on all cylinders; appearing in court; preparing and filing for a possible extension no later than March 12. Or he suspects will be a very unpleasant situation, for the township and everyone involved, possibly.

Mr. Spitzer asked if Mr. Bodnar found the attorney.

Mr. Bodnar replied no sir, I did not.

Mr. Spitzer asked if Mr. Rivers found this attorney.

Mr. Rivers responded no, he did not.

Mr. Spitzer asked Ms. Taranto if she found this attorney.

Ms. Taranto responded no, she did not.

Ms. Knapp commented this was an attorney that no one knows....

Mr. Spitzer interrupted and asked if she found the attorney.

Ms. Knapp responded Mr. Spitzer this is an attorney who worked at the OTA and does public record law, and he is highly skilled, and he comes from the same firm as Mr. LaFayette and was recommended by an attorney there. From Isaac Wiles. An attorney who used to do; who knew Mr. Lafayette and they said that this new guy; that this guy is taking over basically

Mr. Rivers commented the talk of attorneys was discussed this evening.

Ms. Knapp commented yes it was. She asked if there was a second.

CONTINUATION OF RESOLUTION

Seconded by Mr. Rivers.

VOTE: Knapp – yes, Rivers – yes, Taranto – no.

There being no further business, meeting adjourned at 10:16 p.m.

Lisa F. Knapp, Chairman

Orange Township Trustees
March 5, 2018
Regular Meeting

Ryan Rivers, Vice Chairman

Deborah Taranto, Trustee

Attest: _____
Joel M. Spitzer, Fiscal Officer