

Orange Township Trustees
August 6, 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 7:02 p.m.

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

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

Seconded by Ms. Taranto.

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

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

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

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

Ms. Knapp asked for any public comment about anything other than what is on the agenda. No one came forward.

APPROVAL OF MINUTES

Ms. Knapp asked for any changes. Ms. Taranto noted one change to the July 16, 2018, regular trustee meeting minutes (see below).

JUNE 18, 2018 REGULAR TRUSTEE MEETING

RES.18-260 APPROVAL OF MINUTES

Motion by Ms. Knapp to approve the June 18, 2018, regular trustee meeting minutes as presented.

Seconded by Mr. Rivers.

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

JULY 2, 2018 REGULAR TRUSTEE MEETING

RES.18-261 APPROVAL OF MINUTES

Motion by Ms. Knapp to approve the July 2, 2018, regular trustee meeting minutes as presented.

Seconded by Mr. Rivers.

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

JULY 16, 2018 REGULAR TRUSTEE MEETING

Ms. Taranto noted one correction; last page (page 18 on legal size format); second paragraph; second line; change “rooster” to “roster”.

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RES.18-262 APPROVAL OF MINUTES

Motion by Ms. Knapp to approve the July 16, 2018, regular trustee meeting minutes as presented with one change.

Seconded by Mr. Rivers.

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

ZONING REPORT

DISCUSSION REGARDING THE PLANNING AND ZONING INTERN POSITION

Planning and Zoning Director, Michele Boni came forward and introduced Human Resources/Communications Manager, Amanda Sheterom to speak. She explained with the previous intern moving on; the job was posted with 13 applicants applying. They interviewed 5 with Ms. Boni, Mr. Beard; the Zoning Enforcement Officer, and Ms. Sheterom doing the interviewing. They have selected one. They had consensus among themselves to proceed with the pre-employment checks so that at the next regular trustee meeting, they can come forward with a resolution for employment. They had provided the Board with the information regarding the potential candidate.

ORANGE TOWNSHIP ZONING HEARINGS/MEETINGS REPORT

Ms. Boni reviewed the Zoning Department hearings and meetings report which can be found on the table as you enter the meeting room.

SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-17-04, HOME HIGH LLC C/O BRAD BLOCK

RES.18-263 SET HEARING DATE

Motion by Ms. Knapp to hold the zoning hearing for Case #ZON-17-04; Home High LLC c/o Brad Block, on Tuesday, September 4, 2018, at 10:00 a. m. at township hall.

Seconded by Mr. Rivers.

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

SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-18-02, HOME HIGH LLC C/O BRAD BLOCK & 216 HOME ROAD LLC

RES.18-264 SET HEARING DATE

Motion by Ms. Knapp to hold the zoning hearing for Case #ZON-18-02; Home High LLC c/o Brad Block & 216 Home Road LLC, on Tuesday, September 4, 2018, at 10:00 a. m. at township hall.

Seconded by Mr. Rivers.

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

SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-18-03, SCIOTO ROOKERY PROPERTIES LLC

RES.18-265 SET HEARING DATE

Motion by Ms. Knapp to hold the zoning hearing for Case #ZON-18-03; Scioto Rookery Properties LLC, on August 21, 2018, at 7:30 p. m. at township hall.

Seconded by Mr. Rivers.

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

DISCUSSION AND POSSIBLE ACTION ON 2018 ZONING AND FIRE FEE SCHEDULE UPDATE

Ms. Boni commented she and Fire Chief Matt Noble worked on this together and thought it was long overdue. She reviewed her back up spreadsheet. Chief Noble reviewed their comparables. The fees were also reviewed by the Delaware County Prosecutor's Office. Ms. Boni answered all the Board's questions. The Board thought the Multi-Family should be \$200.00; Variance Applications \$600.00; Conditional Use Application \$600.00; \$75.00 for Zoning Verification Letter and \$35.00 for Returned Checks. The Board wanted to make sure it covered the costs.

RES.18-266 ADOPTING A REVISED ZONING DEPARTMENT FEE SCHEDULE

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Orange Township Board of Trustees (“Board”) has authority to assess zoning fees pursuant to Chapter 519 of the Revised Code; and,

WHEREAS, the Board has previously adopted a fee schedule that is currently applicable to all applications and is enforced by the Zoning Department; and,

WHEREAS, after careful study by the Zoning Department, the Planning and Zoning Director recommends that the zoning fees be increased to align with the actual cost to the Township of processing zoning applications; and,

WHEREAS, the Board agrees that the Fee Schedule should be revised.

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

Section 1. The Board hereby approves and adopts the attached “Orange Township Zoning Department Fee Schedule” to replace any and all previous zoning fee schedules.

Section 2. 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 3. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

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

Attachment

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Orange Township Zoning Department Fee Schedule

1680 East Orange Road, Lewis Center, Ohio 43035 | (740) 548-5430 |

ZONING FEES EFFECTIVE XXXX

RESIDENTIAL	
New Residence - Single Family	\$300
New Residence - Multi Family	\$150 (Per Unit)
Accessory Building	\$75
Residential Structure Change or Addition to Dwelling	\$100
Garages, Carports, or impervious area (i.e. parking pad, driveway extension)	\$75
Swimming Pools, Decks, Porches, Sunroom, Patio, etc.	\$100
Temporary Certificate of Compliance (valid for 6 months)	\$75
COMMERCIAL	
New Construction, Commercial & Industrial	\$250 plus 15 cents per sqft
Change of Use Permit	\$150
Remodeling, Structure Change, Exterior Changes or Addition	\$200 plus 15 cents per sq ft
Temporary Certificate of Compliance (valid for 6 months)	\$200
SIGNS	
Permanent	\$300
Face Change Fee	\$200
Directional	\$25 (Per Sign)
Special Events Permit - Grand Opening Sign	\$50
Temporary (valid for 6 months)	\$150
BOARDS AND HEARINGS	
Rezoning Application - 17 acres and above (Plus \$300 review made payable to DCRPC)	\$600 plus \$175 per acre
Rezoning Application - Less than 17 acres (Plus \$300 review fee made payable to DCRPC)	\$3,500 (covers 3 hearings)
Minor Development Plan Amendment	\$2,500 (covers 3 hearings)
Zoning Commission Table Request	\$850 per hearing requested by applicant
Variance Application (\$400 - Residential, \$600 - Commercial)	\$400, \$600
Conditional Use Application	\$500
Board of Zoning Appeals Tabel Request	(1/2) of original permit
MISCELLANEOUS	
Administrative Review or Subdivisions, Major	\$600
Administrative Review or Subdivisions/ Lot Splits/ Minor if Five Lots or Less	\$300
Block Party	\$25
Returned Checks	\$25
Revision or Change of Issued Permit	(1/2) of original permit (Max. \$500)
Temporary Construction Trailer (valid for 6 months)	\$150
Zoning Verification Letter	\$50

RES.18-267 ADOPTING A REVISED FIRE DEPARTMENT FEE SCHEDULE

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Orange Township Board of Trustees (“Board”) has authority to assess fire department fees pursuant to Revised Code Section 505.373 and the Ohio Fire Code; and,

WHEREAS, the Board has previously adopted a fire department fee schedule that is currently applicable in the Township; and,

WHEREAS, after careful study by the Fire Department including a review of neighboring townships’ fees, the Fire Chief recommends that the fire department fees be increased to align with the actual cost to the Township of performing the work involved and to comply with the Ohio Fire Code; and,

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WHEREAS, the Board agrees that the Fee Schedule should be revised.

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

Section 1. The Board hereby approves and adopts the attached “Orange Township Fire Department Fee Schedule” to replace any and all previous fire department fee schedules.

Section 2. 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 3. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

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

Attachment

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Fee Schedule

**Orange Township Fire Department
Delaware, Delaware County, Ohio**

Mandatory Permits (OAC § 1301:7-7 et seq. / OFC §§ 105.1.1.1 et seq. and 105.8)

No.	Type	Sec. of OFC	Fee	+OT	Permit Issued
1	Explosive Storage	105.1.1.1.1	\$75.00	N	Permit
2	Flammable and Combustible Storage Tanks	105.1.1.1.2	\$75.00	N	Permit
3	L.P. Gas Systems	105.1.1.1.3	\$75.00	N	Permit
4	Standpipe Systems	105.1.1.1.4	\$75.00	N	Permit
5	Temporary Membrane Structures, Tents and Canopies	105.1.1.1.5	\$75.00	N	Permit
6	Exhibition of Fireworks (fee + min. \$255.00 overtime (4 hrs. @ \$63.75/hr.)	105.1.1.1.3	\$75.00+	Y	Permit
71	Ammonium Nitrate	105.1.1.1.4	\$75.00	N	Permit

Discretionary Permits (OAC § 1301:7-7 et seq. / OFC §§ 105.1.1.2 et seq. and 105.8)

No.	Type	Sec. of OFC	Fee	+OT	Permit Issued
7	Aerosol Products	105.6.1	\$75.00	N	Permit
8	After Hours Inspection (fee + \$63.75/hr. overtime)	N/A	\$63.75+	Y	Construction
9	Amusement Buildings	105.6.2	\$100.00	N	Permit
10	Inspection (Initial Annual)	105.8	\$0.00	N	Permit
11	First Re-Inspection	105.8	\$75.00	N	Permit
12	Second Re-Inspection	105.8	\$75.00	N	Permit
13	Any Subsequent Re-Inspection After Second (Further additional inspections increase in increments of \$50.00 per inspection)	105.8	\$125.00+	N	Permit
14	Aviation Facilities	105.6.3	\$100.00	N	Permit
15	Battery Systems	105.7.2	\$75.00	N	Permit
16	Carnivals and Fairs (fee + \$63.75/hr. overtime)	105.6.5	\$100.00+	Y	Permit
17	Cellulose Nitrate Film (use or storage)	105.6.6	\$100.00	N	Permit
18	Facility caring for eleven (11) or fewer children	105.8	\$0.00	N	Permit
19	Combustible Dust-Producing Operations	105.6.7	\$75.00	N	Permit
No.	Type	Sec. of OFC	Fee	+OT	Permit Issued
19	Combustible Fibers	105.6.8	\$75.00	N	Permit
20	Construction Inspection (per each system)	105.8	\$200.00	N	Construction
21	Construction Re-Inspection (per each system)	105.8	\$75.00	N	Construction
22	Construction First Follow-up Inspection (per each system)	105.8	\$100.00	N	Construction
23	Construction Second Follow-up Inspection (per each system)	105.8	\$150.00	N	Construction
24	Construction Third Follow-up Inspection (per each system)	105.8	\$200.00	N	Construction
25	Construction Fourth Follow-up Inspection (per each system)	105.8	\$300.00	N	Construction
25	Any Subsequent Construction Re-Inspection After Fourth (further additional inspections increase in increments of \$50.00 per inspection)	105.8	\$350.00+	N	Construction
26	Covered Mall Buildings	105.6.10	\$200.00	N	Permit
27	Compressed Gases	105.6.9	\$75.00	N	Permit
28	Cryogenic Fluids	105.6.11	\$75.00	N	Permit
29	Cutting and Welding	105.6.12	\$75.00	N	Permit
30	Facility caring for eleven (11) or more children	105.8	\$0.00	N	Permit
31	Dry Cleaning	105.6.13	\$75.00	N	Permit
32	Floor Finishing (flammable material)	105.6.18	\$75.00	N	Construction
33	Fruit and Crop Ripening	105.6.19	\$75.00	N	Permit
34	High Piled Storage	105.6.23	\$75.00	N	Permit

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35	Hot Work Operations	105.6.24	\$75.00	N	Permit
36	Hazardous Production Materials (HPM Facilities)	105.6.22	\$75.00	N	Permit
37	Hazardous Materials	105.6.21	\$225.00	N	Permit
38	Industrial Ovens	105.6.25	\$75.00	N	Permit
39	Lumber Yards and Woodworking Plants (outside storage)	105.6.26	\$75.00	N	Permit
40	Magnesium (use or storage)	105.6.29	\$75.00	N	Permit
41	Open Flames and Candles	105.6.34	\$0.00	N	Permit
42	Organic Coatings	105.6.35	\$75.00	N	Permit
43	Private Water Line Systems Inspection, Flush, Hydro, and Flow (plus \$10.00 per hydrant)	105.8	\$200.00	N	Construction
45	Plan Review	104.2.1	\$100.00	N	Permit
46	Plan Review - Multiple Systems (including Automatic Fire Extinguishing, Fire Alarm and Detection, and Fire Protection Systems)	104.2.1	\$150.00	N	Permit
47	Plan Re-Review	104.2.1	\$125.00	N	Permit
47	Plan Re-Review - Multiple Systems	104.2.1	\$175.00	N	Permit
No.	Type	Sec. of OFC	Fee	+OT	Permit Issued
48	Pyroxylin Plastics	105.6.39	\$75.00	N	Permit
49	Refrigeration Equipment (commercial)	105.6.40	\$75.00	N	Permit
50	Rooflop Heliports	105.6.42	\$300.00	N	Permit
51	Spraying and Dipping	105.6.43	\$75.00	N	Permit
52	Storage of Scrap Tires and Tire Byproducts	105.6.44	\$300.00	N	Permit
53	Tire Rebuilding Plants	105.6.46	\$300.00	N	Permit
54	Waste Handling	105.6.47	\$225.00	N	Permit
55	Wood Products	105.6.48	\$150.00	N	Permit
56	Carbon Dioxide Systems used for beverage dispensing applications	105.6.4	\$75.00	N	Permit
57	Exhibits and Trade Shows	105.6.14	\$75.00	N	Permit
58	Explosives	105.6.15	\$75.00	N	Permit
59	Fire Hydrants and Valves	105.5.16	\$75.00	N	Permit
60	Flammable and Combustible Liquids	105.6.17	\$75.00	N	Permit
61	Fumigation and Insecticide Fogging	105.6.20	\$75.00	N	Permit
62	Liquid- or Gas-Fueled Vehicles or Equipment in Assembly Buildings	105.6.27	\$75.00	N	Permit
63	Miscellaneous Combustible Storage	105.6.30	\$75.00	N	Permit
64	Motor Fuel Dispensing Facilities	105.6.31	\$75.00	N	Permit
65	Open Burning (except recreational fires)	105.6.32	\$75.00	N	Permit
66	Open Flames and Torches	105.6.33	\$75.00	N	Permit
67	Places of Assembly	105.6.36	\$75.00	N	Permit
68	Private Fire Hydrants	105.6.37	\$75.00	N	Permit
69	Repair Garages	105.6.41	\$75.00	N	Permit
70	Tests (included in cost of construction inspection or absent a construction inspection per scheduled visit for tests)	105.8	\$200.00	N	Construction
72	On-Site CPR/First Aid Class (Fee Per Person)	N/A	\$20.00	N	Department
73	Off-Site CPR/First Aid Class (Fee Per Person)	N/A	\$40.00	N	Department
74	Special Duty Medic (Fee Per Hour)	N/A	\$151.84	N	Department

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DISCUSSION AND POSSIBLE ACTION CONCERNING DECLARATION OF NUISANCE AND ABATEMENT OF NUISANCE PURSUANT TO R.C. § 505.87 – 6229 1ST STREET

This item was tabled.

7:30 P.M. DISCUSSION BY MR. STEVE CUCKLER OF TAFT, STETTINIUS & HOLLISTER LLC, REGARDING A REVITALIZATION DISTRICT AND EVAN’S FARM

Mr. Steve Cuckler, representing Evan’s Farm came forward. He gave the Board additional informational packets. He commented:

- He would be very brief and answer any of their questions
- Description of a Revitalization District
 - It is set up under the Ohio Revised Code

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- To allow and procure entertainment and dining type venues
- What it allows for, is when a township is looking to induce entertainment and dining type facilities
- The Revitalization District would allow a certain number of liquor licenses that are needed to have dining
- Explained how liquor licenses are distributed in Ohio
- Orange Township with its population are only allowed 4 available liquor licenses for the township; that are available right now

Ms. Taranto commented there are different licenses, beer, wine, liquor.

- What he is talking about is a typical license (D6) for a restaurant
- One of the challenges for Evan's Farm is looking to develop its court commercial district
 - Part of this was for a number of restaurants and outdoor entertainment type venues
- This revitalization district would help speed this along
- It would help to market certain ground; parcels for restaurateurs
- If there are a limited amount of liquor licenses it would limit the potential users
- They are looking at a revitalization district to help speed up their development along with their commercial ground
- Community districts are very common around the state of Ohio
- Revitalization Districts in the state of Ohio not so much
- This started approximately 3 years ago
- One of the first ones was in Berkshire Township along the Rt. 37 corridor
- It is a very good Economic Development tool
- Two key things have to happen
 - First, the township trustees have to set the district; set the boundaries and vote on the district by resolution
 - The area has to be "wet" a term that there has been approved liquor licenses by a vote of the people
- The key would be to make the precinct, Orange S, as wet – a revitalization district
- They have already applied to the Liquor Control Commission; put them on notice that they are filing for a liquor license option
- It will be on the November ballot
- Usually, it would take a township wide vote to make a precinct "wet"
- In this case; by putting Orange S on the ballot; and by getting the local liquor option passed in November; it would negate the need for a township wide vote
- If things go well in November, it would mean the township trustees setting up the revitalization district and the certification of the ballot measure
- In the past, for townships he has put together an application

Mr. Cuckler answered the Board's, Mr. McCarthy's, and Mr. Bodnar's questions. There can only be one revitalization district in a township. That revitalization district can be amended or added to.

Ms. Knapp asked what he would like the Board to do. Mr. Cuckler commented;

- Goal was to update the Board; let the Board know what is going on
- Then line up next steps
- He would like to put together a draft application
- His advice would be to come up with an application fee

Ms. Knapp asked Ms. Boni and Mr. McCarthy to look into the application fee. Ms. Knapp asked if it would be coming back after working with Mr. McCarthy, Mr. Bodnar and Ms. Boni.

MAINTENANCE REPORT

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APPROVE PAY APPLICATION #7 – FINAL – JJ SCHLAEGAL, INC. – \$29,690.04 - BALE KENYON

Ms. Hugh answered the Board's questions. Ms. Hugh is going to send the information to Ms. Knapp that she asked for.

RES.18-268 AUTHORIZE RELEASE OF PAYMENT TO J&J SCHLAEGEL

Motion by Ms. Knapp to approve pay application #7 - Final in the amount of \$29, 690.04; for Bale Kenyon.

Seconded by Ms. Taranto.

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

APPROVE AND EXECUTE OPWC (OHIO PUBLIC WORKS COMMISSION)
AGREEMENT FOR GREEN MEADOWS/HIGHFIELD INTERSECTION IMPROVEMENTS

RES.18-269 ENTER INTO PROJECT GRANT AGREEMENT WITH THE STATE OF OHIO, OHIO PUBLIC WORKS COMMISSION, FOR THE GREEN MEADOWS/HIGHFIELD INTERSECTION IMPROVEMENT PROJECT WITHIN THE LOCAL TRANSPORTATION IMPROVEMENT PROGRAM

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 a Project Grant Agreement with the State of Ohio, through the Director of the Ohio Public Works Commission, for the Green Meadows/Highfield Intersection Improvements project within the Local Transportation Improvement Program. The agreement shall be in the form submitted to the Board by the State of Ohio, Ohio Public Works Commission and dated July 1, 2018.

BE IT FURTHER RESOLVED that the Maintenance and Parks Director shall execute the Project Grant Agreement and all related documents on behalf of the Board.

Motion seconded by Ms. Taranto.

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

THEN AND NOW PURCHASE ORDER

RES.18-270 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO MEYERS + ASSOCIATES

Motion by Ms. Knapp to authorize the issuance of a then and now purchase order to Meyers + Associates, in the amount of \$9,434.12, for Front Desk Area Design Balance Due.

Seconded by Ms. Taranto.

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

DISCUSSION AND POSSIBLE ACTION REGARDING THE DYNAMIC SPEED LIMIT SIGNS AND FLASHING SCHOOL ZONE SIGNS

Ms. Hugh commented she had provided the Board with an update and Mr. Bodnar asked her to put this on the agenda. She asked if there were any questions. Ms. Knapp asked how many entities she was working with. Ms. Hugh thought 7. She commented she had the REA back for Sanctuary; she has the locations; she has contacted them; they have the agreement. North Orange; Mr. Bodnar signed the REA; she is sending it up tomorrow. They have requested Overland Trail. The Villages of Oak Creek have requested Westwood and Royal Oak Drive and their REA is also going up tomorrow also. North Orange and Villages of Oak Creek both have their agreement. McCammon Estates, Abbey Knoll, Walker Wood and Glen Oak have all inquired.

There was a discussion about flashing speed limit and flashing school zone signs on the same roadway. Ms. Hugh reviewed previous discussion. Ms. Knapp felt they hadn't decided to have both flashing speed limit signs and flashing school zones signs.

PARK REPORT

APPROVE ON-CALL CONSULTING CONTRACT FOR KORDA, EP FERRIS & CARPENTER MARTY

RES.18-271 TO AUTHORIZE ENTERING INTO AGREEMENTS WITH KORDA & ASSOCIATES LTD., E. P. FERRIS & ASSOCIATES, INC., AND CARPENTER MARTY TRANSPORTATION, INC. FOR ON-CALL CONSULTING SERVICES – SURVEYOR/ENGINEER/PLANNER

WHEREAS, in compliance with the requirements of RC 153 65 through RC 153.73, after obtaining Statements of Qualification and after conducting the evaluations required by law, the Township has completed the processes for selecting design professionals to perform on-call engineering services for the Township;

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, enter into and execute on-call engineering agreements with Korda & Associates Ltd., E. P. Ferris & Associates, Inc., and Carpenter Marty Transportation, Inc. The Agreements shall be in the form previously authorized by the Board and included in the Board's Request for Qualifications.

BE IT FURTHER RESOLVED that Lisa 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.

DISCUSSION AND POSSIBLE ACTION REGARDING OLENTANGY ORANGE MIDDLE SCHOOL CROSS COUNTRY MEETS

Ms. Hugh commented this is usually done by consensus. The dates this year are August 22, September 4 and 18, and October 2. Due to construction on the roadways, they may have to bring buses this year to the township hall. Consensus was given by the Board.

PUBLIC SAFETY REPORT

APPOINTMENT OF PART-TIME FIREFIGHTERS/EMTS

RES.18-272 APPOINTMENT OF PART-TIME FIREFIGHTER/EMT AND ESTABLISHMENT OF COMPENSATION

Ms. Knapp moved the adoption of the following resolution:

BE IT RESOLVED that Nicholas Renzetti is appointed to the non-exempt non-bargaining unit position of part-time firefighter/EMT, effective August 15, 2018.

BE IT FURTHER RESOLVED that the compensation for this position shall be at the rate of \$12.88 per hour, with paychecks to be issued based on a 28-day pay period.

BE IT FURTHER RESOLVED that the compensation for this position shall also include the employee benefits for part-time non-bargaining unit personnel stated in the Personnel Policies and Procedures Manual.

BE IT FURTHER RESOLVED that appointment to this position is contingent upon the appointee satisfactorily completing a medical physical examination, drug screening and background investigation.

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Motion seconded by Ms. Taranto.

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

RES.18-273 APPOINTMENT OF PART-TIME FIREFIGHTER/EMT AND ESTABLISHMENT OF COMPENSATION

Ms. Knapp moved the adoption of the following resolution:

BE IT RESOLVED that Nicholas Leidheiser is appointed to the non-exempt non-bargaining unit position of part-time firefighter/EMT, effective August 15, 2018.

BE IT FURTHER RESOLVED that the compensation for this position shall be at the rate of \$12.88 per hour, with paychecks to be issued based on a 28-day pay period.

BE IT FURTHER RESOLVED that the compensation for this position shall also include the employee benefits for part-time non-bargaining unit personnel stated in the Personnel Policies and Procedures Manual.

BE IT FURTHER RESOLVED that appointment to this position is contingent upon the appointee satisfactorily completing a medical physical examination, drug screening and background investigation.

Motion seconded by Ms. Taranto.

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

RES.18-274 APPOINTMENT OF PART-TIME FIREFIGHTER/EMT AND ESTABLISHMENT OF COMPENSATION

Ms. Knapp moved the adoption of the following resolution:

BE IT RESOLVED that Zachary Rikk is appointed to the non-exempt non-bargaining unit position of part-time firefighter/EMT, effective August 15, 2018.

BE IT FURTHER RESOLVED that the compensation for this position shall be at the rate of \$12.88 per hour, with paychecks to be issued based on a 28-day pay period.

BE IT FURTHER RESOLVED that the compensation for this position shall also include the employee benefits for part-time non-bargaining unit personnel stated in the Personnel Policies and Procedures Manual.

BE IT FURTHER RESOLVED that appointment to this position is contingent upon the appointee satisfactorily completing a medical physical examination, drug screening and background investigation.

Motion seconded by Ms. Taranto.

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

FISCAL OFFICER REPORT

Mr. Bodnar and Ms. Sheterom gave a brief description for the following items.

THEN AND NOW PURCHASE ORDER

RES.18-275 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO FIRST COMMONWEALTH BANK

Motion by Ms. Knapp to authorize the issuance of then and now a purchase order to First Commonwealth Bank, in the amount of \$219.00, for employee training services.

Motion seconded by Mr. Rivers.

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

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CREATE A BLANKET FOR GENERAL FUND ACCOUNT 1000-110-318-0000 \$2,000.00 - TRAINING SERVICES

RES.18-276 AUTHORIZE BLANKET FOR ACCOUNT NUMBER 1000-110-318-0000

Motion by Ms. Knapp to authorize a blanket purchase order in the amount of \$2,000.00 for account number 1000-110-318-0000.

Seconded by Mr. Rivers.

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

ADMINISTRATIVE REPORT

DISCUSSION AND POSSIBLE ACTION AMENDING RES.18-184; RES.18-214; RES.18-238; RES.18-239; RES.18-245 TO INCLUDE ACCOUNT NUMBERS

Mr. Bodnar commented that these were previous purchase orders that were approved but without account numbers.

RES.18-277 AMENDING RES.18-184 TO INCLUDE ACCOUNT NUMBER

Motion by Ms Knapp to authorize amending Resolution 18-184 to authorize the issuance of a Purchase Order to CivicPlus in the amount of \$7,004.61, for Township Website Redesign from Account #1000-110-319-0000.

Second: Mr. Rivers.

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

RES.18-278 AMENDING RES.18-214 TO INCLUDE ACCOUNT NUMBER

Motion by Ms. Knapp to authorize amending Resolution 18-214 to authorize the issuance of a Purchase Order to Delaware Data Center in the amount of \$6,745.00, for audio/video equipment from Account #1000-110-360-0000.

Second: Mr. Rivers.

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

RES.18-279 AMENDING RES.18-238 TO INCLUDE ACCOUNT NUMBER

Motion by Ms. Knapp to authorize amending Resolution 18-238 to authorize the issuance of a Purchase Order to Isaac Wiles Burkholder & Teetor, LLC in the amount of \$15,000.00, for legal services from Account #1000-110-311-1101.

Second: Mr. Rivers.

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

RES.18-280 AMENDING RES.18-239 TO INCLUDE ACCOUNT NUMBER

Motion by Ms. Knapp to authorize amending Resolution 18-239 to authorize the issuance of a Purchase Order to Fishel Hass Kim Albrecht Downey, in the amount of \$10,000.00, for legal services from Account #1000-110-311-1101.

Second: Mr. Rivers.

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

RES.18-281 AMENDING RES.18-245 TO INCLUDE ACCOUNT NUMBER

Motion by Ms. Knapp to authorize amending Resolution 18-245 to authorize the issuance of a Purchase Order to Korda/Nemeth Engineering, Inc. in the amount of \$9,500 to perform Survey Services at 7307 South Old State Road as detailed in their proposal dated July 8, 2018 from Account #1000-930-930-0000

Second: Mr. Rivers.

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

DISCUSSION AND POSSIBLE ACTION REGARDING THE INTERGOVERNMENTAL CO-OPERATION AGREEMENT WITH DELAWARE COUNTY AUTOMATIC DATA PROCESSING BOARD AND THE BOARD OF DELAWARE COUNTY COMMISSIONERS

Ms. Knapp commented that in a nut shell; Mr. Kaitsa was refusing to renew the township contract as is thanks to the accusations of Fiscal Officer Joel Spitzer against IT Director Steve Lewis. This has forced the township to rewrite the agreement; removing the Fiscal Office from the agreement. Mr. Bodnar commented this would cover the township until the renewal which is

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in October and then for another year after that. It is early by Mr. Kaitsa direction. There may be a minimal reduction of cost. Ms. Knapp asked Mr. McCarthy will the township need to find a secondary agreement for the fiscal office. Mr. McCarthy commented if the fiscal office is going to have any kind of IT services, yes.

Mr. Rivers asked how soon this would take place. Mr. McCarthy said he thought on passage by the township and the county. Mr. Rivers asked how much time did they have to find coverage for the fiscal office. Mr. Bodnar commented that Mr. Kaitsa indicated there was no rush; he would assist the township for that service. He would give the township apple time to search out and select the provider. Ms. Knapp asked Mr. Bodnar to work on looking for the secondary provider for fiscal office.

RES.18-259 TO ENTER INTO ADDENDUM TO INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE DELAWARE COUNTY AUTOMATIC DATA PROCESSING BOARD AND THE DELAWARE COUNTY BOARD OF COMMISSIONERS RELATIVE TO THE PROVISION OF INFORMATION TECHNOLOGY SERVICES

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio ("Township"), enter into an *Addendum to Intergovernmental Cooperation Agreement* ("*Addendum*") with the Delaware County Automatic Data Processing Board and the Delaware County Board of Commissioners (collectively "County"), modifying the current *Intergovernmental Cooperation Agreement* with the County for the provision of Information Technology Services by the County to the Township.

BE IT FURTHER RESOLVED that such *Addendum* shall be in the form submitted to the Township and bearing the identifier of 080318 in its footer, the contents of which are incorporated by reference into this Resolution as if fully repeated herein.

BE IT FURTHER RESOLVED that all members of the Township shall execute such agreement on behalf of the Township.

Motion seconded by Mr. Rivers.

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

Attachment

ADDENDUM TO INTERGOVERNMENTAL COOPERATION AGREEMENT.

WHEREAS, the Township has authority to equip its Township Hall and offices for use; and

WHEREAS, the Delaware County Automatic Data Processing Board and the Delaware County Board of Commissioners (collectively, the "County") and the Board of Township Trustees of Orange Township, Delaware County, Ohio ("Township"), have previously entered into an *Intergovernmental Cooperation Agreement* for the support of Orange Township IT services ("*Agreement*"), effective the 23rd day of October, 2017 and authorized by the County in its Resolution No. 17-1224 and by the Township in its Resolution No. 17-380; and

WHEREAS, the Township fully supports the Delaware County Automatic Data Processing Board, its director and staff and has no concerns, misgivings or reservations concerning the same in providing services to the Township under the terms of the *Agreement*; and

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WHEREAS, the County and Township desire that the Delaware County Automatic Data Processing Board, its director and staff continue to provide electronic data processing services to the Township offices that are directly administered by the Township; and

WHEREAS, any electronic data processing services necessary to accommodate the needs of the office of the Township Fiscal Officer, as separately determined by the Township, will be pursued under a separate contract with the chosen provider, which shall be as selected by the Township;

NOW THEREFORE, with receipt of sufficient consideration being acknowledged by both parties, the County and the Township enter into this *Addendum to Intergovernmental Cooperation Agreement* (“*Addendum*”), modifying the *Agreement* and providing as follows:

1. The Delaware County Automatic Data Processing Board, its director and staff will continue to provide electronic data processing services to the Township offices that are directly administered by the Township;
2. The electronic data processing services to be provided by the Delaware County Automatic Data Processing Board shall be limited to the Township offices that are directly administered by the Township;
3. Henceforth, the Township Administrator shall be the Township’s primary contact for all communications and interactions with the Delaware County Automatic Data Processing Board, its director and staff for all specialized technical support and data processing services that are not considered to be routine maintenance or Help Desk support.
4. By entering into this *Addendum*, the Township authorizes the Delaware County Automatic Data Processing Board, its director and staff to perform any and all actions, which in his/their professional judgement, are necessary to provide the services contemplated under the terms of this agreement.
5. Paragraph 5.3 (b) of the original agreement is hereby amended as follows:

If the County receives a public records request for Township records contained in such data, it will inform the requester that the information requested is not a public record of the County and that their request will be forwarded to the Township Administrator (or his designee) as the Respondent designated by the Township to be responsible for replies to requests for public records of the Township. The County will then immediately forward the request to the Township Administrator (or his designee) and advise them as to the circumstances of the request and its receipt.

6. Paragraph 5.3 (c) of the original agreement is hereby amended as follows:

The County will provide technical assistance to the Township, as requested by the Township Administrator, in compiling and delivering Township data responsive to a public records request.

7. This *Addendum* shall take immediate effect upon approval by County and Township. Further, the term of the *Agreement*, as modified by this *Addendum*, shall continue in full force and effect for one (1) year from the date of such approval, whereupon the Parties mutually agree to review it for consideration of renewal. The *Agreement* and/or this *Addendum* may only be amended in writing with the mutual consent and agreement of the County and Township.
8. Either County or Township may terminate the *Agreement* upon providing thirty days written notice to the other party.
9. All other terms, conditions, liabilities, rights, responsibilities and provisions of the *Agreement* not changed herein shall continue unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this ____ day of August, 2018.

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DELAWARE COUNTY BOARD OF COMMISSIONERS

By: _____
Date
Pursuant to Resolution No. _____

DELAWARE COUNTY AUTOMATIC DATA
PROCESSING BOARD

By: _____
Date

BOARD OF TOWNSHIP TRUSTEES OF
ORANGE TOWNSHIP

Approved as to form:

By: _____
Date

By: _____
Date

By: _____
Date

Delaware County Prosecuting Attorney

Pursuant to Resolution No. _____

TOWNSHIP FISCAL OFFICER’S CERTIFICATION [RC 5705.41(D)]

The Township Fiscal Officer of Orange Township, Delaware County, Ohio hereby certifies that the funds required to meet the obligation set forth in this *Addendum to Intergovernmental Cooperation Agreement* with the Delaware County Board of Commissioners and Delaware County Automatic Data Processing Board have been lawfully appropriated for such purpose and are in the township treasury or in the process of collection, free from any other encumbrances. The Township Fiscal Officer also certifies that he has confirmed with the State of Ohio Auditor that the Delaware County Board of Commissioners and Delaware County Automatic Data Processing Board have no unresolved findings for recovery issued against them by the State of Ohio.

_____, 2018

Joel M. Spitzer, Township Fiscal Officer
Orange Township, Delaware County, Ohio

PURCHASE ORDERS

RES.18-282 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE OHIO COURT OF CLAIMS

Motion by Ms. Knapp to authorize the issuance of a Purchase Order to Ohio Court of Claims in the amount of \$142.19 for Costs Assessed from Account #1000-110-519-0000.

Second: Mr. Rivers.

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

RES.18-283 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO MS. STACEY NEFF.

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Motion by Ms. Knapp to authorize the issuance of a Purchase Order to Stacey Neff in the amount of \$73.17 for Costs Associated with Case 2017-00876PQ to be reimbursed and to come from Account #1000-110-519-0000.

Second: Mr. Rivers.

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

OLD BUSINESS

TABLED ITEM: JANUARY, FEBRUARY, AND MARCH FINANCIALS

Ms. Knapp commented they have not yet received the financials in the full format. She has asked the Fiscal Office numerous times and received partial records. She commented it would be tabled again.

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION REGARDING POOL RAIN CHECKS

Ms. Knapp tabled this item.

NEW BUSINESS

RESOLUTION REGARDING ADDITIONAL COUNSEL – BRIAN ZETS/ISAAC WILES

Mr. Bodnar commented since Mr. Kim's retirement this would provide services he had provided. Ms. Taranto asked if he specialized in employee issues. Ms. Taranto commented she had not met him. Mr. Bodnar commented he did not know. Ms. Taranto thought it should be someone who specializes in employee issues, grievances. Ms. Knapp commented he specialized in townships. He is the counsel for Shawnee Hills, Cookersville, numerous places around here. He gives various OTA conferences. He has quite a bit of experience in all aspects of the township. He is a third party that none of them know very well and he also has additional counsel available for extreme situations that might come up.

Ms. Taranto commented that it is good that he is good with the townships but she was talking specifically labor and employment related matters. Ms. Knapp commented she finds him competent in all areas.

Mr. Rivers commented he has been happy with his work so far; he thought he has done a great job. Ms. Knapp commented she thought Mr. Zets would welcome a call from Ms. Taranto to discuss this.

RES.18-284 ADDITIONAL COUNSEL

Motion by Ms. Knapp, to retain, for the calendar year 2018, Brian Zets and the law firm of Isaac Wiles as additional counsel to provide legal services to the Township in regard to labor and employment related matters at the following hourly rates: for partners (including Brian Zets) - \$ 210.00/hr.; for associates - \$150/hr.; and for paralegals - \$85.00/hr.

Second Mr. Rivers.

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

EXECUTIVE SESSION

Motion by Ms. Knapp to go into Executive Session to consider:

- To Consider Information Related to Negotiations With Another Political Subdivision Respecting Requests for Economic Development Assistance that is Directly Related to a Request for Economic Development Assistance that Involves Public Infrastructure Improvements Under 5709.77 to 5709.81 of the Ohio Revised Code, and a Unanimous Quorum of the Public Body Determines, by Roll Call Vote, that the Executive Session is Necessary to Protect the Interests of the Applicant or the Possible Investment or Expenditure of Public Funds to be Made in Connection with the Economic Development Project

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- To Conference With Attorney(s) For the Public Body Regarding Disputes Involving the Public Body that are the Subject of Pending or Imminent Court Action
- For the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion, or Compensation, or the Investigation of Charges or Complaints Against a Public Employee or Official

The following were invited to attend: the Board; Mr. Bob Lamb; Assistant Delaware County Prosecutor, Mr. Fowler; Human Resources/Communications Manager, Amanda Sheterom; Maintenance and Parks Director, Ms. Beth Hugh; Township General Counsel, Mr. Mike McCarthy; Township Administrator, Mr. Lee Bodnar; Mr. Cuckler; and Planning and Zoning Director, Ms. Michele Boni.

Seconded by Mr. Rivers.

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

Ms. Knapp returned the meeting from Executive Session. (seen on video as recorder was not on yet)

Seconded by Mr. Rivers.

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

(Recorder now working)

Ms. Knapp commented they had discussed an issue with Park Enterprise who is threatening to take legal action. They have reached a settlement with them regarding a pay application.

RES.18-285 SETTLEMENT WITH PARK ENTERPRISE

Motion by Ms. Knapp:

WHEREAS, the Orange Township Board of Trustees (the “Board”) desires to reach an amicable settlement with Park Enterprise Construction Company (“Park Enterprise”) and terminate the current dispute and threatened litigation; and

WHEREAS, the Board desires to execute a settlement agreement at terms favorable to the Township but that will also continue the Township’s business relationship with Park Enterprise.

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 Settlement Agreement and Mutual Release with Park Enterprise Construction Company.

Section 2. Pursuant to the terms of the Agreement, the Board hereby approves releasing the retainage in the amount of sixteen thousand dollars and no cents (\$16,000.00).

Section 3. The Board hereby authorizes 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: Mr. Rivers.

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

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Seconded by Mr. Rivers.

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

RES.18-286 AMEND RES.18-266

Motion by Ms. Knapp to amend RES.18-266 to indicate that they were approving the zoning fees as amended at this meeting tonight.

Seconded by Ms. Taranto.

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

RES.18-287 CANCELLATION AND REPLACEMENT MEETING

Motion by Ms. Knapp to cancel the September 4, 2018 Regular Trustee Meeting at 7:00 p.m. and replace it with a Special Meeting on September 4, 2018 at 10:00 a.m. at township hall.

Seconded by Mr. Rivers.

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

Ms. Hugh has spoken to Mr. Fowler. The mushrooms that they had made to promote Movie in the Park; the school has requested them. Mr. Fowler would like to do it by resolution to either donate them to the school or loan them to the school (Freedom Elementary). Consensus was given by the Board to have Ms. Hugh bring back a resolution at the next meeting.

There was no further business, meeting adjourned approximately 10:46 p.m.

Lisa F. Knapp, Chairman

Ryan Rivers, Vice Chairman

Deborah Taranto, Trustee

Attest: _____
Joel M. Spitzer, Fiscal Officer