

RECORD OF PROCEEDINGS

**Minutes of Franklin Township
Franklin County, Ohio**

Special Meeting

**Held via Teleconference
COVID-19 Emergency Declaration
Ohio's Open Meeting Act**

March 11, 2021

Call Meeting to Order:

Chairman Horn called the Regular Meeting of the Franklin Township Board of Trustees to order at 6:30 p.m. on March 11, 2021, via teleconference (ZOOM).

Opening Prayer: Led by Trustee Fleshman

Trustee Alex passed on that Chaplain Snodgrass wishes everyone well.

The Pledge of Allegiance: Led by Trustee Alex

Roll Call: Alex, yes; Fleshman, yes; Horn, yes.

Approval of Prior Meeting Minutes:

Horn asked Administrator Mark Potts about written meeting notes for the township meeting. Potts said the Fiscal Office and the Administrative Assistant are working on written meeting minutes so they will be ready for the next meeting.

Fleshman reported that they were put online, but questioned who had the authority to put them online and should there not be a resolution to approve them being posted online without approval of the board.

Alex replied that in the last meeting a resolution stated that the meeting minutes should be written and approved by the board.

Fleshman asked should we keep them online, should we ask why they are online without the Board's permission, and how did they get online. He stated that the board should know what goes out on the website and who has access to it.

Horn stated that by his understanding, there is no mandate as to the way the meeting minutes are applied, that it is allowed to post them orally.

Fleshman stated that he is not debating the issue, only that the minutes are posted without the authority or knowledge of the Board and that it needs to be addressed.

Horn stated that we should not change our practice until we have a discussion,

Fleshman asked what action we want to take at this time. Horn advised that they should be approved by the board before being posted online. He stated that what is in place is a resolution that says the meeting minutes should be approved by the trustees before they are posted. To make it right we should remove the recording of the minutes from the website until they are approved.

Fleshman requested that they not be posted online by anyone but an administrator. Only one person should have access to the website, and it should be an administrator. Only an administrator should be posting them online when they are approved.

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Alex said he wanted them typed up. He wasn't concerned that they were posted online. Alex did not want Potts to be the internet police.

Horn reiterated that they should not have been posted without being approved. Horn said they were not in violation of anything by posting them online.

Fleshman requested to keep the resolution we have and leave the minutes that are recorded and posted online, but any further minutes would have to be approved before they are posted. The current resolution says they don't get posted until they are approved. All agreed to this.

Without further discussion, Horn moved to Old Business.

Old Business

Fiscal Officer Mary Rhinehart recommended the following resolution:

Resolution 2021-041

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves accounts payable through 03/11/2021 in the amount of \$117,247.32, and payroll paid on 03/05/2021 in the amount of \$154,262.91 for a total of \$271,510.23 from check #65760 to 65920 and electronic vouchers from 160-2021 to 184-2021.

Horn made a motion for the above resolution. Fleshman seconded the motion; the roll was called for its adoption and the vote was as follows. Resolution passed.

Alex: YES/ NO

Fleshman: YES/ NO

Horn: YES/ NO

Resolution Passed.

With no discussion, Horn moved to New Business.

New Business:

Fleshman raised a question about the resolution made -in the last meeting that the trustees be paid on the first of the month. This did not happen on the first of April and wanted to know if the resolution was going to be honored.

Robyn Watkins stated that Ms. Rhinehart will be back on the call and will be able to answer the question at that time. The meeting minutes will reflect the answer to the question.

Horn requested for a resolution regarding heat in the pole barn at the maintenance shop.

Jim Stevens stated he presented two quotes at the last meeting and the board decided to table the discussion. Fleshman requested that they go with the lowest bidder on that.

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The lowest bid was from Trio Construction for \$14,280.15.

Fleshman made a motion for the adoption of the following resolution.

RESOLUTION 2021-043

Bid Granted to Trio Construction

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board accepts a bid from Trio Construction to perform duties to install a new central heating unit in pole barn/maintenance shop 2 (Road Department) for a cost not to exceed listed bid price of \$14,280.15.

Horn seconded the motion; the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO **Fleshman:** YES/ NO **Horn:** YES/ NO

Resolution passed.

With no further discussion, Chairman Alex moved to the police department.

Police Department Report:

Lieutenant David Ratliff stated that he received a message from Deputy Carter that he had nothing to report tonight.

Fire Department Report:

Chief Welch requested a resolution to purchase nine twin XL mattresses from the Original Mattress Factory for the amount over the threshold not to exceed \$2645.39 based on a quote of \$2445.39.

Horn made a motion for the adoption of the following resolution:

RESOLUTION 2021-044

Purchase of 9 Mattresses from the Original Mattress Factory

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the fire chief to purchase (9) single XL mattresses from the Original Mattress Factory not to exceed a cost of \$2,445.39.

Fleshman seconded the motion, the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO **Fleshman:** YES/ NO **Horn:** YES/ NO

Resolution passed.

Welch reported that his department's 22 Pierce Arrow vehicle, one of their three fire trucks, went into the shop in the last couple of weeks because it would only go 35 miles per hour and was stalling and was becoming less reliable. He stated that Ohio CAT looked at it and found metal in basically the

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entire fuel system. He stated that the mechanic reported it would require extensive repairs. Welch is asking for a resolution for the repairs.

Fleshman questioned whether sabotage could have occurred with someone putting metal into the gas tank. He suggested possibly a mechanic could investigate if the metal was part of the vehicle.

Trustee Horn made a motion for the adoption of the following Resolution:

RESOLUTION 2021-045

Ohio CAT and Repairs on E193

***BE IT RESOLVED** by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves Ohio CAT to perform repairs on E-193 due to metal on the gas tank at a cost not to exceed \$22,500.00.*

Trustee Fleshman seconded the motion, the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO

Fleshman: YES/ NO

Horn: YES/ NO

Resolution passed.

Welch reported the resignation of a firefighter and is wanting to hire Stephen Dickson as FF1 effective 04/01/2021 to fill that position.

Horn made a motion for the adoption of the following resolution:

RESOLUTION 2021-046

Hiring of Dickson as a Firefighter 1

***BE IT RESOLVED** by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves to hire Stephen Dickson as a FF1 effective April 1, 2021.*

Fleshman seconded the motion, the roll was called for its adoption and the vote was as follows. Resolution passed.

Alex: YES/ NO

Fleshman: YES/ NO

Horn: YES/ NO

Resolution passed.

Welch then requested a resolution to purchase a medic vehicle. He stated he has been working with Horton and looking into getting one with the specifications they need. He stated that the other vehicles are aging, especially one dated 2010. He stated that he spoke with Fiscal Officer, Mary Rhinehart and Jeff Wilcheck, who asked for a couple more weeks in order to give a solid number.

Fleshman wanted to know the cost of the last one that was purchased through Horton. Chief Welch reported that it was about \$230,000.00, that it was a Ford F150.

Fleshman expressed his desire that their vehicles be four-wheel drive.

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Welch spoke of an issue he is concerned about. He stated his recommendation to have Franklin Township turn the Building Department back over to the State and have Captain Todd Broecker return to duties in the Fire Department. He stated that the Building Department was started because it was hoped there would be a lot of money involved but he feels there is not a lot moving and he does need Todd's help in the Fire Department.

Welch stated that if the Building Department is turned over to the State, Franklin Township would be hands-off over commercial building, what kind of building standards there are.

Fleshman questioned if there is not a lot moving, could Broecker still do both positions?

Welch stated that the State Auditor has already cautioned about having the Fire Department intertwined with the Building Department with regard to funding, etc. Welch stated he feels it would be best to have someone in the Building Department other than Fire Department personnel.

Horn asked for discussion at the next meeting as he wanted to talk to Mary Rhinehart regarding the financial aspect of such a decision.

Alex expressed his feeling that if we keep the Building Department, the Township needs to bring on a full-time administrative assistant in order to handle the workload, otherwise we could give it to the State.

Fleshman agreed with Alex. He also stated that the Township has budgeted for that position of administrative assistant and they could move on looking to fill it.

He stated that a lot of activity was put on hold due to COVID and that it should pick up. He stated he felt the Township should have someone in place as an assistant. He stated that we need to make sure we are well-invested for economic growth.

Alex and Fleshman agreed that budgets are set up for each department.

Horn voiced his concern about excessive spending and going over budget.

Fleshman explained that if the Township hired an administrative assistant and Broecker would return to his duties in the Fire Department, the Township would be dropping two positions and thus saving money.

Without further discussion, Horn moved to the Road Department.

Road Department Report:

Jim Stevens reported that one of his employees, James Timmons, has turned in his resignation. Jim read a resignation letter from Mr. Timmons:

To the Board of Trustees and Jim Stevens:

I, James W. Timmons, am giving my notice to resign from Franklin Township as a road crew worker. My last day will be April 9, 2021. I will be working in another area to advance my career. I greatly appreciate the opportunity

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to have been an employee of Franklin Township. I know that the knowledge and skills I have learned will help me in my future endeavors. I take this time to thank everyone I have worked with for their help and friendship.

Trustee Fleshman expressed his gratitude for Mr. Timmons.

Stevens mentioned that Mr. Timmons is taking a job with ODOT and will still be an asset to Franklin Township as both departments work on some of the same roads.

Stevens stated that it is difficult for the Road Crew to function being short two people. He stated that he wants to fill one of those positions with a gentleman he knows has quite a bit of equipment knowledge. He stated that this individual is a certified electrician which would be an asset to the Road Department.

Stevens stated the gentleman's name is Quentin Hawkins and asked the Board to pass a resolution to hire him.

Horn made a motion for the adoption of the following Resolution:

RESOLUTION 2021-047

Hiring of Hawkins to Road Crew

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves to hire Quentin Hawkins as a member of the Road Crew beginning at Step B per the collective bargaining agreement, effective March 29, 2021.

Fleshman seconded the Resolution, the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO **Fleshman:** YES/ NO **Horn:** YES/ NO

Resolution passed.

With no further discussion, Horn moved to the trustee reports.

Trustee Reports:

Aryeh Alex, Trustee

Alex wanted to let Franklin Township residents know that a vaccination clinic will be held at St. John's Arena on OSU campus on March 18, 2021 and last for four days.

He stated the information included:

1. The clinic will have 12,000 doses for the first vaccination.
2. Those eligible will include individuals 50 years of age and over and will include categories 1A through 1C.
3. Individuals can register by telephone through Franklin County Public Health and on Kroger's website.
4. There will be free parking at OSU.

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John Fleshman, Trustee

Fleshman inquired about Franklin Township's "No Knock" policy. He mentioned discussing this with Legal who confirmed the policy was legal. He suggested that the Board put it on the agenda for a vote.

Horn had nothing to report.

With no further discussion, Horn moved to the fiscal department:

Fiscal Department Report:

Mary Rhinehart, Fiscal Officer

Rhinehart wants a resolution for a file upload system instead of the Fiscal Department using a manual system to do payroll.

Fleshman expressed concern of the safety of the software.

Horn made a motion for the adoption of the following Resolution:

BE IT RESOLVED, that the Board approves the "File Upload Method" for the Payroll Electronic Funds Transfer (EFT) for Direct Deposit.

Fleshman seconded the Resolution, the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO ***Fleshman:*** YES/ NO ***Horn:*** YES/ NO

Resolution passed.

Rhinehart also requested a resolution authorizing payment of an outstanding obligation of HRA benefits provided in 2020.

RESOLUTION NO. 2021-049

***A RESOLUTION AUTHORIZING THE PAYMENT OF A
PAST OBLIGATION FOR HEALTHCARE REIMBURSEMENT
ACCOUNT (HRA) APPROPRIATION AND FUNDS FOR PAYMENT
PHASE 3***

WHEREAS, Section 5705.41(D), Revised Code, requires prior certificate by the Township Fiscal Officer that the amount required to meet an obligation in the current year has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, and;

WHEREAS, If no certificate is furnished as required, the fiscal officer may certify "then" when the obligation was incurred and "now" that sufficient appropriations exist for that purpose, and;

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***WHEREAS**, If the amount exceeds \$3,000, the fiscal officer shall obtain authorization, by resolution, from the governing board, and;*

***WHEREAS**, the Township has received a summary from Medical Mutual for health care reimbursement account benefits to be reimbursed in 2020 that exceed \$3,000.*

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF FRANKLIN TOWNSHIP, FRANKLIN COUNTY:

***SECTION 1**, the Fiscal Officer is authorized, to pay the outstanding obligation with designated Employees per the final Phase 3 table dated March 11, 2021, via separate checks for a cumulative amount of **\$6,059.65** for HRA benefits provided in 2020.*

Horn made a motion for the adoption of the above Resolution. Fleshman seconded the motion, the roll was called for its adoption and the vote was as follows.

***Alex:** YES/ NO **Fleshman:** YES/ NO **Horn:** YES/ NO*

Resolution passed.

Rhinehart also reminded the Board of her resignation and that her last day will be March 31, 2021. Fleshman stated that the Board acknowledges Rhinehart's resignation and wishes her well.

With no further discussion, Horn moved to the administrator report:

Administrator Report:

Mark Potts, Administrator

Potts mentioned a liquor permit currently being considered for a restaurant in Franklin Township. He introduced Tim Mullins, an attorney representing the restaurant.

Mullins began by stating that liquor permits in Ohio work by quota and that Franklin Township's quota has been exhausted. He stated that Ohio allows us to find liquor permits from another location which he did and stated that with the Board's permission and approval he could bring it in. He stated that the State will then determine if the permit will have a positive economic impact on Franklin Township.

Mullins reported that the total project costs 10 million dollars, that it allows 110 jobs, the property tax is estimated to be nearly \$51,000, the federal tax is \$127,000, the corporate tax is \$24,000, and annual sales is 12 million dollars.

Mullins reported that there will be a soft opening on March 24 and the grand opening will be held on April 16.

He stated that he is asking the Board to approve the application.

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Horn made a motion to approve the application. Fleshman seconded the motion, the roll was called for its adoption and the vote was as follows.

Alex: YES/ NO

Fleshman: YES/ NO

Horn: YES/ NO

Motion passed.

Potts mentioned that Franklin County Public Health is hosting a "Tire Take-Back Day" on 3/20/2021 from 9 to 11 a.m. at Township Hall and that it would be posted on Franklin Township's Facebook, Twitter and Instagram accounts.

Potts also mentioned that the County Engineer and Public Health District Advisory Council meeting will be held on 3/25/2021 at about the same time as the township meeting.

Potts had an update on the concerts at Westland Mall. He stated that he had a discussion with the concert promoters and their attorneys who stated they are talking with individuals in affected areas and are working on trying to eliminate noise. They reported having 700 parking spaces and cutting those down to 600 parking spaces. They stated that the concerts would last until 10 or 11 p.m. for only three days per week, Thursday, Friday and Saturday and possibly on Sundays.

Potts stated that he received a letter from Matt Brown of the Franklin County Development and Planning Department saying that Franklin Township could direct anyone with an issue not in our jurisdiction, to refer individuals to the on-line meeting calendar at <https://development.franklincountyohio.gov> and click on March 15 to view meeting materials.

Potts stated that per Mr. Brown's directions, any comments concerning the concerts can be e-mailed to planning@franklincountyohio.gov with CU-3990 in the Subject line. Per Mr. Brown, any e-mails received by 1:30 p.m. on Monday would be submitted to the Board for consideration.

With no further discussion, Horn asked Potts if there were any questions from the public.

Questions:

Resident Robbyne Chaney asked a question about the concerts at Westland Mall. She stated she was opposed to the concerts and asked if Franklin Township residents had the support of the trustees.

Fleshman stated that he agreed with Robbyne, that she lived closer to the concerts than he and that he could still hear it at his home and often hears the same from Franklin Township residents.

Fleshman reminded the Board that with the resignation of Fiscal Officer Mary Rhinehart, an executive meeting needed to be held.

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Adjournment:

With no further discussion, Horn adjourned the meeting at 8:00 p.m.

Signature on file with original _____
Aryeh Alex, Trustee

Signature on file with original _____
John Fleshman, Vice-Chairman/Trustee

Signature on file with original _____
Ralph Horn, Chairman/Trustee

Signature on file with original _____
Assistant Fiscal Officer/Fiscal Officer