

RECORD OF PROCEEDINGS

Minutes of Franklin Township
Franklin County, Ohio

Regular Meeting

October 21, 2021

Call Meeting to Order:

Horn called the (in-person) regular bi-weekly meeting of the Franklin Township Board of Trustees to order at 6:30 p.m. on October 21, 2021. The meeting was also available virtually on ZOOM. Login information was provided on the agenda.

Opening Prayer: Led by Pastor Womack

The Pledge of Allegiance: Led by Trustee Alex

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

Motion to Approve Prior Meeting Minutes:

MOTION

Horn made a motion to approve the following meeting minutes:

- *Special meeting on October 7, 2021*
- *Regular meeting on October 7, 2021*

Alex seconded the motion; with no discussion, the roll was called and the vote was as follows:

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

Motion passed.

With no further discussion, Horn moved to *Old Business*.

Old Business:

The Fiscal Officer recommended the following motion:

MOTION

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves accounts payable from October 8, 2021, through October 21, 2021, in the amount of \$86,738.91 and payroll paid on October 15, 2021, for \$196,984.27 for a grand total of \$283723.18. From check numbers 67056 to 67098 and electronic vouchers from 1179-2021 to 1255-2021.

Alex accepted the motion, Fleshman seconded the motion; with no discussion, the roll was called and the vote was as follows:

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

Motion passed.

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RESOLUTION 2021-169

A RESOLUTION APPROVING OBLIGATIONS AUTHORIZED BY THE TOWNSHIP FISCAL OFFICER

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

WHEREAS, *The board of township trustees, in Resolution 2021-083, authorized the township fiscal officer to approve/incur obligations of ten thousand dollars or less on behalf of the township in accordance with Section 507.11 of the Ohio Revised Code; and,*

WHEREAS, *pursuant to the provisions of Section 507.11(A) of the Ohio Revised Code, the obligations approved/incurred by the township fiscal officer must be subsequently approved by the adoption of a formal resolution of the board of township trustees.*

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

SECTION 1, *The obligations authorized/incurred by the township fiscal officer as presented in Exhibit A attached hereto are hereby approved.*

SECTION 2, *That all formal actions of this Board concerning and relating to the adoption of this Resolution, were passed in an open meeting of this Board, and that 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 Section 121.22 of the Ohio Revised Code. (See Exhibit A)*

SECTION 3, *That this Resolution, shall be in full force and effect immediately upon its adoption.*

Alex seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

See Exhibit below.

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**Fiscal Officer Obligations by PURCHASE ORDER
FRANKLIN TOWNSHIP, FRANKLIN COUNTY
October 8, 2021 - October 21, 2021**

Exhibit A

PO Type	PO#	Issue Date	Amount	Account Code	Vendor	Status
BR	95-2021	10/13/21	\$8,000.00	2281-230-323-3232		Open
PT	580-2021	10/8/21	\$305.23	2191-220-229-2293	VISION SERVICE PLAN - OH	Open
PT	580-2021	10/8/21	\$305.23	2281-230-229-2293	VISION SERVICE PLAN - OH	Open
PR	581-2021	8/10/21	\$769.96	2021-330-420-4219	PNC BANK	Open
PR	582-2021	10/12/21	\$600.00	2191-760-740-0000	ALL-AMERICAN FIRE EQUIPMENT, INC.	Open
PT	583-2021	10/13/21	\$4,395.62	1000-110-229-2291	MEDICAL MUTUAL	Open
PT	583-2021	10/13/21	\$4,395.62	2281-230-229-2291	MEDICAL MUTUAL	Open
PT	583-2021	10/13/21	\$4,395.62	2031-330-229-2291	MEDICAL MUTUAL	Open
PT	583-2021	10/13/21	\$4,395.62	2191-220-229-2291	MEDICAL MUTUAL	Open
PT	583-2021	10/13/21	\$4,395.62	2192-210-229-2291	MEDICAL MUTUAL	Open
PR	584-2021	10/12/21	\$584.31	1000-110-410-0000	PNC BANK	Open
PR	584-2021	10/12/21	\$584.31	1000-120-420-0000	PNC BANK	Open
PR	585-2021	10/13/21	\$86.93	2192-210-490-0000	SYNCB/ AMAZON	Open
PR	586-2021	10/13/21	\$2,582.00	2192-210-420-4250	VANCE'S SHOOTERS	Open
PR	587-2021	10/13/21	\$295.00	2192-210-490-0000	SYNCB/ AMAZON	Open
PR	588-2021	10/13/21	\$6,095.52	2141-330-316-0000	Burgess & Niple, INC.	Open
PR	589-2021	10/13/21	\$4,435.56	2191-220-323-3232	Ohio Machinery Co. DBA Ohio CAT	Open
PR	590-2021	10/14/21	\$1,943.01	1000-110-311-0000	Sybert, Rhoad, Lackey & Swisher Law Firm	Open
PR	591-2021	10/14/21	\$10,000.00	1000-110-311-0000	BROSIUS, JOHNSON & GRIGGS, LLC	Open
PR	592-2021	10/14/21	\$1,212.46	1000-110-341-0027	AT&T	Open
PR	593-2021	10/14/21	\$41.23	1000-120-352-0000	COLUMBUS - CITY TREASURER	Open
PR	594-2021	10/14/21	\$740.00	1000-120-352-0000	COLUMBUS - CITY TREASURER	Open
PR	595-2021	10/14/21	\$284.50	2191-220-341-0027	VERIZON WIRELESS	Open
PR	596-2021	10/5/21	\$5,429.04	2021-330-420-4221	PNC BANK	Open
PR	596-2021	10/5/21	\$5,429.04	2192-210-420-4221	PNC BANK	Open
PR	596-2021	10/5/21	\$5,429.04	2281-230-420-4221	PNC BANK	Open
PR	597-2021	10/18/21	\$3,000.00	1000-190-599-0000	PRO PRINTING INC.	Open
PR	598-2021	10/18/21	\$300.00	1000-110-410-0000	GOVERNMENT FORMS AND SUPPLIES	Open
PR	599-2021	10/18/21	\$75.00	2191-220-420-0000	BATTERIES PLUS COMMERCIAL	Open
PR	601-2021	10/20/21	\$795.00	2191-220-341-0027	TIME WARNER CABLE	Open
TOTAL			\$81,290.49			

With no further discussion, Horn moved to *New Business*.

New Business:

Horn stated that the next item on the agenda is a proposed resolution to hire the Township Administrator position. Horn wanted the residents to know that he is 100% against hiring a township administrator. Horn continued and reminded everyone that the township is going through a state financial audit which is currently in progress. Horn explained that the auditors sent an email to each trustee stating their concerns about hiring an administrator and that the township is overspending money, but the other trustees insist on replacing the administrator position. Horn reiterated his opposition to filling the administrator position at this time.

Alex stated that the board had the township's legal counsel update the Memo of Understanding (MOU) between the township and the Township Administrator position. Alex said a resolution has been made to adopt this MOU.

Horn stated that he had no knowledge of any MOU.

Fiscal Officer Dunn stated that he had Pete Griggs, the township attorney available via ZOOM. Horn stated for the record that he is opposed to hiring an administrator at this time due to the email received by the Auditor of the State's Office. Griggs explained that his interpretation of the auditor's email is that the Board of Trustees must fully understand the terms and conditions of the administrator position and that the board approves the terms and conditions in a public meeting.

Griggs explained that he received a copy of the previous administrators' terms and conditions of employment (MOU). Griggs had comments for the board

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related to the accuracy of the benefits listed in the previous administrator's MOU and if there has been anything brought up by the auditors during their audit review of other departments' MOU's. Grigg stated it is the board's right to set the compensation and benefits of their employees but there are some things to consider. Griggs recommended that the board look at page three (3) under *Work Hours* and that the statement referring to comp time be deleted based on recent conversations that he has had with the auditor. Grigg's asked the board the following questions:

1. Does the Fiscal Officer have any issues with the wording?
2. How is the board going to handle the auditor's concerns about pension pick-up?
 - a. Will the pension pickup be the same as the previous administrator?
3. How will the vacation and sick leave payouts be defined?

When the previous administrator's MOU was created there was no employee handbook in place, said Griggs. With the new administration their MOU should follow the language outlined in the employee handbook that was approved by the board this year, said Griggs.

Based on the employee handbook the vacation and sick leave use and payouts are defined within the handbook and should be reflected in the MOU so the only thing left is to define the pension pick-up portion of the MOU. Griggs stated the board needs to decide on the pension pick-up. Griggs asked Fiscal Officer Dunn if he had any comments.

Fiscal Officer Dunn said his office would have to perform a supplemental appropriation for some of the salary and benefits of this position. The funds that are left from the previous administrator's line item are not enough to carry the new administrator through the end of 2021, due to the cash-out provided at the point of resignation as outlined in the MOU. Dunn explained that he will present a supplemental appropriation to the board at the next public meeting, and he is unsure where the funds for the position are going to come from.

Alex asked Griggs what the language should say around the pension pick-up. Griggs said if the board agrees, the language would say that the township agrees to provide full pension pick up.

Alex made a motion to adopt the following resolution.

The Assistant Fiscal Officer, Robyn Watkins asked the board to make the effective date of employment at the beginning of the next pay period. She explained that there is no way she can legally prepare and process the new hire packet in one day. Freshman asked Watkins if she could just catch up with the new administrator at a later date as the board would like to get this individual started and get them working. Freshman stated that the board has been trying to hire the administrator for two (2) weeks and it's always coming back to another barrier. Watkins said the Fiscal Department is asking for the same onboarding process to be followed as the other departments, which is to start a new hire on the first day of the new pay period. Alex amended the language of the resolution to state that the effective date of hire for the new Township

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Administrator would be Wednesday, October 27, 2021. Watkins thanked Alex for his understanding.

***Resolution 2021-172
To Hire and Establish Terms & Conditions of Employment for
the Township Administrator Position***

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves to hire and establish terms and conditions of employment for the Franklin Township Administrator as defined by the Township's legal counsel effective Wednesday, October 27, 2021. (See Exhibit A)

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

Exhibit A

RESOLUTION NO. 2021-172

**A RESOLUTION HIRING AND ESTABLISHING THE TERMS
AND CONDITIONS OF EMPLOYMENT FOR THE FRANKLIN TOWNSHIP
ADMINISTRATOR**

PREAMBLE

WHEREAS, the Board desires to employ Steven Mazer as Township Administrator and establish the terms and conditions of his employment; and

WHEREAS, it is in the best interest of the Township and its residents to provide certain benefits to this employee as a form of compensation;

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Trustees of Franklin Township, Franklin County, Ohio (the "Board") that the following Resolution be and it hereby is adopted:

RESOLVED, that effective October 27, 2021, the Township hereby employs Steven Mazer (hereinafter referred to as "Employee") as the Franklin Township Administrator, subject to the following terms and conditions of employment:

1. Term. THE EMPLOYEE IS AN EMPLOYEE AT WILL AND SERVES AT THE PLEASURE OF THE BOARD. The Employee is to be employed by the Township on an indefinite basis until such employment is terminated in the manner hereinafter set forth in paragraph 14, hereof.
2. Job Description and Duties. The Employee shall serve as the Franklin Township Administrator and shall perform those jobs and duties outlined in the Ohio Revised Code and perform such other lawful and reasonable duties as may, from time to time, be requested by the Board. Without limiting the generality of the foregoing, the duties of the Employee shall include the items set forth on the Job Description attached hereto and marked "Attachment A". The Employee

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shall not be engaged in any business activity in conflict with his position and duties other than on behalf of and as directed by the Board, whether or not such business activity is pursued gain, profit, or other pecuniary advantages, without the prior written approval of the Board. The Employee's full working time and effort shall be devoted to such employment.

3. Rules, Regulations, and Conditions. The Employee shall observe such rules, regulations, and conditions as may, from time to time, be adopted by the Board or such other rules governing the operation and personnel of Franklin Township and all applicable federal, state, and local laws and regulations.

4. Compensation. The entire compensation to be paid to the Employee by the Township for all services performed by the Employee while employed on a regular full-time basis as the Franklin Township Administrator shall be Sixty-Five Thousand Dollars (\$65,000.00) per calendar year of employment (or such higher salary as the Board may, in its absolute and sole discretion, from time to time, determine). The Employee's annual salary will be paid on a bi-weekly basis (or such other pay period the Board determines from time to time) during each calendar year. All compensation shall be subject to withholding for federal, state, and local income taxes, and such other taxes and charges as may be subject to the withholding from employee wages, and further subject to withholding required for pension contributions and further subject to withholding for any other deductions or charges as may, from time to time, be authorized in writing by the Employee and agreed to by the Board. The Employee shall be exempt from the overtime provisions of the Fair Labor Standards Act (29 U.S.C. §§201 et seq.) under the Executive Employee Exemption. As an Executive Employee under the FLSA, the Employee will not be eligible for compensation at a time and one-half rate, and he will not be compensated in the form of pay for hours worked in excess of forty (40) hours per workweek. Nothing contained herein shall be deemed as a guarantee of continued employment by the Township.

The Township shall also provide the Employee with mileage reimbursement for miles driven in a personal vehicle for the purpose of Township business at the 2021 Federal rate of fifty-eight cents (0.58) per mile for business miles. This rate is determined by the Federal Government and is subject to change. The monthly mileage reimbursement is subject to applicable withholding and other deductions and shall be paid on the first pay following the month the miles were driven. (Example: May mileage report due by first pay period in June to be paid on the first payday in June.) The Employee shall be responsible for the maintenance and operation of their personal vehicle and the costs associated with the same, including, without limitation, insurance.

The Employee shall also be entitled to the use of a Township-issued cell phone and laptop. Use of the cell phone and laptop is subject to all applicable Township rules and regulations.

5. Performance Evaluations. In the first year of employment, the Board will perform a six-month and twelve-month evaluation of the Employee's performance. Thereafter, the Board will perform an annual evaluation of the Employee's performance to occur no later than June 1st of each calendar year. In its sole and absolute and sole discretion, after the annual evaluation, the Board may make appropriate increases in Employees compensation.

6. Work Hours. Typically, will begin at 8:30 a.m. and end at 5:00 p.m. or 5:30 p.m. based on a flexible lunch ranging from thirty (30) minutes to one (1) hour, the regularly scheduled work hours for the Employee shall total at least forty (40) hours during each workweek. In addition, the Employees shall work at such other and/or additional hours as may be necessary to fulfill their duties as the Franklin Township Administrator and/or as may, from time to time, be requested by the Board. Comp time shall be accrued for any hours exceeding forty (40) in a payroll week.

7. Benefits. Except as otherwise herein provided, the Employee shall be entitled to all of the benefits provided to full-time employees as outlined by the Board of Trustees.

8. Vacation Time. Upon commencement of employment, the Employee shall be credited with Fifty- Six (56) of vacation time hours available for immediate use. Beginning October 21, 2021, the Employee shall accrue 3.1 hours per pay period. Beginning the second year of employment, the Employee shall accrue 4.6 hours per pay period. The break down at three (3) or more years of employment is as follows:

- Year 1 – One Hundred Twenty (120) Hours Township /Fifty -Six hours of roll-over
- Year 2 – One Hundred Twenty Hours (120) hours Township / available roll-over
- 3-5 years 5.5 hours per pay period = One Hundred Four Three (143) hours

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- 6-10 years 6.2 hours per pay period = One Hundred Sixty-One (161) hours
 - 11-15 years 7.1 hours per pay period = One Hundred Eighty-Five (185) hours
 - 16+ years 8 hours per pay period = Two Hundred Eight (208) hours
9. Holidays. Upon commencement of employment, the Employee shall be granted a day off from work in observance of the following legal holidays while in active service with the Township, which holidays shall occur and be taken at the following times:
- (a) the first day of January, known as New Year's Day;
 - (b) the third Monday in January, known as Martin Luther King Day;
 - (c) the third Monday in February, known as Washington-Lincoln (President's Day);
 - (d) the thirtieth day of May, known as Decoration or Memorial Day;
 - (e) the fourth day of July, known as Independence Day;
 - (f) the first Monday in September, known as Labor Day;
 - (g) the second Monday in October, known as Columbus Day;
 - (h) the holiday is known as Veterans Day (November)
 - (i) the fourth Thursday in November, known as Thanksgiving Day; and
 - (j) the twenty-fifth day of December, known as Christmas Day;
- or, if any of the holiday dates are changed or additional holidays added under Ohio Revised Code §511.10, or any future statute of like tenor and effect, the dates so changed or added. If any date designated above as a holiday falls on Saturday, the Friday immediately preceding shall be the holiday, and if any date designated above as a holiday falls on Sunday, the next succeeding Monday shall be the holiday.
10. Sick Leave. The Employee shall be entitled to accrue 3.077 hours per bi-weekly pay (equals 80 hours annually) and use sick leave in accordance with the applicable Sick Leave provisions established by the Township.
11. Insurance Coverage. Upon commencement of employment, health care insurance, dental care insurance, and vision insurance uniformly provided to all full-time employees of the Township will be made available to the Employee at his option in accordance with applicable law. All such insurance shall be subject to the terms and conditions contained in the applicable insurance policies and/or plan documents maintained, from time to time, by the Township. If the employee elects to participate in the health insurance program, the Employee may be required to pay the Township a monthly reimbursement in an amount determined by the Board and generally charged to other Township employees. (2019: Insurance withholding)
12. Professional Membership Fees. The Township shall pay reasonable membership fees to appropriate professional organizations on behalf of the Employee upon the Employee's written request therefore. The Board, after consultation with the Employee, shall determine which organizations are "appropriate" and what fees are "reasonable," and the Board's decision shall be final.
13. Disciplinary Actions. The Township, through the Board, is authorized to take such disciplinary actions as it deems necessary in the event the Employee does not fulfill the Employees' employment duties, or in such other instances as the Board, in its sole discretion, deems necessary. Nothing contained herein shall impair or otherwise alter the Employee's status as one of employment at will, and the Employee's status shall be as set forth in paragraph 14 hereof.
14. Status and Termination of Employment. The Employee shall serve at the pleasure of the Board and is employed by the Township at will and on an indefinite basis until such time as the Employee or the Board terminates such employment. This Resolution is not a contract of

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employment and the Employee or the Township, by a majority vote of the Board, may terminate the Employee's employment with the Township at any time, with or without cause, for any reason or for no reason whatsoever, and, in the case of the Township, in the sole and absolute discretion of the Board, subject to the following terms and conditions:

- (a) For Cause. The Board may initiate termination of the Employee's employment for cause. The term "for cause" shall mean that the Employee has engaged in one or more of the following types of actions: misconduct, insubordination or lack of cooperation; possession, use, sale or being under the influence of alcohol or a controlled substance on work premises or during work hours; poor or inadequate performance; incompetence or inability to perform the duties of the position; bribery; neglect of duty; abuse of Township property; removing Township property without prior authorization; falsification of employment application or other personnel records; falsifying Township reports or records; conviction of any felony; conduct involving theft, dishonesty or moral turpitude; improper physical or verbal harassment; sexual harassment; abuse or improper use of sick leave; or any other failure of good behavior. Upon termination of the Employee's employment for cause, the Employee shall not be entitled to any further wages or benefits hereunder.
- (b) Without Cause. Either the Board or the Employee may initiate termination of the Employee's employment at any time without cause as follows:
 - (i) The Board shall notify the Employee in writing of his termination thirty (30) days prior to the effective date of such termination. If the Township terminates the employment of the Employee without cause, the Township agrees to pay the Employee "severance pay" as hereinafter defined.
 - (ii) If the Employee desires to terminate his employment, the Employee shall notify the Board in writing sixty (60) days prior to the effective date of such termination. The Employee understands that if he terminates employment, no further salary or benefits shall be paid to him after the effective date of his termination.
- (c) Job Abolishment. If the Employee's employment is terminated due to the abolishment of the position, it will be considered termination "without cause" pursuant to the provisions of subparagraph (b)(i) of paragraph 14 of this Resolution.

15. Interpretations, Determinations, and Decisions. To the fullest extent permitted by law, all interpretations, determinations, and decisions with regard to this Resolution and all matters relating thereto and contained therein shall be made by the Board, and such interpretations, determinations, and decisions on such matters shall be final and binding on all persons.

16. Entire Understanding. Unless otherwise changed or modified by the Board after the effective date of this Resolution, or unless otherwise specifically required by applicable law, this Resolution constitutes the entire compensation and benefits afforded to the Employee named above if and while the Employee continues to serve as the Franklin Township Administrator, and, for these purposes, all prior Resolutions, directives, and practices establishing or relating to any such benefits or compensation are hereby superseded in their entirety.

17. Amendment, Modification, and/or Termination of Resolution. The Township, through the Board, shall have the right and authority to amend or otherwise modify this Resolution, from time to time, provided that no amendment or modification shall deprive the Employee of previously accrued and vested vacation and/or sick leave benefits standing to the Employee's credit or, without the written consent of the Employee. Furthermore, while it is the expectation of the Township to continue this Resolution in substantially its present form, no-obligation, contractually or otherwise, to do so is assumed by the Township, and the Township expressly reserves the right to discontinue and/or rescind this Resolution, in whole or in part, at any time.

18. Duration of Resolution. This Resolution shall become effective on or as of 10/27/2021 and will continue in full force and effect until otherwise amended, modified, and/or terminated by the Board; provided, however, that the Employee's employment with the Township is at will and may be terminated at any time as hereinbefore provided, and the Township, through the Board, has the right and authority to amend, modify and/or terminate this Resolution as set forth above.

19. Acknowledgment. As a condition of employment, the Employee shall sign a statement, which is to be returned to the Board, stating, in effect, that the Employee has read the foregoing Resolution and fully understands and agrees with its terms.

This Resolution shall take effect and be in force from and after the earliest time provided by law.

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Griggs confirmed with the board that they want a member of his legal team to make the necessary revisions to the MOU as discussed. The board confirmed yes. Fleshman introduced the new Township Administrator, Steven Mazer to the members of the audience. Mazer greeted the audience and said he is looking forward to working with everyone.

Horn asked Alex and Fleshman who is going to train Mazer. Horn said he trained the other Administrator. Alex said that they will work with Mazer as well as the department heads will work with him. Horn said that Alex is going to be gone in two months and that he is hopeful Fleshman will be gone, so he is concerned about who is going to train the new administrator.

With nothing further to discuss, Horn moved to the police department.

Police Department Report:

Chief Smith reminded everyone of the trunk and treat event being held at Central Baptist Church on Saturday, October 23, 2021, from 1:00 p.m. to 4:00 p.m. Smith explained that public parking will be available just east of the church at the Franklin County Children's Services' parking lot. The church property will be reserved for the event as well as handicap parking.

Smith explained he believes the township has a tow away agreement on the property at 1963 Harrisburg Pike (white house) which can be arranged with Capital Towing. A vehicle has to remain on the property for three (3) days and then Capital Towing can legally tow the car. Alex said he has not seen any vehicles parked on the property for over three (3) days. Smith said he did not believe there was an issue at this time but wanted to bring this to the board's attention in case action is needed in the future.

Smith shared that the police department has had issues in the past when applying for grants due to the fact that the township email address does not end in dot gov. The Administrative Assistant, Nicole Randazzio explained that she applied through the dot-gov (.gov) provider to obtain a government email address for Franklin Township. Once the application is approved then the township will then have permission to use a dot gov (.gov) domain within their email address. Smith said the township's existing email address could be automatically forwarded to the new domain once it is approved.

Smith asked Randazzio what she knew about the tinting of windows as listed on the agenda. Randazzio explained that Lt. Ratliff witnessed an unknown person walking up to the front of the administrative offices peering through the window at the staff. Randazzio continued by sharing Lt. Ratliff's request for board approval to obtain estimates of tinting the windows in the administrative offices and main entrance doors that face Frank Road. The windows would be tinted where you can see out but no one can see inside, said Smith.

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BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board authorizes the Fiscal Officer to obtain quotes and approve a purchase order for window tint for the front windows (facing Frank Road) and the main entrance doors at 2193 Frank Road in the Administrative Offices allowing for visual to the inside looking out but security non-vision viewing from outside looking in.

Alex made the above motion, Fleshman seconded the motion; with no discussion, the roll was called and the vote was as follows:

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

Motion passed.

Smith said that he had a conversation with Don Cook the other day in which Cook accused Smith of campaigning against him and Smith wanted to make it clear to everyone that the police department is not campaigning for or against any candidate in this upcoming election.

Horn asked Smith if he has any more police levy police yard signs available. Smith said signs will be available tomorrow.

With no further discussion, Horn moved on to the fire department:

Fire Department Report:

Assistant Fire Chief Arnold asked the board to accept the resignation of firefighter Jason Klaus, effective November 1, 2021.

Resolution 2021-173 Resignation of Jason Klaus, effective November 1, 2021

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves to accept the resignation of firefighter Jason Klaus, effective November 1, 2021.

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

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Resolution 2021-170
Re-hiring of Nicholas Marcum as a Firefighter V, effective 11/01/21

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves to re-hire Nicholas Marcum as a full-time firefighter (56 hours at a Level V) effective November 1, 2021, at an annual salary of \$76,767.70 per Article 39, Section 1, of the IAFF 1441 Collective Bargaining Agreement (Exhibit A).

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

Horn: YES/ NO

Fleshman: YES/ NO

Alex: YES/ NO

Resolution passed.

Exhibit A

Article 39
FIRE PAY PLAN

SECTION 1 The following pay ranges and hourly rates are hereby established as the "Fire Pay Plan" and are to be applied to the several positions as indicated below. All pay increases shall be effective beginning with the first full pay period following the expiration of a previous pay step or pay plan.

These pay ranges shall be effective March 1, 2021 and shall remain in effect until midnight February 28, 2022 and are subject to further provisions of this Agreement.

Pay Range	FFI	FFII	FFIII	FFIV	FFV	LT	CAPT
Annual	\$49,784.02	\$54,444.77	\$59,825.49	\$67,309.47	\$74,767.70	\$83,740.03	\$93,789.74
Hourly - 56	\$17.10	\$18.70	\$20.54	\$23.11	\$25.68	\$28.76	\$32.21
Hourly - 40	\$23.94	\$26.18	\$28.76	\$32.36	\$35.95	\$40.26	\$45.09
Overtime - 56	\$25.65	\$28.05	\$30.81	\$34.67	\$38.52	\$43.14	\$48.32
Overtime - 40	\$35.90	\$39.26	\$43.14	\$48.54	\$53.92	\$60.39	\$67.61
Bi-Weekly	\$1,914.77	\$2,094.03	\$2,300.98	\$2,588.83	\$2,875.68	\$3,220.77	\$3,607.30
***Bi-Weekly Prem						\$86.28	\$96.63

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Horn introduced Assistant Fire Chief Arnold to the audience for those who have not met and reminded folks that Chief Welch will be retiring in January 2022. Arnold thanked Horn and introduced himself to the audience.

Horn explained that Arnold applied for and was approved for a federal SAFER grant. Horn said this grant will allow the fire department to hire ten (10) additional firefighters. The township will not be bugging the residents of Franklin Township for money for the fire department for at least three to four (3 to 4) years, because of this grant, said Horn.

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Assistant Fiscal Officer, Robyn Watkins commended Arnold on his work transitioning into his new role as chief. Arnold has been working very closely with the Fiscal Department to understand the fire budget and the account codes to use with purchase orders, etc. Alex said that Arnold is a good guy.

Smith reminded Horn that there was a representative from the Franklin County Sheriff's Office (FCSO) in the audience if he would like to recognize him.

Deputy Hamilton from the FCSO introduced himself to the audience, explaining that he has been with the FCSO for over twenty (20) years including six to eight (6 to 8) on patrol and the remaining years working at the jail. Hamilton explained he has already been working with many of the township residents in their specific areas.

With nothing further to discuss, Horn moved to the road department:

Road Department Report:

Jim Stevens, Road Superintendent explained that the roof on Station 193 and the entire administrative side of the building needs repaired. In 2010, a company came and installed a new rubber seal on the roof. In the last year, the road department has been on the roof numerous times chasing various leaks trying to determine where the water is coming in.

Stevens asked the board to approve a motion to obtain estimates for roof repair.

MOTION

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board authorizes the Road Superintendent to obtain estimates for roof repair for Station 193 and the Administrative Building at 2193 Frank Road.

Alex made the above motion, Fleshman seconded the motion; with no discussion, the roll was called and the vote was as follows:

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

Motion passed.

Stevens shared that the road department just finished up the draining project with the Franklin County Engineers off of Hopkins Avenue. Unfortunately, there are two properties near the project where their chain-link fence had to be taken down to work on the drains. There are approximately ninety (90) feet of fence that will need to be replaced, said Stevens. Alex asked if the fencing will be put farther back and away from the right-a-way and Stevens confirmed.

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Resolution 2021-174
**Purchase and Installation of Chain-Link Fence on
Hopkins Avenue due to Drainage Project**

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Road Superintendent to purchase and install (replace) the chain-link fence which was removed due to drainage project on Hopkins Avenue at a cost not to exceed \$1,200.00.

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

With nothing further to discuss, Horn moved to the trustees for their report.

Trustee Report:

Aryeh Alex, Trustee, said he had nothing to report.

John Fleshman, Trustee, said he had nothing to report.

Ralph Horn, Trustee, reminded everyone how much money the board just spent quickly at the special meeting before everyone came in here. Horn said he is disturbed as the township is trying to resolve some of the past problems and get the finances in order. Horn explained that there has been nothing but battles going on with this board for the last six (6) years that he has been in office. That is, a terribly hard job when you have people that you cannot work with. For example, Horn explains that he is the chairman of the board and the other trustees will not listen to him or give him the opportunity to do so. Horn explained that he is the same good guy that he has always been but that his fellow board members have been terrible.

With no further comments, Horn moved to the fiscal department.

Fiscal Department Report:

Nick Dunn, Fiscal Officer, explained that he had previously provided the board with the Acceptable Use Policy for their review as well as each department head. Dunn asked the board to approve the policy.

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Resolution 2021-175
Acceptable Use Policy to be added to the Employee Handbook

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approved to Acceptable Use Policy include each department rules and regulations portion per their collective bargaining agreement.

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

Alex thanked Dunn for putting this policy together. Dunn said it was a collaborative effort between OTARMA, the Fiscal Department, and each department's collective bargaining unit.

Dunn said he is close to finalizing the *Driving Policy*, that he is waiting on the language from the FOP to be included and there will be more to come at a future meeting.

Dunn explained that the Hometown Motel located at 1300 Harrisburg Pike, was sold in 2019. Assistant Fiscal Officer Robyn Watkins notified Fiscal Officer Dunn that the motel had not paid their bed tax to Franklin Township since the first quarter in 2019. Dunn shared that he was able to locate the owner of the motel and explain the situation. Dunn thanked Watkins and that the owner was very compliant and responded quickly to the request in the past due to taxes. The motel is now paid-in-full and in compliance with the Township, said Dunn.

Dunn said, another kudos to Watkins for saving the Township money. She noticed while shopping at a local retail establishment that they were selling the ink/toner for the printers that the Fiscal Department uses at a 60% savings. Dunn explained that he went to the establishment and purchased a surplus of ink/toner.

Dunn shared with the board the details on Supplemental Appropriation #11

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RESOLUTION NO. 2021-168

SUPPLEMENTAL APPROPRIATIONS #11 FOR THE PERIOD COMMENCING JANUARY 1, 2021 - DECEMBER 31, 2021

WHEREAS, it is necessary to provide for the current expenses and other expenditures of Franklin Township, Franklin County during the year ending December 31, 2021; and,

WHEREAS, the Annual Appropriations Resolutions 2020-238 for the period from January 1, 2021, thru December 31, 2021, needs to be amended.

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

SECTION 1, the fiscal officer is hereby authorized to increase appropriations as presented in Exhibit 1 hereto attached.

SECTION 2, That all formal actions of this Board concerning and relating to the adoption of this Resolution, were passed in an open meeting of this Board, and that 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 Section 121.22 of the Ohio Revised Code.

SECTION 3, That this Resolution, shall be in full force and effect immediately upon its adoption.

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

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Supplemental Appropriations #11 For the Year Ending December 31, 2021			
Fund/Program/Department	Current Appropriations	Increase (Decrease)	Revised Appropriations
<u>Fire Levy Fund (2191)</u>			
Public Safety			
<u>Fire Protection</u>			
Salaries	\$1,939,500	\$0	\$1,939,500
Other Expenditures	1,621,400	13,000	1,634,400
Capital Outlay	78,000	41,000	119,000
Total	3,638,900	54,000	3,692,900
<u>FEMA Assistance to Firefighters (4902)</u>			
Capital Outlay			
Capital Outlay	0	110,000	110,000

Dunn explained that in a past meeting the board approved for the Fiscal Officer to process accounts payables and payroll via ACH. Dunn asked to amend this resolution to include recurring ACH withholdings from payroll.

Resolution 2021-176
Approves Fiscal Officer to Sign Accounts Payables, Invoices and Recurring Invoices and Withholdings via ACH/Sign Checks

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Fiscal Officer to be able to sign off on accounts payable, invoices, and recurring bills via ACH payment or sign checks.

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

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

Resolution passed.

With no further discussion, Horn moved to questions from the audience.

Questions:

Robbyne Chaney, attending via ZOOM stated that she has noticed the board rushing to fill the Administrator position and even had the Township's attorney in tonight's meeting but that she has been trying for three (3) years to get something passed. Chaney said she feels as though her concerns as a resident are pushed under the rug and she expressed that she is mad about this.

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Chaney asked Stevens to explain the purpose of the white line painted on the edges of the pavement throughout her neighborhood. Stevens explained that the white lines are guidelines for drivers to park their cars outside of the lines off of the pavement (between the lines and the houses). Chaney explained that many people in her area choose to park on the pavement in the roadway. Steven said that is exactly why the lines were painted to indicate that vehicles are not to be parked on the roadway. Chaney asked who she was to contact about this as the lines do not seem to mean anything since folks are parking wherever they please and nothing is enforced. Police Chief Smith said he is not aware of anything in her area but would have the officer who is assigned specifically to patrol drive over to her area and see what they observe. It is true that if a car is parked on the roadway it can be ticketed or towed, said Smith.

Dunn reminded Chaney that she had one (1) minute remaining on her comment. Alex said the board has a three (3) minute limit with audience comments/questions and the timer is running.

With no further comment from Chaney, Horn moved to members of the audience.

Tommy Drenning, audience and resident on Ransburg Avenue shared that candidate for trustee, Don Cook came to his home and said that he did not feel the police levy should pass and that he would like to see the Franklin County Sheriff's Office (FCSO) take over Franklin Township. Drenning said he asked Cook about all of the officers that currently work for Franklin Township, and Cook said those individuals could apply for jobs at the FCSO. Drenning said he thinks that is terrible for Cook to say.

Drenning's second comment was related to the parking on Ransburg Avenue. In a past meeting, the Township passed a resolution stating there would be no parking in the turn-around on Ransburg. The issue now is the resident who was parking on the inside of the turn-around is currently parking on the outside of the turn-around. Drenning said he witnessed an ambulance just last week trying to shimmy through the parked cars on Ransburg and stated more signs need to be put up to provide clarity.

Stevens said the intent of the resolution was there was to be no parking anywhere on the inside or outside of the turn-around. Drenning explained that his kindergartener has to get off the school bus at the corner of Harrisburg Pike and Ransburg because Southwestern City Schools refuse to come down Ransburg Avenue due to three (3) accidents the buses have been in during past school years.

Drenning said it does not make sense that his five (5) year old has to walk up to a busy intersection to wait for the school bus just because cars are parked in the turn-around. Drenning said this just does not make any sense.

Alex asked Stevens to install more signs.

Fleshman commented that he spoke with a gentleman who approached him about parking in the center of the round-about. Fleshman said he could not

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remember how the resolution was worded if it meant no parking in the center or if it meant no parking on the outside. Fleshman said he told the gentleman that he could not tell him that he could or could not park there if the sign says you can or can't. Fleshman encouraged the gentleman to come to a public meeting. Fleshman told the gentleman that he would ask the board if it was their final decision with the no parking in the center (island) of the turn-around on Ransburg.

Angela, a member of the audience spoke up and said that she used to live on Ransburg growing up, and no one ever parked on the island. It has always been a place where children could come and play and be safe. Alex said that Stevens will put up more signs in the area. Angela stated that it is sad how terrible things are on Ransburg right now.

Fleshman said he mentioned to the gentleman that he would ask the board if they are clear on the language as to where vehicles can or cannot park in this area of Ransburg. Horn said he always hopes that issues like these can be resolved amongst the neighbors but when it cannot he then looks to the appropriate department for assistance and in this case, it would be the road superintendent. It makes things easier on everyone if the trustees look to those who handle those areas.

Drenning said he is not disregarding the work the township has done but now another issue has been created with folks parking on the roadway within the turn-around.

The Assistant Fiscal Officer mentioned that the individual who approached Fleshman initially about the parking called into the township office and spoke with the Administrative Assistant (Nicole) about this manner, and asked for Nicole to be able to share the information received from the caller with the board.

Fleshman asked the board again if they will allow any other ideas of allowing people to park in the center island that is township property and that the board knows what area the signs are for. Horn and Alex asked for clarity from the road superintendent, Jim Stevens.

Stevens said that the parking in round-a-bout on Ransburg is not a neighbor issue. Stevens wanted to make it clear that this has nothing to do with neighbors complaining about people parking in the middle of the round-a-bout. Stevens explained that he was notified on several occasions by the SWCS district, the trash haulers, as well as in talking with our first responders, as well as this is Steven snow plow route, there should be no parking anywhere on the inside or the outside of the turn-around on Ransburg Avenue said, Stevens.

Stevens said the language in the resolution needs to read that there is to be no parking in the entire round-a-bout (inside or outside). Fleshman clarified that Stevens is also referring to the island that is township property. Stevens said yes. Fleshman said currently there is someone who wants to use the island as a parking space and based on what Stevens said the township is saying the island and the outer pavement is a no parking zone. Stevens confirmed.

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Fleshman asked Nicole to share her conversation with the gentleman who called into the township office about the parking on the island. Nicole explained that Mr. Pennington on Ransburg Avenue called and explained that he had been parking on the island. Nicole shared that ever since she has worked here there have been issues on Ransburg at the turn-around due to obstruction in the area. Nichole explained that Pennington shared that someone at the township has led him to believe that the sign means he cannot park in the island but that he can park anywhere else he wants, which caused Pennington to get parking tickets. Pennington said he is also under the impression from a township individual that those parking tickets will be taken care of and dissolved due to the unclear signage that was placed at the island. The island is a township property that Pennington has graveled himself so he could make it his parking area. Pennington is under the understanding that he can park on the outside and inside rim of the round-a-bout, said Randazzio.

Fleshman said when he and Lt. Ratliff spoke with Mr. Pennington, he explained the signs. Fleshman continued by saying that the township does not have any officers who would say not to ticket him. Fleshman said he was there with Mr. Pennington that there was a sign there, and if there is a sign that says no parking then you cannot park there. Fleshman said I explained to Pennington clearly.

Alex asked for the number to the original resolution which was passed.

***Resolution 2021-177
(Amend Resolution 2021-123)
No Parking Signs Erects at the Intersection of Ransburg &
Geneva Avenues***

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the road superintendent to begin the thirty (30) day notice process to install permanent No Parking signs at the turn-around/round-about located at the intersection of Ransburg Avenue and Geneva Avenue. The no parking enforcement is for all areas in or around the round-a-bout (including the inside area and outside area including the island and paved areas).

Alex made a motion to adopt the above-stated resolution, Fleshman seconded the motion; with no further discussion, the roll was called and the vote was as follows:

Horn: YES/ NO ***Fleshman:*** Abstained ***Alex:*** YES/ NO
Resolution passed.

Dunn asked the board if they would entertain another comment from Robbyne Chaney since the board has not enforced the three (3) minute time limit in previous meetings.

Horn asked Chaney to continue.

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Chaney asked Steven what the chance is of getting a four (4)-way stop sign at Coolidge and Annette. Folks are traveling over forty-five (45) miles an hour from one end of the street to the other (Harding to W. Broad), said *Chaney*. Stevens said the township cannot install four (4) way stop signs at Coolidge and Annette, that if the board would approve stop signs the signs would have to be erected throughout your entire neighborhood. A traffic study would have to be scheduled and based on the study things would move from there, said Stevens.

Chaney asked if the township could send police into her area to monitor the speeding. Chief Smith said he would try and get an officer out there as they can. Currently, the police department has three (3) people out with COVID, so the police will do the best they can, said Smith. *Chaney* said the speeding is ridiculous and the township found a way to put four (4) way stop signs on Hopkins Avenue.

Horn moved to the next audience member who signed the comment sign-in sheet.

Angela asked the board if they have received the 2020 Census for Franklin Township? Alex said that the township has not received its census numbers but has received the county numbers. The 2020 Apportionment Data has been released but they have not released data specific to Franklin Township, said Alex. The MORPC estimate says the township is over ten thousand (10,000) Angela asked that if the township is over ten thousand (10,000) then they could implement Home Rule. Alex said the board has to wait on the official census data to come back first. Angela asked how long would it take to implement Home Rule? Does it need to go to a vote? Alex said, yes, it would have to go to a vote in front of the board of trustees, but we have to wait for the certified official census results to be released. Fleshman commented that the Home Rule board of trustee vote has to be unanimous for it to pass.

Angela commented on her ongoing effort to get banners hung on the light poles within the roadways surrounding Franklin Heights High School. She mentioned that she reached out to Franklin County Engineers as well as an area business hoping they would be willing to install the banners, but had no luck.

Angela said that last year the folks who run a community garden assumed the township would truck in the water for the garden. Angela said she believes the township did take water to the garden either by taking the fire engine off of runs or using the road department to bring water that the taxpayers paid for. Angela asked with all of that being said, why can't the township rent a bucket truck and hang up the banners?

Stevens apologized for the challenges that Angela has faced in putting up the banners. Stevens explained to Vice-Principal Mullins of Franklin Heights High School that Demorest Road is a County highway and the township cannot put up a banner in their right-of-a-way without a permit. The tricky part of this is that Franklin County did not give the permit to Franklin Township to hang the banners, they gave the permit to Southwestern City Schools (SWCS) to hang

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the banners. As much as the township would love to go rent a bucket truck and hang those banners, the township does not have permission from the County to do so, said Stevens.

Angela said she asked the township first before getting Southwestern City Schools involved. Angela said she wants to make the township look better with welcome signs or anything to make folks feel better about their community.

Stevens said the SWCS has a bucket truck, but they would have to be the ones to do it. Alex said he would call a board member at SWCS and see what can be done. Angela said she is just tired of all of the run-around. Alex said he would ask a board member of SWCS to call Dr. Wise at the district.

Angela had no further comment, Horn moved to the next name on the comment sign-in sheet.

Nick Dunn, a resident, asked the board to entertain reviewing the sound ordinance within the township. Dunn explained he has a neighbor who has live bands at two (2) a.m. or three (3) a.m. Smith said he sent an officer over there and the sound was not at the level which Dunn recorded on his phone. Dunn asked as a resident if the board would consider reviewing the sound ordinance at some point. Dunn said he loves Franklin Township but is ready to move. He is asking for the ordinance to be reviewed and enforced.

Jan, an audience member, expressed her issues with candidate Mr. Cook when he came to her house to confront her about a posting she placed on social media. Jan said, she did her homework and knows the facts. She questions Cook about the alleged assault that happened at a meeting. Cooks proceeded to tell her other tales. Jan asked Cook why he's telling people things that are not true. This man is running for trustees who cannot tell the truth but is asking for people's votes, said Jen. Cooks also said he did not support the police department. If he is elected, Jan asked what is Cook going to do then? Jan said Cook is making up stories to get points.

Adjournment:

With nothing further to discuss and no further comments or questions from the audience, Horn adjourned the meeting at 7:47 p.m.

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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

Attested on the 21st day of October 2021

Signature on File with original _____

Nick Dunn, Fiscal Officer