

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Chairman Horn called the Regular Meeting of the Franklin Township Board of Trustees to order at 6:30 p.m. on November 1, 2018, at 2193 Frank Road.

Chairman Horn gave the welcome.

Opening Prayer:

Pastor Womack, Police Department Chaplain, led the opening prayer.

Chairman Horn led in the Pledge of Allegiance.

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

Horn made a motion for the following minutes to be approved. Alex seconded the motion. A vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

- Special Meeting on October 18, 2018
- Regular Meeting on October 18, 2018
- Special Meeting on October 28, 2018

Fleshman moved for the adoption of the following resolution. Alex seconded the motion, the roll was called for its adoption and the vote was as follows: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-204

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio that the Board approves payroll \$144,277.77 and bills in the amount of \$167,125.51, for a total of \$311,403.28 from check number 48355 to 48486.

Horn moved for the adoption of the following resolution. Alex seconded the motion, the roll was called for its adoption and a vote was as follows: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-203

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Fiscal Officer to move \$20,000.00 from the General Fund to Gasoline Tax line item for the Road Department payroll.

Horn moved for the adoption of a resolution. Alex made a motion to table this specific resolution. Horn Ok'd the motion to table. A vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Horn asked the Fiscal Officer if this was the resolution which the Township attorney approved and requested to be read by the chairman. The Fiscal Officer agreed that *Resolution 18-205* was approved by the Township attorney and was to be read.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

The Fiscal Officer asked the Board if the Fiscal Department is required to work for free since the Board removed the salary line item for the entire Fiscal Department from the budget. Alex stated that ordered is to be conducted in the meeting and that members of the audience and the Fiscal Department will have an opportunity to speak at the appropriate time as outline on the meeting agenda.

Alex said he believes the resolution should read as follows:

Alex moved for the adoption of the following resolution. Fleshman seconded the motion. The roll was called for the adoption and a vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-206

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio that the Board moves money from the general fund to the Fiscal Office line item to cover salary and benefits for the Fiscal Officer.

Horn stated that there was a previous vote from the Board to eliminate a position and he would like to discuss this. Mary Niemeyer, member of the audience, asked the Board who is being eliminated. Horn said, he does not feel like disclosing this information. Alex interjected by stating that if the Board is going to discuss a Human Resource (H.R.) matter then he recommends the Board go into an executive session. Niemeyer asked Alex what he was hiding. Alex said it is state law to discuss personnel matters in an executive session to protect the employee. Barry Rowat from the audience stated the employee should not have been removed prior to public notification. Alex stated that this is not a discussion with the audience but a discussion among the Board. Linda Mercer of the audience asked if the audience will ever be informed of this issue. Alex responded by reminding the audience again that this is a Board conversation. Horn said the employee will receive their paycheck as normal. Alex stated the resolution should remain the same and the Board is to return back to the agenda by asking Assistant Fire Chief Adams to the podium for his report.

Alex made the following motion to continue with the agenda as written and move for Chief Adams to report on the Fire Department. Horn asked if the Fiscal Officer salary has been return to the budget. Alex confirmed. Fleshman seconded the motion. A vote was taken: Fleshman, yes; Horn, abstain; Alex, yes.

Horn reminded the Board that he is the chairperson and he will run the meeting and call the agenda. Horn called Chief Adams to the podium.

FIRE DEPARTMENT REPORT:

Assistant Fire Chief, Charles Adams shared that the health care rates increased by 9% for 2019 and 2020. This equates to 4-1/2% increase per year for the

RECORD OF PROCEEDINGS

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

Regular Meeting

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November 1, 2018

next two years. The coverage will remain the same as 2018. A letter of support is needed from the Board of Trustees. Adams indicated that a verbal confirmation is all that is needed and our insurance representative would communicate the Board's desire to accept the 9% rate with Medical Mutual.

Fleshman made the following motion to accept the health care rate of 9% for 2019 and 2020 at 4.5% each year for the next two years. Alex seconded the motion. A vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Adams distributed the contract between Franklin Township Fire & Building Department and ESO Solutions, Inc.

Fleshman moved for the adoption of the following resolution. Alex seconded the motion. The roll was called for the adoption and a vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-207

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Fiscal Officer to allocate \$5,000.00 from the Building Department 2019 budget to pay their portion of the cost to use the software provided by ESO Solutions, Inc.

Adams shared that the vehicle used by the Fire Prevention Officer is falling apart and will need to be replaced at some point. Adams asked for \$10,000.00 from the Building Department budget to be allocated for the purchase of a gently used fire prevention vehicle.

Fleshman moved for the adoption of the following resolution. Alex seconded the motion. The roll was called for the adoption and a vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-208

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Building Department to spend up to \$10,000.00 for a replacement fire prevention vehicle.

With no questions from the audience, Horn moved to the Police Department.

POLICE DEPARTMENT REPORT:

Chief Byron Smith reminded the Board of the Special Meeting scheduled for 11:00 a.m. on November 9, 2018 at Central Baptist Church. The meeting will be a public meeting with a traffic camera presentation. The Franklin County Prosecutor's Office as well as the Franklin County Sheriff's Office has been invited to this meeting.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Smith also shared that 45lbs of pills were received at the Township during “Drug Take Back Day” on October 27, 2018.

With no questions from the audience, Horn moved to the Road Department.

ROAD DEPARTMENT REPORT:

Road Superintendent, Jim Stevens reported that Franklin County Public Health provided the 2019 Mosquito Spray Contract. The Township will pay \$8,781.00 for the mosquito spray service as well as flood water and nuisance spraying was added at no additional cost. Stevens said the flood water and nuisance spraying is a well-needed service to the Township.

Stevens stated that since the closure of the offices located at 1963 Harrisburg Pike and those staff members moving to 2193 Frank Road the parking at Frank Road has become challenging. Stevens is asking to paint parking lines in the parking lot of 2193 Frank Road as well as erect signs on east side of building for restricted parking during business hours.

Fleshman moved for the adoption of the following resolution. Alex seconded the motion. The roll was called for the adoption and a vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

Resolution 18-209

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board approves the Road Superintendent to erect (4) four restricted parking signs on the east side of the building located at 2193 Frank Road.

Mike Blevins from the audience thanked Stevens for his efforts in the removal of the metal plate and the pothole being filled in at the corner of Ransburg Avenue and Harrisburg Pike.

Stevens also shared that leaf collection will be delayed due the leaves are not currently falling.

Horn asked Chief Smith to please bring a list of inventory items which are in the garage located at 1963 Harrisburg Pike to the next meeting.

With no other questions, Horn moved to the Fiscal Department.

FISCAL DEPARTMENT REPORT:

Fiscal Officer, Lisa Morris shared about the ongoing issues which have occurred in the Fiscal Department where the Board has taken no action. The Auditors of the State (AOS) requested that all issues be reported to their office. The Assistant Fiscal Officer has been submitting such issues to the AOS. With that being said, the Board passed a resolution on 10/29/18 to remove the salary line item for the Fiscal Office. With the removal of the salary line item as retaliation the Board violated 124.341 Violation or misuse – Whistleblower

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Protection Act. Ms. Morris continued with the Assistant Fiscal Officer reports to her and she will not fire the Assistant Fiscal Officer.

The Fiscal Officer asked the Board to restore the salary line item for the Assistant Fiscal Officer. Horn indicated that the Township attorney stated that the Fiscal Office line item must be restored. Horn indicated he has notified the Franklin County Prosecutor's Office and he is working diligently to correct the wrong doing.

Ms. Morris quoted a statement from the Administrator meeting in June 2018 where the Board promised the public that grants would be secured prior to hiring a Township Administrator.

Horn moved to Trustee Reports.

TRUSTEE REPORTS:

Chairman Horn had nothing to report.

Vice-Chairman Alex asked the Board to review the bid which was received from The Novak Consulting Group, an executive search firm being considered to seek candidates for a Township Administrator. Alex stated that the Township lacks professional staff who are trained in specialized areas such as the skills needed in a Township Administrator.

Alex shared this is an aggressive timeline and he encourages the Board to take action and would like to make a resolution to go into a contract with The Novak Consulting Group. The Fiscal Officer asked the Board to share with the audience how much this will cost the Township to contract with The Novak Group. The Assistant Fiscal Officer shared with the audience that the initial cost to go into contract begins at a minimum of \$21,000.00. Horn stated the cost is substantial. Alex reminded the Board that the Township needs to move forward or the Township will be left behind with future economic development and annexation from the City of Columbus.

Fleshman said he feels the audience comments are important and would like this to be handled in an orderly fashion. Horn explained that on June 13, 2018, the Board did agree and stated to the public that grants would be sought after before a Township Administrator will be hired. Alex stated the Board made a decision on 10/29/18 to eliminate positions and line items to make room in the budget to move forward with hiring an Administrator. Horn explained that he would like to table this discussion since he received a copy of the contract from The Novak Consulting Group this evening and has had no opportunity to review the contract. Fleshman said he wants to hear from the audience before any action is taken from the Board.

Alex made a motion to table the discussion and movement on accepting The Novak Consulting Group contract until the next Regular Meeting of the Board of Trustees. Fleshman seconded the motion. A vote was taken: Fleshman, yes; Horn, yes; Alex, yes.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Trustee Fleshman provided an update on the status of the Township logo project. *Fleshman* said he is going to meet with the staff at Franklin Heights High School and provide additional content of what is expected for the logo project related to the history of the Township to ensure it is reflected in the logo.

Audience member, *Jessica Gregg* suggested that the Township not just limit the logo project to high school students. She suggested that the Township extend the invitation to Finland Middle School students as well.

Audience member, *Mike Blevins* agreed with *Ms. Gregg* on reaching out to Finland Middle School, as his nephew is a teacher at the school and might be able to assist the Township in making connections.

Fleshman appreciated the suggestions and is open to reaching out to Finland Middle School.

With nothing more from the Trustees, *Horn* moved to comments from the audience.

QUESTIONS FROM THE AUDIENCE:

Jessica Gregg asked *Fleshman* what his position is related to the Township Administrator position. *Fleshman* began by sharing what he has experienced in his almost (5) five year tenure as a Township Trustee. He expressed his desire to explore how much it is going to cost the Township to have a Township Administrator. *Fleshman* feels due to the professional skill set an Administrator will bring to the Township this will increase revenue funding.

Ms. Gregg feels that it is in the best interest of the taxpayers that the Board accept (3) quotes from different consulting firms to allow fair competition and to ensure the best use of taxpayer dollars. *Ms. Gregg* said there are other firms on the market who provide the same services as The Kovak Consulting Group. *Horn* said that her suggestions are duly noted. *Ms. Gregg* said she has lived in the Township for (1) year and this is her first meeting and from what she has experience tonight the Board behavior is pure craziness. *Ms. Gregg* said it makes no sense to eliminate positions and line items to pursue hiring an Administrator. She is not questioning the need for an Administrator but the decisions the Board is making is like cutting of their nose off to spite their face, stated *Gregg*. She is not supportive of cutting jobs to hire an Administrator.

Mike Blevins referenced the meeting minutes from the June 2018 Administrator meeting. The minutes reflect the Board saying they would have additional public meetings related to hiring an Administrator. *Blevins* said he felt like tonight the Board was trying to rush a decision through to hire a consulting company without even reading the bid proposal. *Blevins* asked each Board member if they thought their recent actions related to hiring an Administrator is in the best interest of the Township. *Alex* responded with a firm yes, *Horn* answered with a no, *Fleshman* hesitantly, said yes based on the future, but that he is not comfortable currently and admits he is not sleeping well at night. *Fleshman* stated that if the Board does not take action the

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Township will lose out. Alex continued by saying that developers are looking at Westland Mall and with hiring an Administrator this will prepare the Township for the fight that is coming. The Fiscal Officer followed up by saying the current Township budget has the funds available to move forward in hiring a consulting firm without firing any staff members. Alex interjected by stating that this Board did not fire any staff member. The Board eliminated a position and reallocated funds, the Board did not eliminate an individual. The decision was based on the need to take action to pursue hiring an Administrator, Alex reiterated. The Fiscal Officer stated the Board chose to get rid of two employees who play an intricate role in the day-to-day operations of the Township without reviewing the actual budget or financial statements.

Michael Blevins, audience member stated that he has one final comment that he was not in support of the Township Administrator at the June 2018 meeting and based on what he had heard tonight he is still against hiring an Administrator. Blevins finished by saying he wanted to be sure that everyone understands that his position is not personal.

Steve Morris, audience member asked the Board what gives them the right to fire an employee who reports to the Fiscal Officer. Alex stated he does not feel that the Board took any such action. The Fiscal Officer corrected Mr. Morris by stating that the Board removed the salary line item for the Fiscal Office and confirmed there are funds in the budget to cover hiring a consulting firm to search for an Administrator. Mr. Morris, continued by stating that he feels the Board's action to remove the salary line item from the Fiscal Office is their way of upsetting the Fiscal Officer to cause her to quit. Morris said he has been married to the Fiscal Officer for over 35 years and knows she will not quit and she will finish her term. Horn thanked Mr. Morris for his comments and understands his frustration.

Kellie Beaver, audience member presented to the Board a series of photos of trash and unsanitary conditions at an adjoining property located at 1710 Eastfield Drive North. Ms. Beavers is asking the Board to take action to find a permanent resolution to the ongoing issues reflective in the photos. Ms. Beavers owns the adjoining property at 1704 Eastfield Drive North which is a rental property. Her tenant Jessica Gregg is a great renter who keeps the property at 1704 Eastfield Drive North neat and clean. The unsanitary conditions at 1710 Eastfield Drive North are not impeding on her rental property. Ms. Beaver as well as Ms. Gregg has exterminated their property multiple times for roaches which are coming from the trash and debris at 1710 Eastfield Drive North. Ms. Beaver asked the Board what action they are going to take to resolve this issue since this property has been problematic for years. Ms. Beavers presented a list of concerns:

1. The Township has had to enter this property on several occasions to mow the grass and tend to noxious weeds.
2. This property has not had weekly trash removal service since 2017 and intermittent suspension of trash service due to non-payment prior to 2017

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

3. 2 weeks ago Ms. Beavers met with representatives from Franklin Township, Franklin County Public Health and Franklin County Zoning concerning this property
4. Franklin County Public Health requires the removal of household trash every (7) days from all properties.
5. Per Franklin County Public Health their department has numerous complaints on this address since 2007 including (3) three times in 2018.

Ms. Beaver explained that she purchased the property at 1704 Eastfield Drive North in 2014 and has put a lot of money into the property to help to improve the neighborhood as well as to protect her investment. With that being said she asked for answers to the following questions:

1. How can my property which has never had roaches, now does? As previously explained my renter maintains a clean home inside and out. We have paid \$137.00 multiple times to have my property treated for roaches. I suspect that the household trash from 1710 Eastfield Drive North is being stored in the van which is parked in the driveway covered with a tarp.
2. Why does the Township not require residents to participate in the Township wide trash collection to alleviate this issue?
3. Knowing that this property is an issue why isn't the Township monitoring this property more closely? I reported this issue to Trustee Horn in April 2018 and have continued to report the property and no visible action has been taken.
4. Why doesn't the Township utilize Ohio Revised Code 505.87 for trash and debris, as they do for high grass and noxious weed?

Horn stated that he worked to connect Ms. Beaver with County Zoning to assist with the issue. Fleshman said he is disappointed that the voters did not want to implement Home Rule which would permit the Township to enforce the zoning violations without turning to the County Zoning office for assistance. Fleshman confirmed that the Township has turned 1710 Eastfield Drive North on numerous occasions but the County has to take action per the statutes of the law.

Ms. Beaver encourages the Township to report this property on a daily basis to the Franklin County Board of Health because the more complaints submitted will eventually put the property on the priority list with the County.

Jim Stevens, Road Superintendent confirmed that 1710 Eastfield Drive North has been an ongoing issue for the Township. Ohio Revised Code 505.87 does not permit the Township for entering onto private property to remove trash and debris.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Horn agreed to reach back out to the Franklin County Zoning Officer and see if they will stop by this property more often to establish a more aggressive approach to handling this property.

Jim Stevens stated that from the Township's standpoint they are doing everything allowed by law to monitor this situation and to report the property to County Zoning.

Janet Ward, audience member asked the Fiscal Officer since the salary line item for the Fiscal Office was removed by the Board does this mean that the Assistant Fiscal Officer is sitting at this meeting working and taking the recording of the meeting minutes and not getting paid. The Fiscal Officer confirmed that the Assistant Fiscal Officer is not getting paid due to the Boards actions. The Fiscal Officer stated that the Ohio Revised Code allows her to hire and fire the Assistant Fiscal Officer, that the Board has no authority within the law to regulate the Fiscal Office staff. The Fiscal Officer said she has no intentions of firing the Assistant Fiscal Officer. Ms. Ward thanked the Assistant Fiscal Officer for working the meeting.

Horn stated that he is one vote and he is working to resolve this issue with the Township attorney.

Ms. Ward stated that the Board held a special meeting in June 2018 for the purpose of discussing a Township Administrator. At this meeting it was noted by the Board that only after grants were secured would the Board take action to hire an Administrator. Ms. Ward asked if any Board members worked to secure grants as promised. Horn said he has been too busy trying to fix other people's mistakes. Alex said yes he had looked for grants. Ms. Ward said it makes no sense to eliminate a vital position within the Township when it is the first time in years that the minutes are up-to-date on the website. Ms. Ward stated she heard many times when the minutes were months behind that the Fiscal Office had no help. Now the Fiscal Office has help and the minutes as well as all of the bills are being processed on time and the Board is going to eliminate the salary line item. Ms. Ward also stated that she has recently sat in the audience and heard the Assistant Fiscal Officer bring up issues and concerns to the Board which would have otherwise went unnoticed. Alex reiterated that the Township needs to take action now or otherwise will be left behind. Alex shared various stories of how Prairie Township utilized their Administrator to increase revenue and economic development. Ms. Ward stated that Franklin Township is nothing compared to Prairie Township as we do not have a hospital such as Doctors West located in Prairie Township which generates over \$5 million in tax revenue alone.

Fleshman says he supports the future vision of what an Administrator can do for the Township. Ms. Ward said the Board has provided no updates to the public until this evening since the June 2018 meeting. Now the Board reports eliminating job and removing salary line items to hire an Administrator, this type of decision only causes havoc among the residents.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Horn said he feels the employees are the seeds of the Township. Fleshman said what about Jessica Rice. Horn said Chief Welch was assigned to supervise Rice and issues continued. There were more issues with that employee that were discussed in a special meeting.

Linda Mercer, audience member stated who would want to work for the Township with the way that the Board treats their staff. Ms. Mercer explained that she thought both Jessica Rice and Robyn Watkins were doing a wonderful job getting things done in the Township and that she never heard the Board say that those individuals were not doing their jobs. Were those individuals given any noticed? The Fiscal Officer answered by saying that no prior notice was given.

Fleshman said he is not happy with the results of what has happened and that he is not sleeping well. He abstained from voting to eliminate Jessica's job and now he is unable to vote to correct. Fleshman said he wishes things could have been done differently. Horn said he is not comfortable talking about what was discussed in the Executive Session on October 29th. Fleshman continued that he would like to have had Jessica's job reinstated. He feels that the Township residents will lose out on the services due to the job being eliminated. Fleshman feels the Township still needs to retain the staff we had to provide professionalism and service to the Township residents. He again wishes things could have been handled differently. Jessica Rice was not terminated her job was eliminated. Jessica Rice's job is currently being spread out among other staff members.

Jessica Gregg, audience member wanted clarification that the Board just stated that they have no timeline on hiring an Administrator but still chose to eliminate a position and a salary line item. It seems as though the Board eliminated the salary line item for the Fiscal Office because this individual was reporting fraudulent activity by Ms. Rice to the Auditors of the State. Ms. Gregg continued by saying that it seems the Board found it easier to eliminate the person under possible fraud investigation as well as the person reporting the fraudulent activity.

The Assistant Fiscal Officer stated that there is enough money left in the 2018 budget to move forward with hiring a research firm to identify candidates for the Administrator position. When the Board formally told the Assistant Fiscal Officer that her salary would be re-allocated to assist finding a Township Administrator they had no financial statements and/or budgets in front of them when they made this decision.

Joyce Phillips, of the audience said from what she is hearing tonight it makes no sense to eliminate two active positions just so the Board can pursue looking for an Administrator. Horn indicated as information is obtained there will be another meeting. Joyce asked until the next meeting does the Assistant Fiscal Officer stay employed and Horn said yes.

Lisa Morris, Fiscal Officer approached the podium as a taxpayer. She reminded the audience that the Board hired an architectural firm at over

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

\$5,000.00 to access our Township buildings with no action taken on capital improvements. She continued by asking why does the Board assign the Fire Chief to manage our health insurance, IT issues, telephone system, obtaining a firm to locate a Township Administrator for example, is this because there is an assistant fire chief? If that's the case, get rid of him. Morris stated that during the summer months the fire department was unable to provide water to the Township Community Garden but just last week the Fire Department took their trucks to a neighborhood Halloween party off Ongaro Drive. Did the Board approve the Fire Department to attend the Halloween party in a public meeting? The coordinators of the community garden practically begged for water for the garden, but the Fire Department can go to a Halloween party. Morris asked the audience to just think about that.

Morris shared that annexation can occur with or without a Township Administrator. Any business or individual who wants City services will not come to the Township they will go to the City of Columbus to obtain their services. If the Board actually did not fire the Administrative Coordinator and only her position then why did they not create a position for her in the Building Department? Currently, Todd Broecker, the Fire Prevention Officer and Erin Crome the Township Secretary are carrying the additional workload from the position elimination. The Board is getting rid of the Assistant Fiscal Officer which is a crucial position, Morris shared. She also shared that if she is unavailable as the Fiscal Officer due to vacation, sickness, etc. this is where the Assistant Fiscal Officer can step in and keep the Fiscal Department moving.

Morris is guaranteeing the Board that she will get behind in her job again without the appropriate support staff as the Assistant Fiscal Officer. She reminded the audience that she was falsely accused of turning bills in late when many bills were late upon submission to the Fiscal Department. Also, she was accused of not paying bills and that utilities were shut off, that was false. At no time were the Township residents at jeopardy. Another accusation reported that the payroll taxes were not paid; I have record of all of the taxes being submitted on time. Morris said, she was accused of not paying the retirement fund, bills and payroll, taxes due to having no help. She currently has to pay back \$7,300.00 back to the Township. The Board is taking away the fourth person in two years from the Fiscal Department. I have contacted the IRS and re-submit the taxes. The gears of the Fiscal Department are being stripped from me again from the Board and I am the one who is taking the hit. Morris said, she is not going to be able to keep up without help. Horn interrupted by saying that it has not been a very pleasant three years. Horn continued, by stating that the employees who work for the Township are some of the best people. He assures that all questions will be answered lawfully. Horn said, the upcoming days will be challenging.

RECORD OF PROCEEDINGS

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

Regular Meeting

Held at 2193 Frank Road

November 1, 2018

Alex said with nothing further from the audience he would motion for adjournment. Horn seconded the motion. A vote was taken: Fleshman, yes, Horn, yes; Alex, yes.

Meeting adjourned at 8:41 p.m.

Ralph Horn, Chairman

Aryeh Alex, Vice-Chairman

John Fleshman, Trustee

Lisa Morris, Fiscal Officer
Robyn Watkins, Assistant Fiscal Officer

Minutes were taken and typed by: Robyn Watkins
Minutes approved by Board of Trustees on 11/29/18