

# RECORD OF PROCEEDINGS

Minutes of Franklin Township  
Franklin County, Ohio

Special Meeting

September 9, 2021

## Call Meeting to Order:

Chairman Horn called the Special Meeting of the Franklin Township Board of Trustees to order at 5:00 p.m. (in person) on September 9, 2021. The meeting was also accessible virtual via ZOOM.

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

**The Pledge of Allegiance:** Led by Trustee Alex

## MOTION

*Horn made a motion to suspend the approval of any past meeting minutes. Alex seconded the motion; with no discussion, a roll was called and the vote was as follows:*

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

Motion passed.

**Those Present:** Trustee Horn, Trustee Fleshman, Trustee Alex, Fiscal Officer Dunn, Assistant Fiscal Officer, Robyn Watkins, Jeff Wilcheck, CPA, Township Attorney, Pete Griggs, and Police Lt. Ratliff.

## **New Business: Discussion of Franklin Township Finances**

Horn explained that the board had recently been given the financial reports through the month of August 2021, but that the board has not had time to review these reports.

Horn asked Dunn and Wilcheck to provide the board with an overview of the current finances.

Wilcheck shared that since Fiscal Officer Dunn has been in office the board has been provided monthly financial reports. Wilcheck began by reviewing the *Fund Summary Report* which identifies the beginning and ending balances for the month.

Wilcheck asked the board to look at page one (1) of the *Fund Summary Report* under the road & bridge fund highlighting that the month-to-date revenue is in the negative. The Township received the final property tax settlement during the month of August and every week Franklin County advances dollars as part of the settlement and it is then when those funds get recorded. Upon the final settlement, there were a few changes made in order to record the deductions that go to each fund such as auditor fees, tax assessments, etc. The adjustments with the negative are the result after all adjustments were made. The negative balance also impacted the general fund. The other funds came out as budgeted, Wilcheck explained.

Wilcheck asked the board to look at the fire SAFER grant fund to show that there is a deficit in that fund of \$53,000.00 due to adjustments from the years 2017, 2018, and 2019. What has happened in those three (3) years duplicate receipts were posted. Unfortunately, the duplicate receipts have resulted in a deficit. Eventually, when things get finished up for 2020, the board will need to approve a transfer of money to that fund to offset that deficit, said Wilcheck.

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Fleshman asked Wilcheck if that transfer will need to come from the general fund and Wilcheck confirmed yes.

Wilcheck said before the Township commits the general fund to this deficit we will need to go back and look at all expenditures that were related to this SAFER grant as well as to ensure items have been properly charged. It is best to not draw down on the general fund any more than we have to, said Wilcheck

Wilcheck pointed out that overall, the Township is not hurting financially. He explained that he has heard the comment made about bankruptcy, and that is not the case, said Wilcheck.

Wilcheck asked the board to look at the column heading Ending Fund Balance and highlighted that at the end of August 2021, the general fund had a balance of one million fifteen dollars (\$1,015,000.00). Wilcheck asked the board to look at the police & fire levy funds to show that there is one million eight dollars (1,008,000.00) combined in those funds. There is a pending adjustment in the fire levy fund for three-hundred eighty-five thousand dollars (\$385,000.00), but that still leaves plenty of money in the account. The police levy fund has eight hundred and fifty-nine thousand dollars (\$859,000.00) in it. The police levy fund and the budget for police are very tight, but they have enough to make it through this year. Hopefully, if the levy passes then the police will have help for next year, explained Wilcheck.

Wilcheck said the Township did receive their first allocation of the America Rescue Plan (ARP) grant which equaled five-hundred and nine thousand dollars (\$509,000.00). Fleshman asked where the grant came from. Wilcheck said the grant came from the federal government to the State of Ohio and then down to the townships. Alex commented that he completed the paperwork for the ARP grant.

Wilcheck shared that the ARP grant is one of the projects that the former township administrator was working on that has now fallen back on the fiscal department. So, we are taking a look at the allowable uses of the ARP grant, said Wilcheck. One of the things that have been expanded on this grant is the lost revenue, this is something we can look at and possibly be able to provide resources back to the general fund, fire, and EMS. There will be a presentation to the trustees on how those ARP dollars will be utilized, said Wilcheck.

Wilcheck said if we don't have enough lost revenue for the funds received, we will have to see what/how we can legally spend the remaining ARP dollars. Alex said the ARP grant is broader than the CARES Act grant. In 2022, the Township should receive another five hundred thousand dollars (\$500,000.00) from the ARP grant, explained Wilcheck.

Wilcheck reviewed the *Revenue Summary* with the board. He explained that the general fund has a negative property tax amount due to correcting how the dollars were allocated. Overall, the general fund was short on property taxes in the amount of sixty-two thousand dollars (-\$62,000.00) based on the estimate from the County Auditor. Wilcheck said he contacted the County and found out that there were a couple of businesses that are located in both the Township and the City of Columbus, which were paid a day or two late, so

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those funds will not flow into the Township until February of 2022. All of the other funds have come out ahead of the estimates, such as the road & bridge fund is on target; same as the fire & police levy funds, said Wilcheck.

Wilcheck asked the board to go to the *Appropriation Summary* page. Fleshman said that he believes that this is the best shape the Township has been in financially during his eight (8) year term.

Wilcheck explained that this year (2021), the departments each had a budget to work with which they participated in putting together, and the budget is closely monitored. The Township is slowly getting into compliance with purchase orders by getting approval on a purchase prior to the purchase being made. We still have an issue with things coming through without a purchase order resulting in a then & now purchase order and coming to the trustees for approval for payment, explained Wilcheck.

Overall, the Township is looking OK for 2021, as far as where we stand on the expenditure side of things. It gets tight at times and it will continue to get tighter as we get closer to year-end, said Wilcheck.

Fleshman said until we get replenished at the beginning of the year. Wilcheck reminded everyone that new revenue will not be reaching the Township until roughly February 2022. We will need enough carry-over at the end of 2021, to cover the Township through January and February of 2022, said Wilcheck.

It is important to monitor and keep track of the budget, which really helps in the carry-over. There has only been one advance from the general fund in 2020 and 2021 due to the implantation of the road district tax. The help from the federal grants (such as the CARES ACT and ARP grants) has been a big help to the Township, said Horn. Fleshman said there is an infrastructure grant that the Township can apply for. Wilcheck said we are hoping to hear back on the SAFER grant for the fire department. Alex said the Township is in line to receive funds from the opioid settlement as well.

Wilcheck said that there is a resolution being presented at tonight's regular meeting to advance dollars to the Public Works Commission for paving work that was done in the Havenwood Townhomes area. There is a balance due to a contractor that needs to be paid. There were local dollars pledged for the project and it is unclear who needs to go after those public dollars. The Township will need to pay the vendor and submit a request to the local match. Once the local dollars come in, those dollars can be repaid back to the general fund, Wilcheck explained.

Wilcheck said that the board received an email stating that the bank reconciliation was not done, which got delayed by a couple of weeks but as of today July is reconciled and we are eight-hundred dollars (\$1,800.00) away from having August reconciled.

Wilcheck said that beginning next month the finance department will be working with the department heads for the 2022 budget as well as looking out five (5) years. Worksheets will be shared upon completion.

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Griggs asked Wilcheck if these reports will reflect any new revenue accounts. Wilcheck confirmed that the 2022 budget, as well as the five (5) year look-out, will reflect any new or anticipated revenue funds.

Horn thanked Wilcheck for his report and asked the other board members for their comments.

Fleshman said he wanted to move ahead on the Township Administrator position discussion.

Wilcheck said the Township Administrator position has been budgeted for the next several years. Dunn reminded the board the 2021 budget still has funds available for the Administrator position.

Horn said the 2021 funds leftover in the budget for the Administrator position could be used for building repairs. Fleshman asked Horn to clarify that he does not want to replace the Administrator at this time and use it for repair work. Horn said that he did not say that, but that he would prefer not to have an Administrator for at least a year.

Horn said the Township is still under the direction and control of the State Auditor's Office. Griggs said the Township is under an audit and the auditors are trying to figure out what happened. The auditors are here and they are not dictating what the Township can or cannot do. Fleshman said the auditors have no decision on if the board chooses to hire an Administrator. Griggs said the auditors are not going to tell the board whether or not the Township should or shouldn't hire an Administrator, this is a policy decision.

Horn said that the board is on their own and they will pay the price for the decisions they make.

Fleshman said that after hearing the report that was just given, and with the previous Administrator working with the finance department to obtain the CARES Act grant for \$1.25 million and other smaller grants; that it is paramount that the Township has a good Administrator. The Administrator can look for grants and keep the burden off of the taxpayers. It is just a drop in the bucket to pay an Administrator one hundred thousand dollars (\$100,000.00) when you add in the benefits when they can bring in a grant at over one million dollars (\$1 M).

Fleshman continued, the Administrator will keep the JEDD moving and work on the redevelopment of the Westland Mall area. The first few months of being a trustee the township had to lay off police and firefighters. If we would have had an Administrator in place back during the casino negotiations, Fleshman believes the Township would have had a better deal.

Fleshman said we have some good candidates, so the next thing the board needs to do is to set up a date to schedule interviews.

Horn said his other situation is that the Township does not know what the auditors are going to find. Fleshman said this has no bearing on the Township hiring an Administrator. Horn said it does, based on any monies which have been misappropriated or other findings from the auditors.

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Horn said he has asked the auditor in charge, Mr. Long, where they are at with the audit and he has not been able to provide a timeline. Horn said the audit is not complete and if the Township has outstanding money we need to wait.

Horn said we just hired a new person in the front office. Fleshman agreed but also said that position has had a line item in the budget since January of 2021. Horn said we did not fare well with our initial decision, we ended up with a part-time person (temporary person) who ended up sucking up a lot of our money. Horn said the board did not use their head properly and Horn commented that he accepts some fault in that decision.

Horn said to the other members of the board that they have the power right now to vote him down if they want an Administrator. Horn said he is not going to give a yes vote for an Administrator until the audit is done and complete and the Township is in the clear. Horn continued speaking to the other members of the board and said if they are a good steward of the taxpayer's money then that is where they should be too. Horn stated to Fleshman that if the Township should come up with extra money then that is money that belongs to the taxpayers. Horn continued to share that Township roads need fixed which the Township has not put any money into in quite some time.

Horn said he is not going to hire someone who is not going to bring their worth to the table. If the Township needs to find grants there are grant writers out there who would work for fifteen (15) bucks an hour. Horn said he is not up to spending one-hundred to one-hundred-fifty thousand dollars (\$100,000.00 - \$150,000.00) a year for money that can be used for other things.

Fleshman said the Township is not hiring for a new position all they are doing is refilling a position that is already there. If Mark Potts had not left he would still have his job here, said Fleshman. Horn said yes, Mark would be here but that he did not want an Administrator from the beginning. The grants that keep being mentioned are grants that were handed down from the federal government. The only thing the Township had to do was fill out the CARES ACT grant paperwork and then by submitting the paperwork we automatically ask for the grant. Horn said he had no disregard for Mark Potts, he worked hard.

Fleshman said the one thing that Horn said that was paramount was that the Township needs new roads, we were awarded a grant with zero dollars required of the Township, every road in the Havenwood Townhomes was paved. The paving was done due to a 1.2 million dollar grant with no expense at all to the Township. Alex shared that the Township did have an expense with the Havenwood project as the Township had to match. Fleshman said he thought a public source (within Havenwood) paid the Township's match.

Wilcheck reminded Fleshman that the Township has to pay the Public Works Commission money towards that grant and the public dollars will have to be requested by the Township at a later date. Alex said the Township did receive a significant infusion to help with that paving project.

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Fleshman said the point he is trying to make is that if Township does not have someone on the inside to do these types of projects otherwise they will not get done. It is not the job of the trustees or the finance department to find grants; it is the position of the Administrator to work on all aspects of the Township. For example, all of the roads in Havenwood paved four (4) new cruisers, twelve (12) new computers, a backhoe, and a new dump truck. Horn said those items besides the paving were done with federal COVID money. Fleshman said if the Township did not have an Administrator who sat down with the fiscal department, the Township would have not received those funds.

It is not the job of the trustees to go out and look for those grants, said Fleshman.

Horn asked if anyone else has anything to talk about.

Horn said he talked with the State and they do offer financial advice assistance. Dunn said, he spoke with Mr. Long about what Horn was talking about and this is called a performance audit and it is not free. Horn said nothing is free and that someone from that office is scheduled to call him. Dunn said this is not a cheap endeavor. Horn said he is all alone in this and knows everyone just wants some else in the office they can talk to and he wants some who can work and earn a paycheck.

Horn asked the other members of the board if they were going to vote on an Administrator tonight. But Horn wanted to wait and let the audit ride out. Fleshman said the audit has nothing to do with the Administrator.

We finally hired an Administrative Assistant after a whole year and due to the union filing a grievance against us, so we need an Administrator. Fleshman asked Lt. Ratliff to share something they spoke about earlier. Horn said that Ratliff has nothing to do with hiring an Administrator. Fleshman said when we get good quality people we are no longer missing out on fees that need to be collected.

Horn said this has nothing to do with the Administrator position and that Mark Potts decided to leave but the fact is Potts has left and he did a good job but that Potts dealt with a lot of problems. Horn said he is glad that Potts found a better life because it was not pleasant for him at Township.

Horn said it is all about dollars and cents and we do not know what the Township is facing. What if the Township gets busted with \$400,000.00 to \$500,000.00 in findings or penalties from the auditor's office then what are we going to do to find the funds but to lay off the Administrator. Our buildings are falling apart, it is time for us to put on the brakes and see what happens when this all gets solved. Horn said he is not sure why waiting a couple of months to hire an Administrator.

Lt. Ratliff said he wanted to share that the new administrative assistant is doing great. Horn said he thinks they made a good decision on hiring this person.

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Fleshman asked Wilcheck his opinion on Horn's statement on thousands and thousands of dollars being in question under the audit. Wilcheck has no knowledge of the audit at this time but if he were to guess the auditors may have questions related to the CARES Act funding. Until the audit comes out the Township will not know, said Wilcheck.

Horn said he has no idea what the major rush is. Horn said to Fleshman that he has his hands full as he is trying to get re-elected. Fleshman said the voters have put him in this position until December 31, 2021, and they will be the deciding on who's right or wrong. Fleshman said he would rather lose standing up for what he believes in with integrity. Horn said the people did not vote Fleshman in to spend their money. Fleshman said they voted him in and trusted him and his abilities.

Fleshman asked Alex if he had any comments.

Alex said he finds great value in having a Township Administrator and that the Township should continue to have one. Fleshman asked the board if they would like to interview for an Administrator.

Horn said he is not going to let this go easy. Fleshman said he would like to set up a meeting to go through the top three (3) candidates and if they don't like the top three (3) then they will expand their search.

Horn accused Fleshman of pushing him so hard on holding this meeting. Fleshman said he never spoke to Horn so he called for a meeting and sent the request to the Township attorney. Horn then said that Fleshman used poor judgment, to begin with as the regular practice is all meetings go through the chairman. Fleshman asked Attorney Griggs to explain the board's next steps.

Griggs said from his experience Township's need to determine upon deciding to hire an Administrator is:

1. Do they need an administrator?
2. Can they afford it?

Typically, it is as simple as that, said Griggs. The finances are what they are, said Griggs and also mentioned that Wilcheck did an excellent job explaining the finances earlier. So, the question comes down to whether Franklin Township needs an Administrator? Griggs said there is no one in this room that can answer that question as it is a policy decision that the board needs to make. If the majority of the board wants to move forward then they need to schedule interviews. The majority of the board could change as of January 2, 2022, based on the election. It will then be the majority of the board at that time if they want to continue on with the Administrator position said, Griggs.

Horn said when someone makes a promise to him that they will listen and not move on anything, he told Fleshman it was not a good way to do business. Fleshman said he did not make any decisions as there were no candidates in the audience. Horn said Fleshman is trying to twist things up based on his understanding. Horn said Fleshman is doing the wrong thing with the taxpayer's money. Fleshman told Horn he had the right to his opinion. Horn

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said that Fleshman told him something else and has now turned on his word and called Fleshman a liar.

Fleshman asked where the board wanted to go with this. Horn said to Fleshman if he cannot trust him he would not be supporting him. Fleshman asked Alex when he would like to schedule interviews. Alex said he would need to check his schedule next week and get back to the board.

Griggs suggested to the board that they include the interviews during their regular meeting. Alex asked if they could also just do one-on-one meetings and Griggs agreed that is an option.

Horn said if the older candidate running for trustee in November 2021, is elected he may have opposition on the Administrator position. Alex reminded Horn that before he was elected the board hired several new people that he had no say in at that time. Alex said the Township needs to have someone in place to manage items such as the economic development projects.

Horn asked Griggs if he is permitted to tell potential candidates for the Administrator position that they could potentially lose their job. Horn said the other two trustees know that the Township does not have sufficient funds to hire an Administrator. Fleshman asked Wilcheck if the Township had sufficient funds. Horn told Fleshman to shut up and that Fleshman said he was not going to do all of this stuff. Fleshman apologized for interrupting Horn. Horn told Fleshman he does not apologize for anything and that he is a rascal.

Griggs answered Horn and told him that he does not have a legal obligation to tell them but you can if you feel you have a moral obligation to tell them that they are an at-will employee and that there will be a change in the administration and that they work for the pleasure of the board. Griggs said he believes that an applicant would want to know that. Horn said he believes it is the humane thing to do. Griggs said Horn has the right to do that.

Horn told Fleshman if he goes ahead with this that his chances of being re-elected are going to diminish because he's going to speak against him. Fleshman said when they sit there collectively as a board to work together and then one trustee tells another trustee if you do this I am going to hurt you by going out and campaigning against you. Horn said that is his prerogative on who he chooses to vote for. Fleshman said what he is trying to say is as a board that he would rather have the integrity of losing because he knows what is right than someone else saying that they are going to pick up their marbles and go home because I am tired of the way you place the game. Griggs said they respectfully disagree with each other.

Fleshman asked Horn if there is anything else to discuss.

### **Questions:**

Dunn said there were no comments from the in-person audience or on ZOOM.

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**Adjournment:**

With nothing further to discuss, Horn adjourned the meeting at 5:59 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

*Attested on the 9th day of September 2021.*

Signature on file with original  
*Nick Dunn, Fiscal Officer*