

# RECORD OF PROCEEDINGS

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

**Special Meeting**

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

**June 10, 2021**

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## **Call Meeting to Order:**

Chairman Horn called a Special Meeting of the Franklin Township Board of Trustees to order at 2 p.m. on June 10, 2021, via teleconference (ZOOM).

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

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

## **Approval of Prior Meeting Minutes:**

*Horn made a motion to delay approval of prior meeting minutes until the next regular meeting. Fleshman seconded the motion. The roll was called and the vote was as follows:*

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

Motion passed.

With no discussion, Horn moved to New Business.

## **New Business:**

### **Police Department Report:**

Chief Byron Smith began by mentioning he had a discussion with Trustee Fleshman regarding placing a levy on the ballot. He stated he wanted to remind the Board that the temporary levy will run out at the end of next year, giving his department only three options - renewing it, renewing it with an increase or putting a permanent levy back on the ballot. He stated that he did not want to wait because they need to give a six-month notice. He questioned the Board of their desire regarding the levy.

Fleshman commented that a consensus of Franklin Township residents was that they would like to see a timed levy and were asking what this type of levy would consist of.

Smith responded by stating that his department would need to go back to what they had before they started losing staff and the money started to "dry up", that they would need to put the same levy on as in May, the same amount, whether timed or permanent.

He stated he has not personally had any feedback from residents, whether they prefer timed or permanent. He stated that in his thought process, it would be an operations levy. He stated if they submitted a timed levy, they would need to continue going back to the public for money. He stated he does not know which is better for the public.

He stated if they submitted a renewal levy, the public will have the same services the police department provides at this time, possibly less.

Alex stated he did not feel the Board should decide about the future of the levy during a special meeting and that they should hold a public hearing to get

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feedback from the residents and give them an opportunity to express what they want.

Horn agreed that they should have further discussion about the levy and would be in favor of holding a public hearing.

Fleshman questioned the wording on the ballot regarding the levy, that residents have made comments they are confused as to what they are actually voting on.

Alex explained that it is the way the language has to be written on the ballot. Julie spoke and agreed with Alex, that Franklin Township does not have authority over how the levy is written.

Administrator Mark Potts wanted to remind the Board that discussions in this meeting about the levy are only a preliminary step in the process.

*Horn made a motion to begin the process of scheduling a public meeting for feedback on the Police Department levy to be placed on the ballot. 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

Motion passed.

Julie reminded the Board of a deadline of 08/04/2021 at 4 p.m. to submit the levy to the Board of Elections in order for it to be placed on the November, 2021 ballot.

Without further discussion, Horn moved on to the next item on the agenda which was the approval of the Policy and Procedures Manual.

Horn stated he just received his copy of the manual and was not ready to approve it. He suggested delaying approval until the next regular meeting.

Fleshman and Alex stated they were ready but would agree to wait.

Potts stated that he has been asked by legal counsel and the Auditor of State to approve the manual as soon as possible.

Without further discussion, Chairman Horn moved on to the next item on the agenda with regard to the Sedgwick Group.

Administrator Mark Potts explained that a letter was received from Sedgwick which is Franklin Township's third-party administrator on BWC issues, stating that if Franklin Township desired to participate in the group rating system, a document (U153) needed to be signed by the Board Chairman and sent back to them.

Potts explained that a motion needed to be made.

*Horn made a motion for the Sedgwick U153 document to be signed by Administrator Mark Potts. Fleshman seconded the motion. With no further discussion, the roll was called and the vote was as follows:*

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

Motion passed.

## **FRANKLIN TOWNSHIP BOARD OF TRUSTEES EXECUTIVE SESSION MOTION**

*At 2:31 p.m., Chairman Horn made a motion to adjourn into Executive Session for the purpose of considering the appointment, employment, dismissal, discipline or compensation of a public employee in a conference with an attorney concerning disputes with the Board that are subject to pending or imminent court action, and to discuss other personnel issues.*

**MOTION MADE BY:**                    Ralph Horn

**SECONDED BY:**                    Aryeh Alex

**ROLL CALL:**

Ralph Horn                            Yea     Nay

John Fleshman                        Yea     Nay

Aryeh Alex                             Yea     Nay

*At 2:46 p.m., Horn made a motion to come out of the Executive Session. 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

Motion passed.

*Horn moved for the adoption of the following Resolution:*

### **RESOLUTION 2021-085 RESOLUTION APPROVING SETTLEMENT AGREEMENT BY AND BETWEEN FRANKLIN TOWNSHIP AND OFFICER JOSHUA EDWARDS**

**WHEREAS**, the Board of Trustees (the "Board"), of Franklin Township, Franklin County, Ohio (the "Township"), and Officer Joshua Edwards (the "Employee"), have reached a settlement in relation to the Employee's employment with the Township; and

**WHEREAS**, the Board believes it is in the best interest of the Township and its residents to approve and authorize the execution of an agreement entitled "SETTLEMENT AGREEMENT, RELEASE, AND CONFIDENTIALITY AGREEMENT" (hereafter referred to as the "Agreement"), in order to effectuate such settlement and resolution of the aforementioned grievances.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Franklin Township, Franklin County, Ohio, that:

**Section 1.** This Board hereby approves the Agreement attached to this Resolution as Exhibit A.

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**Section 2.** The Chairman of the Board of Trustees of the Township is hereby authorized to execute and deliver the Agreement, including a "C-240" form, and any other documents that may be necessary to effectuate the settlement, together with such changes that are not materially adverse to the interest of the Township, are consistent with this Resolution and are approved by the Chairman. The Chairman's execution and delivery of the Agreement shall be conclusive evidence that he approved any changes in the Agreement, and any such changes are not materially adverse to the interests of the Township.

**Section 3.** This Resolution shall take effect at the earliest date permitted by law.

*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.

*Horn moved for the adoption of the following Resolution:*

**RESOLUTION 2021-086  
RESOLUTION APPROVING SETTLEMENT AGREEMENT  
BY AND BETWEEN FRANKLIN TOWNSHIP,  
FRATERNAL ORDER OF POLICE CAPITAL CITY LODGE NO. 9,  
AND OFFICER ROGER MYERS**

**WHEREAS**, the Board of Trustees (the "Board") of Franklin Township, Franklin County, Ohio (the "Township"), the Fraternal Order of Police Capital City Lodge No. 9 (the "Union"), and Officer Roger Myers (the "Employee"), have reached a settlement in relation to several outstanding grievances; and

**WHEREAS**, the Board believes it is in the best interest of the Township and its residents to approve and authorize the execution of an agreement entitled "SETTLEMENT AGREEMENT" (hereafter referred to as the "Agreement"), in order to effectuate such settlement and resolution of the aforementioned grievances.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Franklin Township, Franklin County, Ohio, that:

**Section 1.** This Board hereby approves the Agreement attached to this Resolution as Exhibit A.

**Section 2.** The Chairman of the Board of Trustees of the Township is hereby authorized to execute and deliver the Agreement, and any other documents that may be necessary to effectuate the settlement, together with such changes that are not materially adverse to the interest of the Township, are consistent with this Resolution and are approved by the Chairman. The Chairman's execution and delivery of the Agreement shall be conclusive evidence that he approved any changes in the Agreement, and any such changes are not materially adverse to the interests of the Township.

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**Section 3.** This Resolution shall take effect at the earliest date permitted by law.

*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.

Regarding the next item on the agenda, Administrator Mark Potts requested a motion in order to authorize the Board Chairman to sign a sworn statement and proof of loss for OTARMA (Ohio Township Association Risk Management Authority), to cover replacement and cost in the amount of \$32,239.84 and less the deductible. He stated they will send a check once the document is signed and returned to them.

*Alex made a motion to authorize Chairman Horn to sign the document for OTARMA. 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

Motion passed.

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

### **Questions:**

Potts reported there were none.

### **Adjournment:**

With no further discussion, Horn adjourned the meeting at 2:54 p.m.

*Signature of file with original*  
Aryeh Alex, Trustee

*Signature of file with original*  
John Fleshman, Vice-Chairman/Trustee

*Signature of file with original*  
Ralph Horn, Chairman/Trustee

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