

# RECORD OF PROCEEDINGS

Minutes of

Franklin Township Trustees

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held May 25 2016

The Franklin Township Trustees held a regularly scheduled meeting on May 25, 2016 at 6 p.m. Trustee Ron Ruppert, Trustee Brian Morris, Trustee Beth Callahan, Fiscal Officer Scot Fromeyer, Administrator Traci Stivers, Road Superintendent Rob Rose and Cemetery Superintendent Steve Bishop were all in attendance.

The meeting began with the Pledge of Allegiance.

Mr. Morris made a motion to approve the minutes of the May 11th, 2016 meeting.

Mr. Ruppert seconded the motion.

ROLL CALL:           Mr. Ruppert-Yes  
                          Mrs. Callahan- Yes  
                          Mr. Morris- Yes           Motion Carried

### Visitors:

Shawn Walderman, Cyber Security Defense, spoke about securing our computers for our internet usage and how his company could help protect the Township.

Matt Nolan, Warren County Auditor, came at the request of Trustee Morris, to discuss the potential revenue if we were to place a replacement levy on the ballot for our fire department. A replacement would generate roughly \$400,000. and raise taxes for the owner of a \$100,000. home to approximately \$70.00.

Mark Boy, 7855 Sheri Lane, Franklin, Ohio. still disagree with the townships contract to have areas of the township covered by other departments. Questions why we were using contract when we have a station on sixth street that we could take back from JEMS. Mr. Ruppert informed him that that building was transferred into JEMS name in 1983. The Board of Trustees are not experts in fire service and therefore have to have confidence in our fire chief, who has decades of experience. The Chief says that we need the contract with the City of Franklin and the City of Middletown to protect people and properties.

Mr. Boy also wants to know when he can see the checkbook for the swimming pool. Mr. Morris told Mr. Boy that we would receive financial statements quarterly, but up until this point the pool has not been opened and therefore has nothing to show. Mr. Boy asked if the new funding policy previously adopted was retroactive, Mr. Morris informed him that the policy was intended to start at the date adopted and moving forward.

Joy Breeding, Howard Road, stood and spoke; she was unaware that the 6th street building was no longer owned by Franklin Township. She feels that the various Trustees over the last thirty years poorly represented the township. She feels they are to blame for the annexation and many other financial issues the township faces. Mr. Ruppert again explained that the Trustees of the past fought to stop annexation, taking it all the way to the Supreme Court and still lost. When a resident asks to be annexed there is nothing the township can do to stop it.

### Old Business:

Mrs. Stivers asked that the Serving Seniors Grant be tabled until next meeting.

Senior levy discussion took place.- Mrs. Callahan read aloud a letter to the Trustees of the Deardoff Senior Center, which is attached to these minutes and shall remain a part of the official record. She questioned where a large sum of money went, who handles the center's legal representation, and how much they are paid. Two of the three Trustees of the Deardoff Center were in the audience and said that they were unaware of any discrepancy in the financial statements that Mrs. Callahan referred to, they would like copies of what she is looking at and time to review them. They will be present at the next meeting to answer that question. As for legal counsel, Ruppert E. Ruppert has handled the legal counsel since day one and has never charged a fee, he does all legal work pro-bono.

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Martz-Paulin Road was discussed. Warren County has sent the work that is needed to be done out for bid on our behalf. They received 2 bids. Mrs. Stivers did speak with Chuck Petty as requested by Mr. Morris and Mr. Petty feels that going after the original contractor, Forde Development would be futile, as he believes they did everything correctly. Mr. Ruppert made a motion to approve the bid from W.G. Stang LLC in the amount 23,750.00 to be done in accordance with the engineer's specifications.

Mr. Morris seconded the motion.

ROLL CALL: Mrs. Callahan- Yes

Mr. Morris- Yes

Mr. Ruppert- Yes

Motion carried.

Mr. Ruppert made a motion to adopt Resolution No. 01-05252016 declaring 5357 S. Dixie Hwy. a nuisance.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

Mr. Ruppert made a motion to adopt Resolution No. 02-05252016 declaring 5855 Lynn St. a nuisance.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

Mr. Ruppert made a motion to adopt Resolution No. 03-05252016 declaring 5827 Fairview Dr. a nuisance.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

Mr. Ruppert made a motion to adopt Resolution No. 04-05252016 declaring 7094 Shaker Rd. a nuisance.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

Mr. Ruppert made a motion to adopt Resolution No. 05-05252016 declaring 3830 Shaker Rd. a nuisance.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

An issue regarding parking on Lynn St. was tabled, until Mrs. Stivers could hear back from the Sheriff's Department.

Mr. Ruppert made a motion to adopt a Resolution 06-05252016 authorizing Traci Stivers, Franklin Township Administrator, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

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Mr. Ruppert made a motion to adopt a Resolution 08-05252016 authorizing Scot Fromeyer, Franklin Township Fiscal Officer to make any arrangements necessary to create a new account for monies bequeathed to the township for the care of property inside Franklin Township Cemeteries.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

HYRA returned the signed park lease agreement, the only change was created by Warren County Assistant Prosecutor, Roger Sorey, to include Soccer Fields. Mrs. Stivers just wanted to make the trustees aware.

Chief Steve Bishop recommended Damien Tipton for a volunteer fire fighter position, he is currently working with Union township. He would be hired 6 month probation with pay. Mr. Ruppert made the motion.

Mr. Morris seconded the motion.

Mr. Morris seconded the motion.

ROLL CALL: Mr. Ruppert - Yes

Mr. Morris - Yes

Mrs. Callahan - Yes Motion carried.

## **Road Report:**

The 1997 dump truck sold on GovDeals for \$9,000.00 The road department is caught up on mowing and are working at the cemetery trying to help the cemetery staff get things in order before Memorial Day.

## **Cemetery Report:**

The headstone cleaning clinic went well, about eleven or twelve people showed up to clean stones.

Baptist Tabernacle came out put flags on Veterans stones on Saturday as well.

## **Fire Department:**

They have gone on quite a few runs with JEMS to assist. Nothing else to report.

## **Administrative Report:**

Mrs. Stivers reminded everyone that on June 25 8am-12pm we will have our Community Recycling Day, we'll be accepting motor oil, latex paint and sensitive documents.

The Franklin Area Chamber of Commerce have their annual MixPo coming up, thats something we have always taken part in in the past. Mrs. Stivers just wanted to board to be aware.

We need volunteers to help with The Moonlight & Mistletoe Festival, if anyone is interested in getting involved they can call Traci.

Mrs. Stivers said that the Park Fee schedule that was talked about in the past hasn't been forgotten, she's just been very busy.

Summer Park Program will begin in mid June.

The Anti-Theft class presented by the Warren County Prosecutor will be held here at the township on June 7th at 7 pm. Mrs. Stivers said a Friends of the Franklin Township Cemeteries meeting will be held the same night at the same time.

Mrs. Callahan suggested we create a park board for volunteers to help with park projects. Mrs. Stivers said she'd love the help, but we can't get help with the boards we already have. She asked about the pool, if we know if anyone is trying to get a board or committee to do

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fundraising for the pool. Mrs. Stivers suggested we take one step at a time and get the agreement with the City of Franklin in place first.

Mrs. Stivers talked with Franklin City Manager Sonny Lewis about changes. Donette Fisher, Franklin's Law Director is making some changes and Mrs. Stivers will let the Board know when it's all ready.

#### Fiscal Report

Mr. Ruppert made a motion to approve the payment to AAA Wastewater.

Mrs. Callahan seconded the motion.

ROLL CALL: Mrs. Callahan- Yes

Mr. Ruppert - Yes

Mr. Morris- Abstained                      Motion carried.

Mr. Ruppert made a motion to approve the payment listing as presented by Mr. Fromeyer.

Mr. Morris seconded the motion.

ROLL CALL: Mrs. Callahan- Yes

Mr. Ruppert- Yes

Mr. Morris- Yes                              Motion carried.

Mr. Ruppert made a motion to accept all other financial reports.

Mr. Morris seconded the motion.

ROLL CALL: Mrs. Callahan- Yes

Mr. Ruppert- Yes

Mr. Morris- Yes                              Motion carried.

Mr. Morris said before we adjourn he'd like to acknowledge Franklin Councilman Brent Centers and thank him for attending.

Mr. Morris made a motion to adjourn.

Mr. Ruppert seconded the motion.

ROLL CALL: Mr. Morris - Yes

Mr. Ruppert - Yes

Mrs. Callahan - Yes      Motion carried.

The next meeting will be held June 8th, 2016 at 6 p.m.

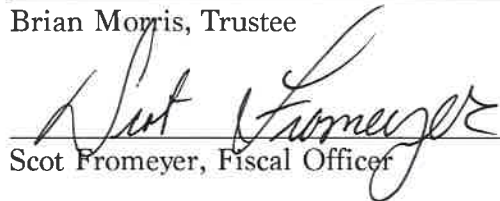


Beth Callahan, President



Ronald Ruppert, Vice President

Brian Morris, Trustee



Scot Fromeyer, Fiscal Officer

*What happened  
to the proceeds  
to the 12 years  
seniors*

First I am thoroughly for a senior center for the residents of Franklin Township, including those who live within the townships borders of Carlisle, the City of Franklin, Middletown and Springboro School District.

My job as an elected official is to be sure that tax dollars are being used wisely. Thus, if the township is going to fund the center financially, the township needs to be fully aware of where the tax payers dollars are going.

While looking over the Tax Returns called 990's that are used for nonprofits, reading Mr. Deardoff's will and speaking to the executor of the will Audrey Elliott several questions or concerns have been brought to my attention.

In the will it states James D Ruppert, Charles Maloney and JT Riley named Trustess to be held, manage and control the charitable trust estate named the Walter and Audrey Deardoff Memorial Trust Fund for the purpose of establishing the Walter and Audrey Deardoff Senior Citizens Center. The will also states that Rupert E Ruppert as an alternate Trustee for JT Riley.

On the 990's dated from 2000 to 2009, the list of 3 officers, directors, truster foundation managers the of the Walter and Audrey Deardoff Memorial Trust Fund are:

Rupert E. Ruppert  
Elizabeth Buchanan  
James D Ruppert

Then in 2010 it is just  
Rupert E Ruppert  
Elizabeth Buchanan

Then in 2011 the names listed are  
Elizabeth Buchanan  
Peggy Darragh Jeromos  
Chuck Wolfinbarger

In June of 2007 Judge Rupert Ruppert came before the Franklin Township Board of Trustess asking that the township sponsor a levy to raise funds for the seniors of Franklin township and that it currently cost approximately \$75,000 per year to maintain the center. According the the minutes from the meeting held June 27 2007, Mr Ruppert said that they had enough funds to last about two more years. Mr Ruppert requested that a .25 mil levy be placed on the ballot to generate \$140,000. Ron Ruppert state that the trustees would consider his request and probably vote on it at the next meeting.

At the next meeting on July 11, I along with Mr Ron Ruppert and Elmo Rose voted to place the .25 mill 5 year levy the ballot which then passed in November of 2007.

I came to the board two or three times to ask if we could use some of the senior money

to help either the Conover Center whom had requested assistance or the Franklin Area Community Center and was told no. Then in 2011 when I asked if we could put either a renewal or replacement levy on for the fire department I was told no.

But in that same meeting it was brought up to renew the senior levy even though it was a year early.

I voted yes for the levy because I know that the senior center is important for our senior citizens.

But now after many questions or concerns brought to my attention I have a few questions before I can say yes to renewing this senior levy.

My question is the three of you are now in charge of the trust fund?

Can you explain the discrepancy of \$323,047 of the fair market of all assets at the end of the year between 2011 to 2012 ?

Is there still money in the trust fund?

Do you have legal council which you have to pay to oversee the trust?

May I ask who that is an how much they charge you a year?

Being responsible for a fund that is about to run dry would it not be better to give the center over to

the township which we then can look into doing some collaboration with WCCS providing better services to our seniors in the township.

There is so much more what this center can offer. Currently 310 meals are being delivered to Franklin Twp a day that is 31% of the county meal on wheels clients. We do have an aging population. A senior center is very important. Maybe some of these individual who are having meals brought to their home would like to be picked up and brought to the senior center for socialization if that were made available.