

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 8TH, 2013 RE-ORGANIZATIONAL
MEETING

The Defiance Township Trustees met in special session at the Defiance County Commissioners building – 2nd Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday January 8th, 2013 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Daniel Peck, Charles A. Bakle Jr. and Diana Mayer; also present was Tim Houck, Township fiscal officer -Clerk. All three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, and Mike McKibben 28678 Steinmaier Rd. - Defiance, Ohio.

Visitors present: JoEllen Houck of 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1 Review and approval of minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the December 18th, 2012 regular session.

Mr. Bakle moved to approve.
Mrs. Mayer seconded

The vote being _3_ Yea(s) __0__Nea(s)

The MINUTE'S for the session were approved.

ORDER OF BUSINESS NO. 2 Election of the Chair and Vice - Chair –

- a) Mr. Peck turned the meeting over to the Fiscal Officer to conduct the election process for the Chair
 - i) Mr. Houck then called for nominations for Chairman.
 - (1) Mr. Peck nominated Mr. Bakle.
 - (2) Mrs. Mayer seconded.
 - (3) The fiscal officer then called for the vote on the question of electing Mr. Peck to the Chairman's position for 2012:

Mr. Peck: yea

Mr. Bakle yea

Mrs. Mayer yea

The vote being _3_ Yea(s) __0__Nea(s)

Mr. Bakle was elected Chair. The fiscal officer then turned the meeting over to the newly elected Chair.

- b) Chairman Bakle then called for nominations for Vice-Chair
 - i) Mrs. Mayer nominated Mr. Peck

- ii) Mr. Bakle seconded and there were no further nominations.
- c) Chairman Bakle then called for a vote to elect Mr. Peck Vice-Chair for 2013.

Mrs. Mayer: yea

Mr. Peck yea

Mr. Bakle yea

The vote being 3 Yea(s) 0 Nea(s)

Mr. Peck was elected Vice – Chair

ORDER OF BUSINESS NO. 3 -- 2012 Twp budget

a) The fiscal officer reported that the Bank Depository for township funds has expired and is being prepared for renewal.

- i) The agreement is with the State Bank and Trust Company of Defiance.
- ii) Said agreement will be presented to the Trustees in their regular January meeting for review. The agreement is for five years as was the last agreement.

(1) The agreement pledges the bank's assets to cover the Twp funds which are on deposit at this institution.

iii) Note – Township funds are invested in two accounts at the State Bank & Trust

(i) The primary checking account – as of 12-31-12 was \$264,322.26

(ii) 11 was \$234,890.76

(iii) 10 was \$102,384.79

(iv) 09 was \$72,038.35 -

(v) 08 was \$164,001.29

(b) The money market account - 12-31-12 \$704,073.62

(i) 11- was \$703,390.17

(ii) 10 – was \$702,478.94

(iii) 09 – was \$701,441.77

(iv) 08 - was \$721,955.59

(2) The increase in carryover is due to the Engineer posting debt obligations of road work to future opwc grant funds.

(3) A report titled Fund Status states Twp funds as of the start of year as noted above. This report was presented as exhibit 3 –a and is on file.

b) Adoption of the 2013 township Appropriations & budget

i) Exhibits # 3-b-1 – was the approved “Amended Certificate of Estimated Resources” from the County Auditor

(1) \$1,281,462.88 for 2013

(2) For historical reference

(a) \$1,235,447.93 was approved for 2012 -

(b) \$1,117,788.52 was approved for 2011

c) the fiscal officer reviewed for the Trustees exhibit 3-b-2 which was the “appropriation status report” . this is the Township’s 2013 budget and is reported by fund level – object code: A comparison of recent years by fund was presented.

i) break out by fund level – object code: - allows for transfers by fiscal officer within the code.

		13	12	11
ii) General fund	(fund # 1000)	\$504,792.47	\$501,190.16	\$463,853.12
iii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$40,329.80	\$ 38,267.65	\$42,270.33
(2) Gasoline Tax	(fund # 2021)	\$279,336.83	\$214,779.28	\$181,217.13
(3) Road & Bridge	(fund # 2031)	\$237,545.86	\$275,463.70	\$224,834.44
(4) Permissive Tax	(fund # 2231)	\$ 50,699.27	\$ 46,809.28	\$45,974.81

(5) Fire levy	(fund # 2111)	\$168,758.65	\$158,937.86	\$159,359.82
TOTAL		\$1,281,462.88	\$1,235,447.93	\$1,117,213.61

- d) The Chair asked for discussion –
- i) The Fiscal officer notes that Trustees altered the time frame for the Hammersmith rd rebuild project from the 2012 projections. The Engineer's in late 2011 had estimated that the project cost would total approximately \$300,000+/- . Trustees in 2012 planned the project over a three year period (2012, 2013 & 2014). In late 2012 based on fiscal analysis Trustees extended the project through 2015 for cash flow purposes. Trustees were also concerned with impending meetings with the City of Defiance and neighboring Townships regarding the Fire – Rescue contracts the Twp has with the City of Defiance. As noted above the Twp's fire fund increased in 2012 based on rev generated from the levy being greater than anticipated. If the fire contract cost remains the same & revenues continue their trend the levy will continue to support the costs . As of the beginning of 2013 the General fund and fire fund are in good fiscal condition. Only the Rd accounts remain a concern due to the major construction projects under way and planned for 2013. It is difficult to assess given the Engineer's willingness to post expenses to future OPWC grant dollars. The projected budgets for 2013 are based on the Twp paying for all road work.

Chairman Bakle requested approval of resolution # 2013-01, to adopt the 2013 Township Budget by fund line – object code. Resolution will allow the Fiscal Officer to move funds within fund account line's object code areas as he deems necessary in order to expedite payment. However, per the 07 state audit, Trustees must (as soon as practicable) move to accept the transfers within the lines between object codes at a regular scheduled Twp meeting.

MOTION by: Mrs. Mayer

SECOND by: Mr. Peck

Mr. Peck yea

Mr. Bakle yea

Mrs. Mayer yea

The vote being 3 Yea(s) 0 Nea(s)

The 2013 Township budget is adopted.

- (1) The exhibits are on file in the fiscal officer's office.

ORDER OF BUSINESS NO. 4 - Wages for 2013

- a) Elected Officials pay for 2013 – Fiscal officer noted that:
- i) Pay is set by the State Of Ohio by Ohio Revised Code
- ii) The 2013 salaries remain frozen at the set rates in 2012. This was noted in the Ohio Twp Association's December newsletter - the state legislature froze pay of elected officials in 2009.
- (1) The State rate remains --
- (a) In 13 trustees will receive \$10,288.00 (51.44 x 200 days –required state orc formula)
- (b) fiscal officer pay rate (salary)
- (i) is \$16,977
- (2) New rules passed in 2011 allow for Trustee salaries to be posted to special fund accounts with a statement from Trustees noting their percent of work dedicated to those account fund projects. Previously – in compliance with the State Audit of 07, all Trustee wages and benefits had been posted to the general fund. Our 2013 budget continues to post all elected salaries to the general fund.
- (a) The Chair asked for discussion
- (i) Trustees agreed at this time to continue to post their salaries to the General fund.
- (3) The fiscal officer noted that by law the fiscal officer's salary still must be posted to the General fund –

Chairman Bakle requested approval of resolution #2012- 02 wages of the Township's elected officers for 2013.

MOTION by: Mrs. Mayer

SECOND by: Mr Peck

YEA(s) 3 NAY(s) 0 Passed x Failed

The resolution to set salary as pay for elected officials (Trustees & Fiscal Officer) passed

b) Trustees than turned to address the Township employees pay for 2013

i) Chairman Bakle asked for a motion to go into executive session for the purpose of discussing salaries for Twp employees

MOTION by: Mrs. Mayer

SECOND by: Mr. Peck

YEA(s) 3 NAY(s) 0 Passed x Failed

The Trustees moved into executive session for the purpose of wage discussion.

ii) The Trustees returned from the executive session chambers

(1) Chairman Bakle asked for a motion to return to the regular meeting.

MOTION: Mr. Peck

SECOND: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The Trustees moved back into regular session..

iii) Chairman Bakle then asked for comments from the Trustees.

(1) Trustees determined that due to their increasing concern with reductions from state funds and increasing expenses in Fire-safety and road projects that salaries will be frozen at the present \$13 per hour rate for Twp employees not in probationary status.

(2) Employees had received an .11 cent per hour increase at the beginning of 2012 taking non probationary employees to the present \$13 per hour.

The probationary rate for new hires will remain at \$11.60 per hour for the 90 day probationary period, after which Trustees will review and determine if the probationer is to be moved to the regular operators rate of \$13 per hour.

(3) The fiscal officer then reported that the proposal on the floor would reflect the following hourly rates should the proposal be adopted.

(a) Joe Kolb present \$13.00 w cdl as of Jan 10, 2012 - to remain at \$13.00

(i) Posted to Road & Bridge Account 2031-330-190

(ii) General fund – cemetery - 1000-410-190

(b) John Diemer \$13.00 w cdl as of Jan 10, 2012 – to remain at \$13.00

(i) Posted to Road & Bridge 2031-330-190

(ii) General fund – cemetery - 1000-410-190

(c) Jason Shaffer \$13.00 w cdl as of Jan 10, 2012 - to remain at \$13.00

(i) Posted to Road & Bridge 2031-330-190

(ii) General fund – cemetery - 1000-410-190

(iii) General fund –zoning - 1000-130-190 (salary see item ii below)

(d) Ed Young \$13.00 w cdl as of jan 10, 2012 - to remain at \$13.00

(i) Posted to Road & Bridge Account 2031-330-190

- (ii) General fund – cemetery - 1000-410-190
- (e) Mike Daniel \$13.00 w cdl as of Jan 10, 2012 - to remain at \$13.00
 - (i) Posted to Road & Bridge Account 2031-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (f) Steven Buchholz \$13.00 w cdl as of Jan 10, 2012 - to remain at \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (g) Brian Grant \$13.00 as of Nov 27, 2012 (completed probationary period)- to remain at \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (h) Michael McKibben \$13.00 as of Nov 27, 2012 (completed probationary period)- to remain at \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190

- iv) Zoning Inspector (last increase to base rate in this position was Jan 10, 2012)
 - (1) As of January 10th 2012 Trustees approved increasing this salary from \$479 per month to \$500 per month.
 - (2) Salary for 2013 to remain at \$500 per month.
 - (a) Posted to General fund –zoning - 1000-130-190

Chairman Bakle requested approval of resolution #2012-3 to set the wages of the Township's non elected employees for 2012 as noted above.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The motion to approve resolution #2012-3 setting the non elected Twp employees pay for 2013 was approved.

- c) Trustees then reviewed the remuneration set for the Township's Zoning Board of Appeals and Zoning Commission
 - i) Trustees determined that the current pay for both the Zoning Appeals Board and the Zoning Commission is to be retained.
 - ii) Pay for members serving on the Twp Zoning Boards is \$20 per item per meeting and was established in 2008.

Chairman Bakle requested approval of resolution #2013-04 to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2013 at \$20.00 per item per meeting.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The motion to approve resolution #2013-4 setting the Township's Zoning Bd of Appeals and Zoning Commission for 2013 at \$20.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2013

- a) Trustees reviewed the allowance for meal reimbursement when Twp personnel are on assignment for the Twp
 - i) The Chair asked for a recommendation.
 - ii) The Trustees agreed to a reimbursement rate for meals of \$36 per day with the proper documentation.

Chairman Bakle requested approval of resolution #2013-05 setting reimbursement allowance for meals in 2013 at \$36 per day.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The motion to approve resolution #2012-05 setting reimbursement allowance for meals in 13 at \$36 per day was approved.

- b) The mileage reimbursement for 2013 was discussed.
 - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.
 - ii) the allowable IRS rate for 2013 as of this session is .565 cents per mile as noted in an IRS web page.
 - (1) Trustees verbally noted that mileage is paid for travel on Township business at the discretion of the Trustees.

Chairman Bakle requested approval of resolution #2013-06 setting reimbursement for mileage @ .556 cents per mile.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The motion to approve resolution #2013-06 setting mileage reimbursement was approved.

- c) Resolution #2013-07 addressing the use of the UAN traveling Clerk in 2013 was discussed.
 - i) The Trustees heard a request from the fiscal officer for the continued use (on an as needed basis at the fiscal officer's discretion) of a UAN traveling Clerk in 2013
 - ii) The fiscal officer noted that the state auditor's office, through the UAN division has established this opportunity in order to assist fiscal officers in their requirements relative to maintaining the accounting requirements as established by the ORC.
 - (1) The rate of pay is \$20 per hour.
 - iii) The expense is minimal. In 2012 the total was less than \$140.

Chairman Bakle requested approval of resolution #2013-07 authorizing the use of the UAN traveling clerk as necessary in 2012.

MOTION by: Mayer

SECOND by: Peck

YEA(s) 3 NAY(s) 0 Passed x Failed

Resolution #2013-07 was adopted.

ORDER OF BUSINESS NO. 6 – Zoning

- a) Trustees then moved to address the review and approval of a resolution for the appointment of Zoning Board of Appeals and Zoning Commission members whose terms expired 12-31-12.
 - i) **Zoning Bd of Appeals.**
 - (1) Roy Perez - regular board member-new term commencing 1-01-13 through 12-31-15
 - (2) Serving as alternates:
 - (a) Robert N. Wagner - new term commencing 1-01-13 through 12-31-15
 - (b) Sherry Shock – new term commencing 1-01-13 through 12-31-15
 - ii) **Zoning Commission**
 - (1) Ruth Ann Schofield, Chairman --new term commencing 1-01-13 through 12-31-15
 - (2) Serving as Alternate

(a) Richard Wagner - new term commencing 1-01-13 through 12-31-15

- (3) The chair asked if there was any other discussion.
- (4) Trustees determined to reappoint for a term as noted above.
- (5) The fiscal officer is to send a letter of notice of reappointment to each member. If a member wishes to reject the appointment they are to notify a Trustee.
- (6) The Chair ask if there was any other comments or discussion. There was none.

Chairman Bakle requested approval of resolution #2013-08 reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-12.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

ORDER OF BUSINESS NO. 7 – Purchase orders for 2013

- a) Trustees reviewed and signed the purchase orders. This action activates spending for calendar year 2013.

ORDER OF BUSINESS NO. 8 - Travel Training upcoming

- a) The fiscal officer reminded the Trustees that the Ohio Twp Association winter conference in Columbus, Ohio, at the;
 - i) Columbus convention center
 - ii) January 30, 31 and Feb 1st 2013.
 - iii) All conference registrations have been made – if need to cancel call fiscal officer 36 hours in advance of conference start date of January 30th.
 - (1) Trustees to make their own hotel reservations
 - (2) Note – all reimbursement requests must be accompanied with an itemized receipt (hotel, food) mileage on conference form.
 - (3) Trustee Mayer stated she had to cancel her registration.
 - (4) The fiscal officer noted that once his credit card has been reimbursed he will deposit the \$45 registration fee back into the Twp accounts.
- b) Trustees were also reminded that the - Co Twp Association and Engineer's annual meeting will be held on 1-24-13 – 6 p.m. at the co ema – exhibit 8-b was handed out.
 - i) Tjh called in all twp reservations
 - ii) Cost is at attendee expense at the door.\$10 per person.
 - iii) There will be a mileage reimbursement for travel to this session by the County.
 - iv) Trustees are – if possible – to sign and return the Co Engineer's form noting the Township's rd projects that Trustees would like the Engineer's office to manage on the Township's behalf in 2013. From this list an expense estimate would be prepared for the Trustees to review at a later Trustee session. The form was handed out in the December 2012 Twp session.

ORDER OF BUSINESS NO. 9 – Handouts

- a) The Twp directory for 2013 – exhibit 9 was distributed.
 - i) There were several corrections and deletions. A revised directory will be distributed at the regular Jan Twp Trustee session on the 22nd.

ORDER OF BUSINESS NO. 10 – Twp meeting date and times for 2013

- a) The Chair noted that currently the regular scheduled sessions are the fourth Tuesday of each month at 7:00 p.m.
 - v) The chair called for discussion.
 - (1) Trustees determined to continue the established regular monthly meeting date of the fourth Tuesday of each month with a start time of 7:00 p.m. Twp sessions will continue to be held in the Defiance County Commissioners Building – 2nd Floor Conference Room - 500 Court Street - Defiance, Ohio

It was so moved by Trustee Peck
Seconded by Trustee Mayer

YEA(s) 3 NAY(s) 0 Passed x Failed

The motion was adopted.

A public notice will be posted on the Courthouse bulletin board and on the public bulletin board in the Commissioners building in the first floor hall. The schedule will also be posted to the Twp web page.

ORDER OF BUSINESS NO. 11 – Old Business

- a) The Def Co Engineer's 2013 Township road work participation list was again noted. Trustees were provided this reminder- that the form was distributed at the December Twp session as exhibit 6-c.
 - i) It must be filled out and turned in by Feb 4th or handed in at the January 24th County engineer's – township – elected officials session -
- b) Mr. Bakle noted he was continuing to contact ODOT searching for a used pickup truck for the Township. Bakle expects trucks to be available on the asset nation public web site for auction in May or June.

ORDER OF BUSINESS NO. 12 – New Business –

- a) Jason Shaffer suggested that the Twp purchase chain saw chaps and require its employees to use them when using a chain saw on Twp work projects.
- b) Trustees concurred and authorized the purchase of said chaps – a personal protective equipment item (PPE).

ORDER OF BUSINESS NO. 13 – Next session:

The Chair noted that the NEXT regular scheduled MEETING will be:

Date: Tuesday January 22nd, 2013 -
Time: 7:00 p.m.
Place: Defiance County Commissioners Building – 2nd Floor Conference Room
 500 Court Street - Defiance, Ohio

Chairman Bakle requested a motion to adjourn this special "annual re-organizational" meeting of January 8th, 2013.

Motion: Mrs. Mayer

Second: Mr. Peck

YEA(s) 3 NAY(s) 0 Passed x Failed _____

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Clerk