

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 9TH, 2018 RE-ORGANIZATIONAL
MEETING

The Defiance Township Trustees met in special session (re-organization of the Board and general Township items) at the Northwest Ohio Real Estate Services Office – 618 S. Clinton Street, in Defiance Township, Defiance, Ohio, on Tuesday January 9th, 2018 at 6:30 p.m.

The Chair instructed the clerk to call the roll. Answering as present were Daniel Peck, Diana Mayer, and Jason Shaffer; also present was Tim Houck, Township fiscal officer -Clerk. With all three members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance Co. Line Rd. 10.

Visitors present: JoEllen Houck of 8 Deville Drive, & Patti Diemer 23361 Defiance Co. Line Rd 10, of 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 19th, 2017 regular session.

Mrs. Mayer moved to approve.

Mr. Shaffer seconded

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

The MINUTE'S for the session were approved.

ORDER OF BUSUNESS 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) Mrs. Mayer nominated Mr. Shaffer.
 - (2) Mr. Peck seconded.
 - (3) The fiscal officer then called for the vote on the question of electing Mr. Shaffer to the Chairman's position for 2018:

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

Mr. Peck-yea; Mrs. Mayer – yea Mr. Shaffer - yea

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

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

- b) Chairman Shaffer then called for nominations for Vice-Chair
 - i) Mrs. Mayer nominated Mr. Peck
 - ii) Mr. Peck seconded and there were no further nominations.

c) Chairman Shaffer then called for a vote to elect Mr. Peck Vice-Chair for 2018.

MOTION by: Mrs. Mayer
SECOND by: Mr. Peck

Mr. Peck-yea; Mrs. Mayer – yea Mr. Shaffer - yea

The vote being _3_ Yea(s) ___0__Nea(s)

Mr. Peck was elected Vice – Chair

ORDER OF BUSINESS NO. 3 -- 2018 Twp budget – the fiscal officer presented:

a) Bank Depository for township funds is presently the State Bank and Trust.

i) There is an agreement with the Township

ii) Said agreement was renewed by the Trustees in January 2013 and is in effect from November 25th, 2012 to November 24th, 2017.

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

(2) The fiscal officer is planning to move the money market funds to Star Ohio or re-negotiate interest rates paid on the money market with the State Bank.

(3) As of this session, the State Bank has agreed to meet and maintain the Star Ohio rates.

(a) Bank official Kristen Nusbaum emailed the Twp fiscal office that the State Bank will take the average monthly rate from the Star Ohio web page (of the previous month) and post that rate to Twp accounts for the next month.

(i) Dec Star Ohio monthly average used for January.

(ii) This was agreeable with the Fiscal office.

(4) Trustees concurred with this process – all being desirous of keeping Twp money locally invested if fiscally reasonable.

(5) The fiscal officer is now working on the renewal security of deposit document, which requires the State Bank to protect the funds of the Twp which exceed the FDIC maximum deposits for protection.

iii) Twp investment status as of this session

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

(a) The primary checking account – as of 12-31-17 was \$153,006.04

(i) 16 was \$117,266.04

(ii) 15 was \$198,678.30

(iii) 14 was \$230,861.49

(iv) 13 was \$229,973.57

(b) The money market account - 12-31-17 was \$705,885.26

(i) 16 was \$705,533.38

(ii) 15- was \$705,180.70

(iii) 14 – was \$704,861.21

(iv) 13 – was \$704,828.21

(2) The decrease in the checking account is of concern. The fiscal officer recommends that Trustees bear in mind that the checking funds have decreased in three of the last five years. The money market is only slightly increased.

(a) This situation may affect future capital expenditures on road maintenance/road reconstruction & the ems rescue contract. The ems contract will expire on 12-31-2019.

(b) The general fund for the fourth straight year has expended more than its income – Twp is using carryover funds. The average is around \$2k more or less – exp v income.

(c) Trustees should refer to the mins of the 2017 sessions for details.

(3) The increase in the money market is simply the earnings from the year on our money market account. (very low interest less the 1%)- refer to section a above.

(4) Report – Cash Fund Summary start of 2018 fiscal year carry over funds - **exhibit 3 –a**

(a) This shows the Twp cash position as of the 1st, of January, 2018, prior to the approved 2018 amended certificate. The amended certificate includes anticipated revenue.

b) Adoption of the 2018 township Appropriations & budget

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

- (1) **\$1,232,706.30 for 2018**
- (2) \$1,188,914.42 for 2017
- (3) \$1,274,073.90 for 2016
- (4) \$1,248,904.70 for 2015
- (5) \$1,243,337.93 for 2014

ii) **exhibit 3-b-2** “appropriation status report” - your 2018 budget by object code:

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

		18	17	16
i) General fund	(fund # 1000)	\$502,091.93	\$501,463.75	\$505,842.32
ii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$ 33,358.90	\$ 51,735.13	\$ 47,683.84
(2) Gasoline Tax	(fund # 2021)	\$257,425.23	\$220,408.85	\$319,187.49
(3) Road & Bridge	(fund # 2031)	\$212,448.56	\$213,678.41	\$193,400.15
(4) Permissive Tax	(fund # 2231)	\$ 57,270.21	\$ 52,730.18	\$ 57,985.70
(5) Fire levy	(fund # 2111)	\$153,573.87	\$148,898.10	\$149,974.40
(6) Permanent Improvements – eq				
	(fund #4301)	\$ 16,537.60	\$ 0	\$ 0
TOTAL		\$1,232,706.30	\$1,188,914.42	\$1,274,073.90

d) Discussion –

- i) As of the beginning of 2018 – refer to explanation under agenda item “township investment status”.
- ii) The road funds are being utilized as planned. With the continued use of OPWC grants (not to exceed the remaining 7 (2018-2024) year program average of \$25k per year, the Township is funded to continue its current road maintenance and repair program.
 - (1) Trustees should pay special attention if they intend to purchase replacement vehicles in 2018 regarding the comments noted in the twp investment status section of this agenda.

Chairman Shaffer requested approval of **resolution # 1** (01-2018) to adopt the 2018 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 a 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; Mrs. Mayer – yea Mr. Shaffer - yea

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

The 2018 Township budget is adopted.

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

ORDER OF BUSINESS NO. 4 - Wages for 2018

a) Elected Officials

- i) Pay is set by the State Of Ohio by Ohio Revised Code. As noted in the Ohio Twp Association’s November 2017 newsletter. All current Trustees as of November 2017’s election will earn \$11,342.00 per annum beginning January 1, 2018. The Fiscal Officer (elected term beginning April 1, 2016) will earn \$18,717 starting January 1, 2018, per ORC.
- ii) The Trustees and fiscal officer’s salary for 2018 is based on an annual Township budget of between \$750,000 and \$1,500,000, per the ORC.
 - (1) 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.
- (2) Previously – in compliance with the State Audit of 07, all Trustee wages and benefits had been posted to the general fund.
- (3) Our 2018 budget continues to post all elected salaries to the general fund.
- (4) By law the fiscal officer’s salary still must be posted to the General fund –
 - (a) With the resolution is the pay schedule as published in the Ohio Township Association’s newsletter “Grassroots” November issue.
 - (b) Discussion....there was none.

Chairman Shaffer requested approval of **resolution #2** (02-2018) wages of the Township’s elected officers.

MOTION by: Mrs. Mayer

SECOND by: Mr Shaffer

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 then turned to address the Township employees pay for 2018. Trustees choose not to go into executive session for the purpose of discussing salaries for Twp employees

- (1) Defiance Twp operators are in three (3) pay classes.
 - (a) Operators
 - (b) Mechanic
 - (c) Scheduler
 - (2) During the January 12th, 2017 Re-organizational session Trustees determined to freeze salary for all positions.
 - (3) At present the Twp staffing pay is as follows:
 - (a) Buchholtz, Steve \$13.50 w cdl (a) as of November 28th, 2017 re-hire – to \$14.00
 - (i) Posted to Road & Bridge 2031-330-190
 - (ii) Posted to Gas tax account 2021-330-190
 - (iii) General fund – cemetery - 1000-410-190
 - (iv) General fund –zoning - 1000-130-190 (salary see item ii below)
 - (b) Bulka, David w cdl - \$13.50 as of March 31, 2016 – end of new hire probation period. To \$14.00
 - (i) Posted to Gas tax account 2031-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery 1000-410-190
 - (c) Daniels, Mike - mechanic – \$20.50 as of Jan 13, 2016 To -
 - (i) The mechanic classification was created by Trustees in Feb. 2014.
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
 - (d) Diemer, John \$13.50 w cdl (a) as of Jan 13, 2016 – to \$14.00 (for work other than zoning/nuisance).
 - (i) Posted to Road & Bridge 2031-330-190
 - (ii) Posted to Gas tax account 2021-330-190
 - (iii) General fund – cemetery - 1000-410-190
 - (iv) General fund –zoning - 1000-130-190 (salary see item ii below)
 - (e) Fisher, Doug w cdl (a)\$13.50 as of Jan 13, 2016 to \$14.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
 - (f) Grant, Brian \$14.50 – scheduler - w/cdl \$14.50 as of January 1, 2016- to \$15.50

- (i) Posted to Gas tax account 2021-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
- (g) Hall, Mark - \$13.50 no cdl (a) as of March 1, 2017 end of probationary period - to \$14.00
- (i) Posted to Road & Bridge 2031-330-190
 - (ii) Posted to Gas tax account 2021-330-190
 - (iii) General fund – cemetery - 1000-410-190
- (h) McKibben, Micheal w cdl (a) \$13.50 as of Jan 13, 2016 to \$14.00
- (i) Posted to Gas tax account 2021-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
- (i) McKibben, Scott - \$13.50 w cdl (a) as of Jan 13, 2016 - to \$14.00 (for work other than zoning appeals Bd)
- (i) Posted to Road & Bridge 2031-330-190
 - (ii) Posted to Gas tax account 2021-330-190
 - (iii) General fund – cemetery - 1000-410-190
- (j) Railing, Harry \$13.50 –w/cdl \$13.50 as of January 1, 2016- to \$14.00
- (i) Posted to Gas tax account 2021-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
- (k) River, John \$13.50 w cdl (a) as of Jan 13, 2016 to \$14.00
- (i) Posted to Gas tax account 2031-330-190
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery 1000-410-190
- (l) Twp’s probationary period (hire in wage) is presently \$11.60 per hour established in 2010. The Township currently has no one in the probationary period.
- (i) Current rate \$11.60 to – remains the same.

- (4) Trustees determined to increase all operator salaries by fifty cents (.50) per hour.
- (5) Trustees determined to increase the scheduler’s salary by one dollar (\$1.00) per hour.
- (6) Trustees determined to deem Mike Daniels services as no long necessary. Trustees noted that there is not enough room in the maintenance building to conduct major mechanical repairs, nor does the Twp process the necessary tools and equipment. Therefore, the position of mechanic is not necessary. Further, Daniels has not worked for the Twp since July of 2016.
- (7) The chair asked for a motion to dismiss Micheal Daniels from the roster of part time employees of Defiance Twp.

Trustee Peck made a motion for dismissal
 Seconded: by Trustee Mayer

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

The motion of dismissal was approve.

- c) Trustees then discussed the Zoning Inspector’s pay- (presently the position of Twp Zoning Inspector/nuisance officer is held by John Diemer) - (last increase to base rate in this position was Jan 10, 2012)
- (8) As of January 10th, 2012 Trustees approved increasing this salary from \$479 per month to \$500 per month.
 - (9) Trustees determined to increase the Salary for 2018 to \$550 per month.
 - (a) Posted to General fund –zoning - 1000-130-190

Chairman Shaffer requested approval of the **resolution #3** to set the wages of the Township’s employees 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 #03-2018 setting the non-elected Twp employees pay for 2018 was approved.

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

Chairman Shaffer requested approval of resolution #04-2018 to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2018 at \$20.00 per item per meeting.

MOTION by: Mrs. Mayer
SECOND by: Mr. Peck

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

The motion to approve resolution #04-2018 setting the Township's Zoning Bd of Appeals and Zoning Commission for 2018 at \$20.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2018

- 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 maintain the meal reimbursement rate at its present \$45 per day with proper documentation.

Chairman Shaffer requested approval of resolution #05-2018 setting reimbursement allowance for meals in 2018 at \$45 per day.

MOTION by: Mrs. Mayer
SECOND by: Mr. Peck

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

The motion to approve resolution #05-2018 setting reimbursement allowance for meals in 2018 at \$45 per day was approved.

- b) The mileage reimbursement for 2018 was discussed.
 - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.
 - ii) the allowable IRS rate for 2018 as of this session is of .545 cents per mile – increased one cent (1¢) from the 2017 rate of .535.
 - (1) With the resolution is an attachment printed from the IRS web page noting the current approved mileage reimbursement amount approved by the IRS for 2018.
 - (2) Trustees verbally noted that mileage is paid for travel on Township business at the discretion of the Trustees.

Chairman Shaffer requested approval of resolution #06-2018 setting reimbursement for mileage @ .545 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 #06-2018 setting mileage reimbursement was approved.

- b) Resolution #07-2018 addressing the use of the UAN traveling Clerk in 2018 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 2018
 - 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 \$22 per hour.
 - iii) The expense is minimal. In 2017 the total was 0 dollars expended.

Chairman Shaffer requested approval of resolution #07-2018 authorizing the use of the UAN traveling clerk as necessary in 2018.

MOTION by: Mr. Peck
SECOND by: Mrs Mayer

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

Resolution #07-2018 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 12-31-17.
 - i) **Zoning Bd of Appeals.**
 - (1) Lynn Keller - regular board member-new term commencing 1-01-18 through 12-31-20.
 - (2) Sherry Shock – regular board member – new term commencing 1-01-18 through 12-31-20
 - (3) Alternates –
 - (a) Replacement for Robert Williamson – passed away 2017.
 - (b) Fill unexpired term – term ending 12-31-2018
 - (c) Trustees are working to find candidate(s) to fill the alternate open position as of this session.
 - ii) **Zoning Commission**
 - (1) Tom Mick - new term commencing 1-01-18 through 12-31-20
 - (2) Open seats via resignation
 - (a) Wayne Shaffer resigned as of 1-1-18 –
 - (b) Replacement - new term commencing 1-01-18 through 12-31-2020.
 - (3) Alternates-
 - (a) Open seat via resignation:
 - (i) John Marcellus resigned as of 1-1-18
 - (b) Replacement - new term commencing 1-01-18 through 12-31-2020.
 - (4) Trustees are working to find candidate(s) to fill the alternate open position as of this session.

Chairman Shaffer requested approval of resolution #08-2018 reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-17 as noted above.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

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

Resolution #08-2018 was adopted.

ORDER OF BUSINESS NO. 7 – payment of dues from the Twp's general funds for participation in the Ohio Twp Association and the Defiance County Twp Association in 2018.

- a) Resolution 09-2018 would allow the use of Twp funds from the General fund line for the purpose of payment of dues so that elected officials of the Twp can participate in these two organizations. The resolution is a requirement of law in order for the use of Twp funds for the stated purpose.

Chairman Shaffer requested approval of resolution #09-2018 authorizing Defiance Township funds to be used for payment of membership dues; members to be in the Defiance County Township Association and the Ohio Township Association for 2018.

MOTION by: Mr. Peck
SECOND by: Mrs. Mayer

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

Resolution #09-2018 was adopted.

ORDER OF BUSINESS NO. 8 – Purchase orders for 2018

- a) Trustees reviewed and signed the purchase orders. This action activated spending for calendar year 2018.

ORDER OF BUSINESS NO. 9 - Travel Training upcoming

- a) Reminder - Co Twp Association and Engineer's annual meeting is scheduled on 1-18-18 – 6 p.m. co ema
 - i) Tjh called in all twp reservations – 3 Trustees and the fiscal officer.
 - ii) Cost is at your expense at the door.\$10 per person.
- b) Reminder of the Annual Ohio Twp Association session in Columbus, Ohio, Jan 31 – Feb 2nd .
 - i) Trustee Shaffer and the fiscal officer Tim Houck are registered to attend.
 - ii) Room reservations have been made at the Drury Inn.
 - iii) Trustees need to approval travel and attendance request.

Chairman Shaffer requested a motion to approval travel and expenses for participation in the OTA winter conf by Trustee Shaffer and fiscal officer Houck.

MOTION by: Mr. Peck
SECOND by: Mrs. Mayer

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

The travel request was approved.

ORDER OF BUSINESS NO. 10 – Handouts

- a) The Twp directory for 2018 – exhibit 10a was distributed.
 - i) Per action taken under item 4 above, Twp Machanic Mike Daniels will be removed from the directory.
 - ii) The directory will be provided to Twp employees and posted on the Twp web page.

ORDER OF BUSINESS NO. 11 – Twp meeting date and times for 2018

- a) The Chair noted that currently the regular scheduled sessions are the fourth Tuesday of each month at 6:30 p.m.
 - i) 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 6:30 p.m. Twp sessions will continue to be held in the Northwest Ohio Real Estate Services Office – 618 S. Clinton Street, in Defiance Township, Defiance, Ohio

It was so moved by Trustee Mayer
Seconded by Trustee Peck

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

The motion was adopted.

The meeting time and location is posted on the Twp's web page. Any changes in dates and times will also be posted on the web page.

<http://www.defiance-county.com/townships/defiance.php>

ORDER OF BUSINESS NO. 12 – Old Business

- a) The Chair asked if there was any old business to be discussed at this time.

- b) Trustee Peck stated that Mary Mick owner of property abutting Co. property, which abuts Twp, leased ground from the Co. where the Twp maintenance building is located on Hammersmith rd., has again contacted him with a request for reparations for dead trees.
 - i) Mick believes that at least some of the dead trees are on her property and that the trees are dead due to salt water runoff from the Twp's salt bins.
 - ii) This has been an ongoing issue since August 2017.
 - iii) Trustees noted they will again discuss this with the Co. Prosecutor's Office and will review the possibility with the Prosecutor's Office of turning the issue over to the Twp's insurance carrier.
- c) The Chair asked if there was any other old business.
 - i) There was none offered.

ORDER OF BUSINESS NO. 13 –New Business –

The Chair asked if there was any new business to be brought before the board.

- a) Trustee Mayer desired to acquire outdoor winter gear (Carhart jackets) for Twp operators.
 - i) Trustees agreed and will get prices for review at the next (Jan 23rd reg Twp session).
- b) Trustee Shaffer proposed to acquire quotes via the DAS for a truck to replace the 2004 International.
 - i) Shaffer suggested the International is costing too much to maintain as it is breaking down repeatedly.
 - ii) Shaffer proposed to purchase a truck of sufficient size to carry larger loads than the current 1 ton units the twp has available.
 - iii) Trustees agreed to review quotes from the DAS public bids list.
 - (1) Shaffer to acquire quotes for review by Trustees.
- c) The Chair asked if there was any other old business.
 - i) There was none offered.

ORDER OF BUSINESS NO. 14 – Next session:

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

Date: Tuesday January 23rd, 2018 -

Time: 6:30 p.m.

Place: at the Northwest Ohio Real Estate Services Office – 618 S. Clinton Street, in Defiance Township, Defiance, Ohio.

ORDER OF BUSINESS NO. 15 – Adjournment:

Chairman Shaffer requested a motion to adjourn this "annual re-organizational" meeting of January 9th, 2018.

Motion: Mrs. Mayer

Second: Mr. Peck

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer