

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 10TH, 2012 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 10th, 2012 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.

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

ORDER OF BUSINESS NO. 1 – new Trustee term oath of office for re-elected Trustee Bakle

- i) fiscal officer noted that he or a current seated Trustee –must administer the oath of Office to the newly elected Trustee(Mr. Bakle); or Mr. Bakle must present confirmation of the oath having been administered by proper authority.
 - a) Mr. Bakle provided the fiscal office with documentation that the oath of his term beginning January 1, 2012 had been administered by Defiance County Common Pleas Judge Joseph Schmenek.

ORDER OF BUSINESS NO. 2 – new Trustee term bond

- a) Mr. Bakle provided the fiscal office with documentation that the bond form was completed and a copy of the bond.
- b) The Trustee bond is required to be on file with the fiscal officer

ORDER OF BUSINESS NO. 3 – new term oath of office & bond for re-elected fiscal officer Houck

- i) The Fiscal officer was also re-elected in November 2011. This term begins April 1, 2012.
 - a) The affidavit for the oath of office and the bond were presented as exhibit 3.
 - b) Trustees were informed by the fiscal officer that the fiscal officer's bond must be approved by the Trustees per the ORC. Further, the ORC sets the bond amount based on the Twp's annual budget amount.
 - c) Once the bond of the fiscal officer is approved the bond must be filed with the County Treasurer.

Mr. Bakle requested a motion to accept the bond presented. Bond amount is for the minimum allowed of \$135,000.

Chairman Bakle requested a motion for the approval of fiscal officer's bond renewal in the amount of \$135,000.

Mrs. Mayer moved to approve.
Mr. Peck seconded

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

The motion to approve the bond was passed.

ORDER OF BUSINESS NO. 4 Review and approval of minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the December 20th, 2011 regular session.

Mrs. Mayer moved to approve.
Mr. Peck seconded

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

The MINUTE'S for the session were approved.

ORDER OF BUSINESS NO. 5 Election of the Chair and Vice - Chair –

- a) Mr. Bakle 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. Bakle nominated Mr. Peck.
 - (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. Peck was elected Chair. The fiscal officer then turned the meeting over to the newly elected Chair.

- b) Chairman Peck then called for nominations for Vice-Chair
 - i) Mrs. Mayer nominated Mr. Bakle
 - ii) Mr. Bakle seconded and there were no further nominations.
- c) Chairman Peck then called for a vote to elect Mr. Bakle Vice-Chair for 2012.

Mrs. Mayer: yea

Mr. Peck yea

Mr. Bakle yea

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

Mr. Bakle was elected Vice – Chair

ORDER OF BUSINESS NO. 6 -- 2012 Twp budget

- a) The fiscal officer reported that the Bank Depository for township funds is presently with the State Bank and Trust.
 - i) The agreement with the Township is on file.
 - ii) Said agreement was renewed by the Trustees in Dec 07 and is good through November 24th, 2012.
 - (1) The agreement pledges the bank's assets to cover the Twp funds which are on deposit at this institution.
 - 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 – 12-31-11 – \$234,890.76
 - (i) 10 was \$102,384.79
 - (ii) 09 was \$72,038.35 -
 - (iii) 08 was \$164,001.29
 - (b) The money market account - 12-31-11 \$938,280.93
 - (i) 10 – was \$702,478.94
 - (ii) 09 – was \$701,441.77
 - (iii) 08 - was \$721,955.59

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

b) Adoption of the 2012 township Appropriations & budget

i) Exhibit # 3-b-1 was the “Approved Amended Certificate of Estimated Resources” from the County Auditor

(1) \$1,235,447.93 for 2012

(2) \$1,117,788.52 was the approved starting budget for 2011

c) the fiscal officer reviewed for the Trustees exhibit 3-b-2 which is the “appropriation status report” . this is the Township’s 2012 budget and is reported fund level – object code: - allows for transfers by fiscal officer within the code. A comparison of recent years by fund was presented.

		2012	2011	2010
i)	General fund (fund # 1000)	\$501,190.16	\$463,853.12	\$463,119.22
ii)	Special funds			
	(1) Motor Vehicle License (fund # 2011)	\$ 38,267.65	\$42,270.33	\$36,269.13
	(2) Gasoline Tax (fund # 2021)	\$214,779.28	\$181,217.13	\$156,187.99
	(3) Road & Bridge (fund # 2031)	\$275,463.70	\$224,834.44	\$231,350.04
	(4) Permissive Tax (fund # 2231)	\$ 46,809.28	\$45,974.81	\$40,383.92
	(5) Fire levy (fund # 2111)	\$158,937.86	\$159,359.82	\$159,359.82

TOTAL **\$1,235,447.93** **\$1,117,213.61** **\$1,086,670.12**

d) The Chair asked for discussion –

iii) The Fiscal officer reported that – based on analysis of year end reports - relative to the Trustees desire to do a major rebuild of Hammersmith road (\$300,000+) over a three year period (2012, 2013 & 2014) and that the Twp’s fire fund is in deficit spending & that the Twp’s revenues have been adversely affected by the State of Ohio’s budget crisis (local gov’t fund was reduced 30% for 2012) -- advises the Trustees that it is prudent to be saving at least \$60,000 per year towards the Hammersmith rd project. This was accomplished in 2011.

iv) The fire fund has sufficient carry over funds to avoid deficit spending. However, due to the City’s arbitrary increase for the second consecutive year our past analysis must be amended. We had stated that reserves could cover the deficits of 2010 and 2011 for approximately 10 years based on the 2010 & 2011 expenditures. The new price increase of 2011 which started in November creates deficit which will be significantly higher, depending on the number of rescue runs. Note: the City will no longer refund the Twp any insurance moneys collected. I now estimate a best case scenario of 5 to 7 years before the fire fund – funds are exhausted.

v) It was noted as well the state plans to further reduce the loc’l gov’t funds in 2013, by approximately 20%.

vi) Fiscally conservative decisions would be prudent at this time.

Chairman Peck requested approval of resolution # 2012-1 to adopt the 2012 Township Budget by fund level – object code. Resolution will allow the Clerk to move funds within fund account lines – object code classifications as he deems necessary. Other movement of monies within the fund line per the 07 state audit will require Trustees approval as soon as practicable at a regular scheduled Twp meeting.

MOTION by: Mr. Peck

SECOND by: Mr. Bakle

Mr. Peck yea

Mr. Bakle yea

Mrs. Mayer yea

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

The 2012 Township budget is adopted.

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

ORDER OF BUSINESS NO. 7 - Wages for 2012

- a) Elected Officials pay for 2012 – Fiscal officer noted that:
 - i) Pay is set by the State Of Ohio by Ohio Revised Code
 - ii) The 2012 salaries remain frozen at the set rates in 2011. This was noted in the Ohio Twp Association's December newsletter
 - iii) the state legislature froze pay of elected officials governed by the ORC in 2009.
 - (1) The State rate remains --
 - (a) In 12 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 2012 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 Peck requested approval of resolution #2012- 2 wages of the Township's elected officers for 2012.

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 2011
 - i) Chairman Peck asked for a motion to go into executive session for the purpose of discussing salaries for Twp employees

MOTION by: Mr. Bakle

SECOND by: Mrs. Mayer

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 Peck asked for a motion to return to the regular meeting.

MOTION: Mr. Bakle

SECOND: Mrs. Mayer

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

The Trustees moved back into regular session..

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

- (1) Trustees debated an increase to the hourly rates. It was noted that the standard pay rate for the Township's equipment operators had not been increased since 2008. That increase of 2.8%. It was also noted that the rates for the elected positions were also last increased in 2008. Trustees felt they should increase the standard rate to indicate their acknowledgement of the good work the Township crews perform. However, it was also noted that the economy continues to have a significant impact on the township's budget and the forecast is for continued less revenue for local gov't.
- (2) Trustees Bakle and Peck suggested a small increase in light of those concerns.
- (3) It was proposed to increase the standard operators pay by eleven cents per hour and to keep the probationary rate for new hires at \$11.60 per hour for the 90 day probationary period.
- (4) The new standard rate would increase from the present \$12.89 to \$13.00 per hour.
- (5) 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 \$12.89 w cdl as of Jan 15, 2008 to \$13.00
 - (i) Posted to Road & Bridge Account 2031-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (b) John Diemner was \$12.89 w cdl as of Jan 15, 2008 to \$13.00
 - (i) Posted to Road & Bridge 2031-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (c) Jason Shaffer present \$12.89 w cdl as of Jan 12, 2010 to \$13.00
 - (i) Posted to Road & Bridge
 - (ii) General fund – cemetery - 1000-410-190
 - (iii) General fund – zoning - 1000-130-190
- (d) Ed Young present \$12.89 w cdl as of Jan 12, 2010 to \$13.00
 - (i) Posted to Road & Bridge Account 2031-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (e) Mike Daniel present \$12.89 w cdl as of Jan 11, 2011 to \$13.00
 - (i) Posted to Road & Bridge Account 2031-330-190
 - (ii) General fund – cemetery - 1000-410-190
- (f) Steven Buchholz present \$12.89 w cdl as of March 2011-) to \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190

- (6) The Zoning Inspector pay rate was then reviewed. The last increase to the base rate in this position was in 2008
 - (a) As of January 7th 2011 the probationary period for Shaffer concluded and Trustees approved in their September 2010 special session in which Mr. Shaffer was hired that he would receive the established salary of \$479 per month at the conclusion of the probationary period. That rate was established for this position in 2008. .
 - (b) The chair asked for discussion regarding the 2012 salary for the zoning position.
 - (i) Trustees determined that again they wish to convey their appreciation for the work Mr. Shaffer is doing, but need to acknowledge the current difficult economic times.
 - (ii) It was proposed to increase the monthly stipends from this position from the current \$479 to \$500.
 1. The salary per the fiscal office is posted to General fund – zoning - 1000-130-190

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

MOTION by: Mrs. Mayer

SECOND by: Mr. Bakle

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

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

- (7) Trustees then reviewed the remuneration set for the Township's Zoning Board of Appeals and Zoning

Commission

- (a) Trustees determined that the current pay for both the Zoning Appeals Board and the Zoning Commission is to be retained.
- (b) Pay for members serving on the Twp Zoning Boards is \$20 per item per meeting and was established in 2008.

Chairman Peck requested approval of resolution #2012-4 to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2012 at \$20.00 per item per meeting.

MOTION by: Mr. Bakle

SECOND by: Mrs. Mayer

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

The motion to approve **resolution #2012-4** setting the Township's Zoning Bd of Appeals and Zoning Commission for 2012 at \$20.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 8 -- Expense reimbursements for 2011

- a) Trustees reviewed the allowance for meal reimbursement. Presently the reimbursement is set at \$36 per day when Twp personnel are on assignment for the Twp with approval of the Trustees. Mr. Peck called for discussion.
 - i) It was noted that the Trustees frequently follow the precedent on reimbursements that are set by Defiance County. That rate at present is \$44.
 - ii) The Chair asked for a recommendation.
 - iii) The Trustees agreed to increase the reimbursement amount to \$44 per day with the proper documentation.

Chairman Peck requested approval of **resolution #2012-5** setting reimbursement allowance for meals in 2012 at \$44 per day.

MOTION by: Mrs. Mayer

SECOND by: Mr. Bakle

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

The motion to approve **resolution #2012-5** setting reimbursement allowance for meals in 12 at \$44 per day was approved.

- b) The mileage reimbursement for 2012 was discussed.
 - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.
 - ii) the allowable IRS rate for 2012 as of this session is .555 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 Peck requested approval of **resolution #2012-6** setting reimbursement for mileage @ .555 cents per mile.

MOTION by: Mrs. Mayer

SECOND by: Mr. Bakle

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

The motion to approve resolution #2012-6 setting mileage reimbursement was approved.

- c) Resolution #2012-7 addressing the use of the UAN traveling Clerk in 2011 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 2012

- 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 2011 the total was less than \$115.

Chairman Peck requested approval of **resolution #2012-7** 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 #7 was adopted.

ORDER OF BUSINESS NO. 9 – 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 12-31-11.
 - i) **Zoning Bd of Appeals.**
 - (1) Lynn Keller- Bd Chairman – regular board member-new term commencing 1-01-12 through 12-31-14
 - (2) Bruce Hahn - regular board member-new term commencing 1-01-12 through 12-31-14
 - ii) **Zoning Commission**
 - (1) Wayne Shaffer – regular board member – new term commencing 1-01-12 through 12-31-14
 - (2) Tom Mick - regular board member - term commencing 1-01-12 through 12-31-14
 - (3) John Marcellus – Alternate – term commencing 1-01-12 through 12-31-14.
 - iii) The chair asked if there was any other discussion.
 - iv) The fiscal officer noted he had contacted each of the Bd members and asked if they would serve if re-appointed and each responded in the affirmative.
 - v) The Chair ask if there was any other comments or discussion. There was none.

Chairman Peck requested approval of resolution #2012-8 reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-10.

MOTION by: Mr. Bakle

SECOND by: Mrs. Mayer

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

ORDER OF BUSINESS NO. 10 – Purchase orders for 2012

- a) Trustees reviewed and signed the purchase orders.

ORDER OF BUSINESS NO. 11 - 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) Feb 8th, 9th, & 10th 2012.
 - iii) All conference registrations have been made – if need to cancel call fiscal officer 36 hours in advance of conference start date of Feb 8.
 - (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.
- b) Trustees were also reminded that the - Co Twp Association and Engineer's annual meeting will be held on 1-19-

12 – 6 p.m. at the co ema

- 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 2012. 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 2011 Twp session.

ORDER OF BUSINESS NO. 12 – Handouts

- a) The Twp directory for 2012 – exhibit 9 was distributed.
 - i) There were no amendments or changes

ORDER OF BUSINESS NO. 13 – Twp meeting date and times for 2011

- a) The Chair noted that currently the regular scheduled sessions are the last Tuesday of each month at 7:30 p.m.
 - v) The chair called for discussion.
 - (1) Trustees determined to move the regular monthly meeting date to the fourth Tuesday of each month and the start time from 7:30 p.m. to 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

Chairman Peck requested a motion to schedule of meeting on the **fourth** Tuesday of each month at **7:00 p.m.** at the Defiance County Commissioners Building – 2nd Floor Conference Room - 500 Court Street - Defiance, Ohio

MOTION by: Mrs. Mayer

SECOND: Mr. Bakle

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

The motion passed. 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. 14 – Old Business

- a) The Def Co Engineer’s 2011 Township road work participation list was again noted. Trustees were provided this reminder- that the form was distributed at the December Twp session – exhibit 6-c.
 - i) Must be filled out and turned in by Feb 6th or handed in at the January 19th County engineer’s – township – elected officials session -
- b) Mr. Peck stated that he was contacted by the Def City Fire chief - Dave Schmaltz –and was informed that a meeting will soon be scheduled to discuss a regionalization of fire and rescue services. The tentative session will be in February but a date has not yet been confirmed.
- c) Mr. Peck said that as the City of Def provides fire protection under contract with the Twp, the City had informed him that the Fire Dept will be doing an inspection of the Twp maintenance building on Hammersmith road. The City Fire Dept provides this service to all commercial and industrial businesses in its jurisdiction.
 - i) No date was provided.

ORDER OF BUSINESS NO. 15 – New Business –

- a) Mr. Bakle asked about staffing snow event efforts. The question was – during the beginning of a snow/sleet/ice event should the initial Twp effort consist of one or two operators be called out for salting.
- b) The Bd after some discussion concluded that 1 operator would be initially called out and if conditions continued to deteriorate then more staff would be added.

ORDER OF BUSINESS NO. 16 – Next session:

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

Date: Tuesday January 24th, 2012 -
Time: 7:00 p.m.
Place: Defiance County Commissioners Building – 2nd Floor Conference Room
500 Court Street - Defiance, Ohio

Chairman Peck requested a motion to adjourn this special “annual re-organizational” meeting of January 10th, 2012.

Motion: Mr. Bakle

Second: Mrs. Mayer

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Clerk