

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**JANUARY 11<sup>TH</sup>, 2011 RE-ORGANIZATIONAL**  
**MEETING**

The Defiance Township Trustees met in special session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday January 11<sup>th</sup>, 2010 at 7:30 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**

**Review and approval of minutes of the previous session.**

Chairman Bakle requested a motion for the approval of minutes from the December 28<sup>th</sup>, 2010 regular session.

Mr. Bakle 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. 2      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. Peck nominated Mr. Bakle.
    - (2) Mrs. Mayer seconded.
    - (3) The fiscal officer then called for the vote on the question of electing Bakle to the Chairman's position for 2011:

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.



- i) The Fiscal officer – was recognized and said based on his 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 maybe adversely affected by the State of Ohio’s budget crisis (estimated \$8 billion deficit) -- advises the Trustees that it is prudent to be saving at least \$60,000 per year towards that project. The fire fund has sufficient carry over funds to avoid deficit spending for at least 10 years based on the 2010 expenditures from that line. Only a wait and see position can be taken to determine the impact of the State’s upcoming budget process on the Twp’s funds. The state is required to adopt a balanced budget by July 1, 2011. Fiscally conservative decisions would be prudent at this time.

Chairman Bakle requested approval of **resolution # 1** to adopt the 2011 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: Mrs. Mayer

Mr. Peck                    yea

Mr. Bakle                    yea

Mrs. Mayer                    yea

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

The 2011 Township budget is adopted.

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

**ORDER OF BUSINESS NO. 4 - Wages for 2011**

- a) Elected Officials pay for 2011 – Fiscal officer noted that:
  - i) Pay is set by the State Of Ohio by Ohio Revised Code
  - ii) The 2011 salaries are frozen at 09 levels as noted in the Ohio Twp Association’s December newsletter
  - iii) the state legislature froze pay of elected officials governed by the ORC in 2011 as of this session.
    - (1) The State rate remains --
      - (a) In 11 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) In compliance with the State Audit of 07, all Trustee wages and benefits will be posted to the general fund in 11 and is reflected in the budget.
    - (3) By law the fiscal officer’s salary must be posted to the General fund –

Chairman Bakle requested approval of **resolution #2** wages of the Township’s elected officers for 2011.

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 Bakle asked for a motion to go into executive session for the purpose of discussing salaries for

Twp employees

MOTION by: Mr. Peck

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 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) Mr. Peck suggested that due to tight budgets and the unknown as to how the Twp funds from the State might be impacted; the wages for the non elected employees of the Township that are at \$12.89 per hour should be frozen.
  - (2) Chairman Bakle noted that Twp operator Micheal Daniel' pay rate is still at the hire in rate of \$11.60 per hour.
    - (a) The fiscal officer stated that the Trustees had not yet approved an increase from his hire in rate.
    - (b) Mr. Bakle stated that Daniel note only has a CDL but is a certified mechanic & should be paid the same rate as other Township operators.
    - (c) All Trustees concurred.
    - (d) Starting with the January 2011 payroll Mr. Daniels hourly rate will be \$12.89 matching all Operator rates as of this time.
  - (3) The fiscal officer then reported that the proposal on the floor would reflect the following hourly rates should the proposal be adopted.
    - (a) Operators
      - (i) Joe Kolb present \$12.89 w cdl staying @ \$12.89
        - 1. Posted to Road & Bridge Account
      - (ii) John Diemer present \$12.89 w cdl staying @ \$12.89
        - 1. Posted to Road & Bridge
      - (iii) Jason Shaffer present \$12.89 w cdl staying @\$12.89
        - 1. Posted to Road & Bridge
      - (iv) Ed Young present \$12.89 w cdl staying @ \$12.89
        - 1. Posted to Road & Bridge
      - (v) Mike Daniel present \$11.60 w cdl increased to \$12.89
        - 1. Posted to Road & Bridge
      - (vi) Steven Buchholzs present \$11.60 w cdl - in probationary period of (120 days) then increased to \$12.89
        - 1. Posted to Gas tax
    - (b) The Zoning Inspector pay rate was then reviewed.
      - (i) Jim Schlegel resigned from this position effective September 7<sup>th</sup>, 2010.
      - (ii) Jason Shaffer was appointed to this position Sept 2010 on a 120 day probation at \$450.00 per month.
      - (iii) As of January 7<sup>th</sup>, 2011, the probation period is concluded. Trustees at the Sept session had approved a salary of \$479 per month once the probation period was successfully concluded.
        - 1. Trustees agreed (1-11-2011) that Shaffer had successfully completed the probation.

2. Trustees then re-affirmed their Sept decision to increase the salary for 2011 for this position to \$479.00 per month.
  - a. Posted to general fund – zoning code 130

Chairman Bakle requested approval of **resolution #3** to set the wages of the Township's non elected employees for 2011 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 #3** setting the non elected Twp employees pay for 2011 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.
    - (1) 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 #4** to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2011 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 #4** setting the Township's Zoning Bd of Appeals and Zoning Commission for 2011 at \$20.00 per item per meeting was approved.

#### **ORDER OF BUSINESS NO. 5 -- 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. Bakle called for discussion.
  - i) The fiscal officer noted that historically the Trustees adopted the rate used by Defiance County. That rate at present is \$44.
  - ii) Mrs. Mayer stated that it is prudent to keep within the precedent set with wages that we established for our employees and we should maintain the 09 meal reimbursement allowance in 2011 as we had in 2010. Mrs. Mayer purposes to keep the rate at \$36 per day for in state travel.

Chairman Bakle requested approval of **resolution #5** setting reimbursement allowance for meals in 2011 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 #5** setting reimbursement allowance for meals in 11 at \$36 per day was approved.

- b) The mileage reimbursement for 2011 was discussed.
  - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.

- ii) the allowable IRS rate for 2011 as of this session is .51 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 #6** setting reimbursement for mileage @ .51 cents per mile.

MOTION by: Mrs. Mayer

SECOND by: Mrs. Peck

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

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

- c) **Resolution #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 2011
  - 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 2010 the total was less than \$150.

Chairman Bakle requested approval of **resolution #7** authorizing the use of the UAN traveling clerk as necessary in 2011.

MOTION by: Mayer

SECOND by: Peck

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

Resolution #7 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 12-31-10.
  - i) **Zoning Bd of Appeals.**
    - (1) Larry Plumber – regular board member-proposed new term -- commencing 1-01-11 through 12-31-13
    - (2) Thomas Rosendale – regular board member –proposed new term commencing 1-01-11 through 12-31-13.
  - ii) **Zoning Commission**
    - (1) Randy Wilde – regular board member – proposed new term commencing 1-01-11 through 12-31-13
    - (2) Sam Bok – regular board member – proposed new term commencing 1-01-11 through 12-31-13
  - iii) The chair asked if there was any other discussion. There was none.

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

MOTION by: Mayer

SECOND by: Peck

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

### **ORDER OF BUSINESS NO. 7 – Purchase orders for 2011**

- a) Trustees reviewed and signed the purchase orders.

### **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) Hyatt convention center
  - ii) Feb 9th, 10th, & 11th 2011.
  - iii) All conference registrations have been made – if need to cancel call clerk 36 hours in advance of conference start date of Feb 9.
    - (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 1-20-11 – 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. Trustees were referred to exhibit 8-b in their packets.

### **ORDER OF BUSINESS NO. 9 – Handouts**

- a) The Twp directory for 2011 – exhibit 9 was distributed.
- b) The fiscal officer also noted that this directory will be posted to the Twp web page.
- c) Mrs. Mayer asked that her cell phone number be added. (419) 438-6773.

### **ORDER OF BUSINESS NO. 10 – 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.
  - iv) The chair called for discussion.
    - (1) Trustees agreed to continue the regular schedule. Twp sessions will be the last Tuesday of each month at 7:30 p.m. in the Defiance County Commissioners Building – 2nd Floor Conference Room - 500 Court Street - Defiance, Ohio
    - (2) Trustee Mayer requested that the March session be held on the 4<sup>th</sup> Tuesday, March 22<sup>nd</sup>, as she has a personal commitment out of Town. Trustees agreed to hold the March session on the 22<sup>nd</sup>.

Chairman Bakle called for a motion to continue the current schedule of meeting on the last Tuesday of each month at 7:30 p.m. in the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, except for the March session as noted above.

MOTION by: Mrs. Mayer

SECOND: Mr. Peck

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. 11 – Old Business**

- a) The Def Co Engineer's 2011 Township road work participation list – exhibit 11-a was again reviewed. This is a process that started in November 2010.
  - i) Exhibit 11a is a form from the County Engineer that is to list the projects the Twp wishes the County Engineer's to do or manage in 2011. The form is to be filled out and turned in by Feb 7<sup>th</sup> or handed in at the January 20<sup>th</sup> County engineer's – township – elected officials session.
  - ii) Trustees continued their discussion on the project list and in part on whether or not to use chip seal, micro seal or 1.5" of asphalt on Parkview Drive. Each type of material has a longevity factor and a cost difference.
    - (1) Mr. Peck said the per his discussion with the County Engineer all three type of material are preservation not structural and that there is no guarantee offered on any of the materials relative to life expectancy.. Mr. Peck said the engineer recommends micro surfacing which is the least expensive.
  - iii) No decision was reached.

iv) Trustees noted it is their intention to turn in a list at the January 20<sup>th</sup> session.

**ORDER OF BUSINESS NO. 12 – New Business –**

a) There was none.

**ORDER OF BUSINESS NO. 13 – Next session:**

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

Date: Tuesday January 25<sup>th</sup>, 2011 -

Time: 7:30 p.m.

Place: Defiance County Commissioners Building – 2<sup>nd</sup> Floor Conference Room  
500 Court Street - Defiance, Ohio

Chairman Bakle requested a motion to adjourn this special “annual re-organizational” meeting of January 11<sup>th</sup>, 2011.

Motion: Mr. Peck

Second: Mr. Mayer

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Clerk