

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**JANUARY 12<sup>TH</sup>, 2021 RE-**  
**ORGANIZATIONAL/BUDGET AND REGULAR**  
**MEETING**

The Defiance Township Trustees met in special session (2021 budget, re-organization of the Board and general Township items) at the Defiance County Commissioners building – 500 Court St., 2<sup>nd</sup> floor conference room, in Defiance Township, Defiance, Ohio, on Tuesday January 12<sup>th</sup>, 2021 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: none.

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 22<sup>nd</sup>, 2020 regular session.

Mr. Shaffer 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 for 2021–**

- 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 2021:

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) Mr. Peck nominated Mrs. Mayer
  - ii) Mr. Shaffer seconded and there were no further nominations.

c) Chairman Shaffer then called for a vote to elect Mrs. Mayer Vice-Chair for 2021.

MOTION by: Mr. Peck  
SECOND by: Mr. Shaffer

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

The vote being \_3\_ Yea(s) \_\_\_0\_\_\_Nea(s)

Mrs. Mayer was elected Vice – Chair

### ORDER OF BUSINESS NO. 3 - 2021 Twp budget – fiscal officer

- a) Bank Depository for township funds is presently with the State Bank and Trust.
- i) There is an agreement with the Township
  - ii) Said agreement was renewed by the Trustees on January 23<sup>rd</sup>, 2018 and is in effect from November 24<sup>th</sup>, 2017 to November 25<sup>th</sup>, 2022.
    - (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 –exhibit 3-a-1- a review of year-end carryover.**
    - (1) Note – Township funds are invested in two accounts at the State Bank & Trust
      - (a) The primary checking account – as of 12-31-20 was \$275,973.50
        - (i) 19 was \$273,908.10
        - (ii) 18 was \$191,004.79
        - (iii) 17 was \$153,006.04
        - (iv) 16 was \$117,266.04
      - (b) The money market account - as of 12-31-20 was \$741,635.19
        - (i) 19- was \$735,919.98
        - (ii) 18- was \$718,881.87
        - (iii) 17- was \$705,885.26
        - (iv) 16- was \$705,533.38
        - (v) 15- was \$705,180.70
    - (2) The fiscal officer noted that the increase is attributed in part to expenditures on the Bowman Rd rebuild of 2020 being less than Trustees had anticipated. Trustees had budgeted \$180k and cash expenditures were \$120 more or less.
      - (a) Trustees are reminded that the ems rescue contract with the City of Defiance has expired as of 12-31-2019.
        - (i) The Township is presently awaiting a renewal proposal from the City.
        - (ii) The City is billing the Township at the 2019 rates.
          1. Fire combat contract is based on the annual property valuation as prepared by the County Auditor. In 2020 the quarterly fee was \$15,812.98.
          2. The rescue service quarterly fee was \$13,500 + insurance collections.
      - (b) The general fund increased. (7.5k +/-).
      - (c) Trustees should refer to their appropriation status reports of the 2020 sessions for details.
    - (2) The money market increased 5.5k +/- . The increase in the money market is simply the earnings from the year on our money market account. Now paying, per the agreement, a Star Ohio rate.
    - (3) Report – Cash Fund Summary start of 2021 fiscal year shows carry over funds - **exhibit 3 –a-2**
      - (a) This shows the Twp cash position as of the 1<sup>st</sup>, of January, 2021, prior to the approved 2021 amended certificate. The amended certificate includes anticipated revenue.

b) Adoption of the 2021 township Appropriations & budget

    - i) **Exhibits # 3-b-1** – “Approved Amended Certificate of Estimated Resources” from the County Auditor
      - (1) **\$1,449,058.69 for 2021**
      - (2) \$1,417,778.08 for 2020
      - (3) \$1,300,886.66 for 2019
      - (4) \$1,232,706.30 for 2018

(5) \$1,188,914.42 for 2017

ii) **exhibit 3-b-2** “appropriation status report” - your 2021 budget by object code:

c) break out by fund level – object code: - allows for transfers by fiscal officer within the code. This chart contains information regarding the year’s 1<sup>st</sup> amended certificate.

		21	20	19
i) General fund	(fund # 1000)	\$548,107.50	\$545,038.73	\$542,478.58
ii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$ 55,954.73	\$ 47,362.95	\$ 36,611.12
(2) Gasoline Tax	(fund # 2021)	\$396,737.30	\$351,462.88	\$315,150.13
(3) Road & Bridge	(fund # 2031)	\$213,042.17	\$230,675.71	\$185,919.41
(4) Permissive Tax	(fund # 2231)	\$67,107.20	\$ 63,895.65	\$ 63,274.01
(5) Fire levy	(fund # 2111)	\$168,109.79	\$179,342.16	\$158,915.81
<b>TOTAL</b>		<b>\$1,449,058.69</b>	<b>\$1,417,778.08</b>	<b>\$1,300,886.66</b>

d) Discussion –

- i) As of the beginning of 2021 – for fiscal officer’s analysis 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 4 (2021-2024) year program average of \$25k per year, the Township is funded to continue its current road maintenance and repair program.
- iii) The proposed 2021 budget contains funding to:
  - (1) Fund the 2021 amount for Bowman rd at \$190k.
  - (2) Continue the twp’s road maintenance program with the Co. Eng. at an anticipated 60k- based on past history and discussion with the Engineer’s office, and;
  - (3) allows for the continued normal twp annual road expenses of up to 100k.
  - (4) Funding has been designated for a truck replacement in 2022 if expenses are as planned.

Chairman Shaffer requested approval of **resolution # 1** (01-2021) to adopt the 2021 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: Mr. Peck  
SECOND by: Mrs. Mayer

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

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

The 2021 Township budget is adopted.

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

**ORDER OF BUSINESS NO. 4 - Wages for 2021**

a) Elected Officials

- i) Pay is set by the State of Ohio by the Ohio Revised Code. The pay schedule for 2021 is as noted in the Ohio Twp Association’s September 2020 newsletter. The ORC does not permit an increase in compensation in 2021 for Trustees in their current term who were elect prior to December 27<sup>th</sup>, 2018.
  - (1) Those Trustees will continue to earn \$11,342.00 per annum. The Trustee term beginning January 1, 2020 will earn \$11,948.00. Trustee salaries will be divided over the twelve months of 2021 in equal portion.
  - (2) The Fiscal Officer will earn a salary of \$19,717.00 beginning January 1, 2021. The Fiscal Officer salary will be divided over the twelve months of 2021 in equal portion.

- ii) All salaries are based on an annual Township budget of between \$750,000 and \$1,500,000, per the ORC, per the ORC §§505.24 and 507.09 .
  - (1) rules passed by the State legislature in 2011 allow for Trustee & Fiscal Officer salaries to be posted to special fund accounts with a statement from Trustees & the Fiscal Officer noting their percent of work dedicated to those account fund projects.
  - (2) Previously – in compliance with the State Audit of 07, all wages and benefits have been posted to the general fund.
  - (3) Our 2021 budget continues to post all elected salaries to the general fund.
    - (a) With the resolution is the pay schedule as published in the Ohio Township Association's newsletter "Grassroots" September issue.
    - (b) Discussion....

Chairman Shaffer requested approval of **resolution #2** ( 02-2021) wages of the Township's elected officers.

MOTION by: Mr. Peck  
 SECOND by: Mrs Mayer

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

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

- b) Township employees pay – for 2021.
  - i) Defiance Twp appointed employees are in three (3) pay classes.
    - (1) Operators
    - (2) Scheduler
    - (3) Zoning/nuisance inspector
  - ii) During the January 12<sup>th</sup>, 2021 Re-organizational/budget session Trustees increased pay for all positions except for the probationary position.
    - (1) **Operators:**
      - (a) **Are to be paid \$17.00 (+ \$1 or \$2 dependent on the 2020 pay rate).**
      - (b) **Probationary employees are to remain at \$11.60 per hour.**
    - (2) **Scheduler was increased to \$21.00 (+\$1 per hour)**
    - (3) **Zoning/nuisance inspector was increased to \$625.00 monthly (+\$25 per month)**
  - iii) At present(Jan. 1, 2021) individual Twp staffing pay is as follows:
    - (1) Buchholtz, Steve \$16.00 w cdl (a) as of Jan. 12<sup>th</sup>, 2021 – to **\$17.00**
      - (a) Posted to Road & Bridge 2031-330-190
      - (b) Posted to Gas tax account 2021-330-190
      - (c) General fund – cemetery - 1000-410-190
    - (2) Diemer, John (as an operator) \$15.00 w cdl (a) as of Jan 12<sup>th</sup>, 2021 – to **\$17.00**
      - (a) Posted to Road & Bridge 2031-330-190
      - (b) Posted to Gas tax account 2021-330-190
      - (c) General fund – cemetery - 1000-410-190
      - (d) General fund –zoning - 1000-130-190
        - (i) Salary – see resolution 03-2020
    - (3) Fisher, Doug w cdl (a)\$15.00 as of Jan 12<sup>th</sup>, 2021 to **\$17.00**
      - (a) Posted to Gas tax account 2021-330-190
      - (b) Posted to Road & Bridge Account 2031-330-190
      - (c) General fund – cemetery - 1000-410-190
    - (4) Grant, Brian – scheduler - w/cdl \$20.00 as of January 12<sup>th</sup>, 2021- to **\$21.00**
      - (a) Posted to Gas tax account 2021-330-190
      - (b) Posted to Road & Bridge Account 2031-330-190
      - (c) General fund – cemetery - 1000-410-190
    - (5) Hall, Mark - \$15.00 no cdl (a) as of January 12<sup>th</sup>, 2021 - to **\$17.00**
      - (a) Posted to Road & Bridge 2031-330-190

- (b) Posted to Gas tax account 2021-330-190
- (c) General fund – cemetery - 1000-410-190

- (6) Railing, Harry –w/cdl \$16.00 as of January 12<sup>th</sup>, 2021- to \$17.00
  - (a) Posted to Gas tax account 2021-330-190
  - (b) Posted to Road & Bridge Account 2031-330-190
  - (c) General fund – cemetery - 1000-410-190

- (7) River, John w cdl (a) \$15.00 as of Jan 12<sup>th</sup>, 2021 to \$17.00
  - (a) Posted to Gas tax account 2031-330-190
  - (b) Posted to Road & Bridge Account 2031-330-190
  - (c) General fund – cemetery 1000-410-190

- (8) Twp’s probationary period (hire in wage) is presently \$11.60 per hour established in 2010. The Township currently has Tim Vargo – hired Oct. 27<sup>th</sup>, 2020 in the probationary period.
  - (a) Current rate \$11.60 to \$11.60 in 2021.

- (9) Zoning Inspector (presently held by John Diemer) - (last increase to base rate in this position was Jan 14<sup>th</sup>, 2020
  - (a) current salary is \$600.00.
  - (b) Salary for 2021 to \$625.00.
  - (c) Posted to General fund –zoning - 1000-130-190

iv) Per the resolution, all salary rates adopted will be paid retroactively to Jan. 1, of 2021.

Chairman Shaffer requested approval of the **resolution #3** to set the wages of the Township’s employees.

MOTION by: Mrs. Mayer  
 SECOND by: Mr. Peck  
 YEA(s) 3                      NAY(s) 0                      Passed x                      Failed

The motion to approve resolution #03-2021 setting the non-elected Twp employees pay for 2021 was approved.

- c) Zoning Board of Appeals and Zoning Commission
  - i) Present pay is \$25 per item per meeting for each member in attendance – rate was established in in 2020 and had been raised from \$20.
  - ii) Trustees agreed to maintain the stipends rate at \$25 per item heard.

Chairman Shaffer requested approval of the **resolution #4** to set the wages of the Township’s Zoning Bd of Appeals and Zoning Commission for 2021.

MOTION by: Mrs. Mayer  
 SECOND by: Mr Peck  
 YEA(s) 3                      NAY(s) 0                      Passed x                      Failed

The motion to approve resolution #04-2021 setting the Township’s Zoning Bd of Appeals and Zoning Commission for 2021 at \$25.00 per item per meeting was approved.

**ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2021**

- a) Allowance for meals (presently \$45 per day) while on assignment for the Twp
  - i) discussion...
    - (1) Trustees agreed to maintain the reimbursement rate of \$45 per day with documentation as defined in the resolution.

Chairman Shaffer requested approval of resolution #05-2021 setting reimbursement allowance for meals in 2021 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 #05-2021 setting reimbursement allowance for meals in 2021 at \$45 per day was approved.

- b) mileage is proposed per allowable federal amount of .56 cents per mile for 2021 – decreased 1.5 cents from 2020 rate of .575. (-.015 cents)
  - (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 2021.
- i) discussion.....
  - (1) Trustees agreed to adopt the IRS rate for 2021.

Chairman Shaffer requested approval of resolution #06-2021 setting reimbursement for mileage @ .56 cents per mile.

MOTION by: Mrs. Mayer  
SECOND by: Mr. Peck  
YEA(s) 3                      NAY(s) 0                      Passed x                      Failed

The motion to approve resolution #06-2021 setting mileage reimbursement was approved.

**ORDER OF BUSINESS NO. 6 -- Use of UAN traveling Clerk in 2020**

- a) The clerk/fiscal officer requested the continued authority to utilize the UAN traveling clerk as necessary in the performance of his duties. UAN has established this opportunity in order to assist clerks (fiscal officers) in their requirements relative to keeping with the accounting requirements as established by the ORC. This consultant's rate would be \$25.00 per hour. There were no payments made in 2020 for this service.
  - i) Discussion...
    - (1) Trustees agreed to the fiscal officer's request.

Chairman Shaffer requested approval of resolution #07-2021 authorizing the use of the UAN traveling clerk as necessary in 2021.

MOTION by: Mrs Mayer  
SECOND by: Mr. Peck  
YEA(s) 3                      NAY(s) 0                      Passed x                      Failed

Resolution #07-2021 was adopted.

**ORDER OF BUSINESS NO. 7 – Zoning Boards appointments/re-appointments**

- a) Review and approval of resolution #07-2021 appointing Zoning Board of Appeals and Zoning Commission members & alternates whose terms expired 12-31-20
  - i) **Zoning Bd of Appeals.**
    - (1) Lynn Keller - regular board member-new term commencing 1-01-21 through 12-31-23.
    - (2) Sherry Shock - regular board member-new term commencing 1-01-21 through 12-31-23-
    - (3) Alternates –
      - (a) No alternate positions are open for renewal or replacement in 2021.
    - (4) The fiscal officer was recognized.
      - (a) Houck stated that he also serves as the secretary to the Appeals Bd.
      - (b) Houck noted that Chairman Keller and he has had great difficulty in contacting Mrs. Shock. We have no phone or email for this member and she has not responded to contact by the Bd. Chair for any meetings held in 2020.
        - (i) Attempts had been made during the sessions held in 2020 and again by Houck prior to this re-organizational session to contact Mrs. Shock to see if she wished to continue. The Phone number on file with the Township is no longer assigned to Mrs. Shock and she does not respond to email contacts.
    - (5) Discussion:
    - (6) Trustees determined to replace Mrs. Shock on the Appeals Bd. with Mr. Denny Batt who currently is on the Township's Zoning Commission.

**ii) Zoning Commission**

- (1) Denny Batt – new term commencing 1-01-21 through 12-31-23.
- (2) Tom Mick – new term commencing 1-01-21 through 12-31-23.
- (3) Alternates-
  - (a) Ed Steffel – new term commencing 1-01-21 through 12-31-23.
- (4) The fiscal officer was recognized – Houck stated he serves as clerical support for both boards and has emailed and or called each member up for renewal. All agreed to serve if reappointed except for Mick and Shock who did not respond to the contact effort.
- (5) Discussion- Trustees determined:
- (6) Ed Steffel was moved from alternate position to the position previously held by Denny Batt
  - (a) For the new Zoning Commission term commencing 1-01-21 through 12-31-23.
- (7) Tom Mick – regular Commission board member term commencing 01-01-21 through 12-31-23.
  - (a) Trustees will assess replacement at the January 26<sup>th</sup> regular session..
- (8) Alternates-
  - (a) Ed Steffel position – is open – the new term covers 01-01-21 through 12-31-23.
- (9) Trustees will search for a replacement for Mr. Mick and the vacant alternate position on the Commission.
- (10) Trustees agreed to wait until appointments are made to fill out of all positions on both zoning boards before adopting the appointing resolution (resolution #8-2021).

**ORDER OF BUSINESS NO. 8 – payment of dues from the Twp’s general funds for participation in the Ohio Twp Association and the Defiance County Twp Association in 2021.**

- a) Resolution 09-2020 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 #09-2021 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 2021.

MOTION by: Mrs. Mayer

SECOND by: Mr. Peck

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

Resolution #09-2021 was adopted.

**ORDER OF BUSINESS NO. 9 - Trustees reviewed and signed 4<sup>th</sup> qrt tax bills and checks as presented.**

**ORDER OF BUSINESS NO. 10 - Purchase orders for 2021**

- a) Trustees reviewed and signed –
- b) This activates twp spending for 2021.

**ORDER OF BUSINESS NO. 11 - Travel Training upcoming**

- a) Reminder - Co Twp Association and Engineer’s annual meeting..
  - i) Not yet scheduled due to covid.
- b) Reminder that the Annual Ohio Twp Association session in Columbus, Ohio, for 2021 has been cancelled due to covid.
  - ii) There is a virtual conference should Trustees wish to attend. \$75 per registration.
  - iii) Trustees would need to register and attend online.
  - iv) For Trustees who wish to – log in at <https://www.ohiotownships.org/>
  - v) Conf dates are Feb. 1 through -Feb 5..

**ORDER OF BUSINESS NO. 12 – Handouts**

- a) Twp directory for 2021 – **exhibit 12a**
  - i) This directory will be updated when Zoning boards are complete.

**ORDER OF BUSINESS NO. 13- Twp meeting date and times for 2020**

- a) The Chair noted that currently the regular scheduled sessions are the fourth Tuesday of each month at 6:30 p.m.
  - i) 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 Defiance County Commissioners building 2nd floor conference room, 500 Court St., Defiance, Ohio 43512

It was so moved by Trustee Peck  
 Seconded by Trustee Mayer

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

The motion was adopted.

- ii) The meeting time and location is presently 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. 14 – Other Business –**

- a) The Chair asked if there is any other business to come before the board at this time.....
  - i) There was none.

**ORDER OF BUSINESS NO. 15 – Next session:**

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

**Date:**                    **Tuesday January 26<sup>th</sup>, 2021 -**  
**Time:**                    6:30 p.m.  
**Place:**                    Defiance County Commissioners building - 2nd floor conference room-  
 500 Court St.- Defiance, Ohio 43512

**ORDER OF BUSINESS NO. 16 – Adjournment:**

Chairman Shaffer requested a motion to adjourn this “budget/annual re-organizational” meeting of January 12<sup>th</sup>, 2021.

Motion:                    Mr. Peck  
 Second:                    Mrs. Mayer  
 YEA(s)                    3      NAY(s) 0      Passed x      Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer