

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 13TH, 2015 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 13th, 2015 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: 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 Bakle requested a motion for the approval of minutes from the December 18th, 2014 regular session.

Mr. Peck 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. 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 Mr. Bakle to the Chairman's position for 2015:

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)

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 2015.

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)

Mr. Peck was elected Vice – Chair

ORDER OF BUSINESS NO. 3 -- 2015 Twp budget

- a) The fiscal officer reported that the Bank Depository for township funds is presently at 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.
 - iii) Twp investment status as of this session is:
 - (1) Note – Township funds are invested in two accounts at the State Bank & Trust
 - (i) The primary checking account – as of 12-31-14 was \$230,861.49
 - (ii) 13 was \$229,973.57
 - (iii) 12 was \$264,322.26
 - (iv) 11 was \$234,890.76
 - (v) 10 was \$102,384.79
 - (vi) 09 was \$72,038.35 -
 - (b) The money market account - 12-31-14 Was \$704,861.21
 - (i) 13 – was \$704,828.21
 - (ii) 12 – was \$704,073.62
 - (iii) 11- was \$703,390.17
 - (iv) 10 – was \$702,478.94
 - (v) 09 – was \$701,441.77
- (2) The increase in carryover is very minimal and is due to Trustee efforts to provide appropriate service within anticipated revenues.
- (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 2015 township Appropriations & budget
- i) Exhibits # 3-b-1 – “Approved Amended Certificate of Estimated Resources” from the County Auditor was discussed. The fiscal officer noted the amounts for the past several years:
 - (1) **\$1,248,904.70** for 2015
 - (2) \$1,243,337.93 for 2014
 - (3) \$1,281,462.88 for 2013
 - (4) \$1,235,447.93 for 2012
 - ii) exhibit 3-b-2 the “appropriation status report” - which is the proposed 2015 budget by object code was reviewed:

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

		15	14	13
i) General fund	(fund # 1000)	\$515,160.95	\$451,899.66	\$504,792.47
ii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$ 41,988.38	\$ 32,506.36	\$ 40,329.80
(2) Gasoline Tax	(fund # 2021)	\$284,214.49	\$220,284.76	\$279,336.83
(3) Road & Bridge	(fund # 2031)	\$226,725.81	\$272,337.43	\$237,545.86
(4) Permissive Tax	(fund # 2231)	\$ 55,941.85	\$ 56,018.21	\$ 50,699.27
(5) Fire levy	(fund # 2111)	\$124,873.22	\$149,991.51	\$168,758.65
TOTAL		\$1,248,904.70	\$1,243,337.93	\$1,281,462.88

d) A discussion followed:

- i) Trustees continue to be concerned with impending expenses of the Fire –rescue contract with the City of Defiance. In 2014 the City imposed an increase of \$24,000 for rescue services. A levy to cover this increase was defeated by voters in November 2014. Without additional revenue the Twp’s fire fund will enter 2016 with only its anticipated 2016 revenue which is produced by the current levy. This amount has historically been \$77,000 more or less. It may require that general fund money will be needed to pay some expenses in 2015 (depending on the insurance collections) and it will most certainly require general fund dollars to supplement revenues from the current levy for the contract in 2016.
- ii) As of the beginning of 2015 the General fund is in good fiscal condition. The Twp is within \$2,000 plus or minus of revenue for the past several years. Ave. annual expenses are \$77 to \$79, At present we have at least a 3 year rainy day fund.
- iii) The road funds are being utilized as planned. With the continued use of OPWC grants (not to exceed the remaining 10 year program average of \$25k per year, the Township is funded to continue its current road maintenance and repair program.

Chairman Bakle requested approval of resolution # 1 to adopt the 2015 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; Mr. Bakle- yea; Mrs. Mayer - yea

The vote being _3_ Yea(s) _0_ Nea(s)

The 2015 Township budget is adopted.

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

ORDER OF BUSINESS NO. 4 - Wages for 2015

- a) Elected Officials pay for 2015- the fiscal officer noted that:
 - i) Pay is set by the State Of Ohio by Ohio Revised Code. As noted in the Ohio Twp Association’s December newsletter there will be no increase in the pay of elected officials governed by the ORC in 2015.
 - (1) The State rate remains --
 - (a) In 2015 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) 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 2014 budget continues to post all elected salaries to the general fund.
 - (3) By law the fiscal officer’s salary still must be posted to the General fund –
 - ii) The Chair asked for discussion
 - (1) Trustees agreed at this time to continue to post their salaries to the General fund.

Chairman Bakle requested approval of resolution #2015- 02 wages of the Township’s elected officers for 2015.

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 2015
- i) Trustees choose not to go into executive session for the purpose of discussing salaries for Twp employees
 - ii) Chairman Bakle asked for comments from the Trustees.
 - (1) Trustees determined that due to their concern with ever 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 probationary period of each new employee hired, (90 days more or less dependent upon end of month). Probationary employees will then be evaluated by Trustees to 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) 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
 - (b) 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)
 - (c) 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
 - (d) Mike Daniel- mechanic –
 - (i) The mechanic classification was created by Trustees in Feb. 2014 – the pay rate for this classification was established at \$20 per hours as of March 1, 2014- to remain at \$20.00
 - (ii) Posted to Road & Bridge Account 2031-330-190
 - (iii) General fund – cemetery - 1000-410-190
 - (e) 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
 - (f) Brian Grant \$13.00 as of Nov 27, 2012 - to remain at \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
 - (g) Michael McKibben \$13.00 as of Nov 27, 2012 - to remain at \$13.00
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
 - (h) Paul Pixler in probationary period – ends January 31, 2015 – pay is \$11.60
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
 - (i) Doug Fisher in probationary period – ends February 28th, 2015 – pay is \$11.60
 - (i) Posted to Gas tax account 2021-330-190
 - (ii) General fund – cemetery - 1000-410-190
 - iii) 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 2015 to remain at \$500 per month.
 - (a) Posted to General fund –zoning - 1000-130-190

Chairman Bakle requested approval of resolution #2015-3 to set the wages of the Township's non-elected employees for 2015 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 #2015-3 setting the non-elected Twp employees pay for 2015 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 #2015-04 to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2015 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 #2015-4 setting the Township's Zoning Bd of Appeals and Zoning Commission for 2015 at \$20.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2015

- 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 an increase in the reimbursement rate for meals. In 2014 that rate was \$36 per day with the proper documentation.
 - iii) Mrs. Mayer suggested the rate be raised to \$45 per day for meal reimbursement with proper documentation.

Chairman Bakle requested approval of resolution #2015-05 setting reimbursement allowance for meals in 2015 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 #2015-05 setting reimbursement allowance for meals in 15 at \$45 per day was approved.

- b) The mileage reimbursement for 2015 was discussed.
 - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.
 - ii) the allowable IRS rate for 2015 as of this session is .575 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 #2015-06 setting reimbursement for mileage @ .575 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 #2015-06 setting mileage reimbursement was approved.

- c) Resolution #2015-07 addressing the use of the UAN traveling Clerk in 2015 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 2015

- 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 2014 the total was less than \$140.

Chairman Bakle requested approval of resolution #2015-07 authorizing the use of the UAN traveling clerk as necessary in 2015.

MOTION by: Mrs. Mayer

SECOND by: Mr Peck

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

Resolution #2015-07 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 12-31-14.

- i) **Zoning Bd of Appeals.**

- (1) Lynn Keller - regular board member-new term commencing 1-01-15 through 12-31-17
- (2) Sherry Shock - regular board member-new term commencing 1-01-15 through 12-31-17
- (3) Serving as alternates:
 - (a) No alternates have terms that expired 12-31-14.

- ii) **Zoning Commission**

- (1) Wayne Schaffer -new term commencing 1-01-15 through 12-31-17
- (2) Tom Mick - new term commencing 1-01-15 through 12-31-17
- (3) Serving as Alternate
 - (a) John Marcellus – new term commencing 1-01-15 through 12-31-17
- (4) The chair asked if there was any discussion.
- (5) Trustees determined to reappoint for a term as noted above.
- (6) The fiscal officer is to send a notice of reappointment to each member. If a member wishes to reject the appointment they are to notify a Trustee.
- (7) The Chair asked if there were any other comments or discussion. There was none.

Chairman Bakle requested approval of resolution #2015-08 reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-14.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

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

Resolution #2015-08 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 2015.

- a) Resolution 2015-09 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 state purpose.

Chairman Bakle requested approval of resolution #2015-09 AUTHORIZING DEFIANCE TOWNSHIP FUNDS TO BE USED FOR PAYMENT OF MEMBERSHIP DUES; MEMBERSHIPS TO BE IN THE DEFIANCE COUTNY TOWNSHIP ASSOCIATION AND THE OHIO TOWNSHIP STATE ASSOCIATION FOR 2015.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

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

Resolution #2015-09 was adopted.

ORDER OF BUSINESS NO. 8 – Purchase orders for 2015

- a) Trustees reviewed and signed the purchase orders. This action activated spending for calendar year 2015.

ORDER OF BUSINESS NO. 9 - Travel Training upcoming

- a) Trustees were reminded that the Co Twp Association and Engineer's annual meeting..1-15-15 – 6 p.m. co
ema
 - i) Tjh called in all twp reservations
 - ii) Cost is at your expense at the door.\$10 per person.
- b) Trustees were reminded that the Annual Ohio Twp Association session in Columbus, Ohio, Jan 28,29 & 30.
 - i) Trustee Bakle, Jason Shaffer and Tim Houck are registered to attend.

ORDER OF BUSINESS NO. 10 – Handouts

- a) The Twp directory for 2015 – exhibit 9 was distributed.
 - i) There were no corrections. 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 2015

- a) The Chair noted that currently the regular scheduled sessions are the fourth Tuesday of each month at 7:00 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 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. 12 –

- a) December bills –
 - i) Trustees then reviewed and sign those bills and checks that were incurred in December as an emergency and need to be posted to December activity for accounting purposes after the December session of 12-18.

ORDER OF BUSINESS NO. 13 – Old Business

- a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was modified per the City and Trustees as required approved the modification during the Twp's July meeting. The cost for rescue services was increased by \$24k.
 - i) In response the Twp Trustees placed a ballot issue before the voters (November 2014) of Twp precincts A & B where that service is rendered.
 - ii) See minutes from January 2014 forward to review history of a 2014 proposed fire-rescue service levy to be placed on the November 2014 ballot to cover the proposed City increase.
 - iii) The ballot issue was defeated in November.
 - (a) 276 votes for – 318 against.
 - iv) Trustee's in November voted to place the issue before the voters again in the May 2015 primary.

- v) Exhibit 13- was a packet from the County Prosecutor's office containing resolutions to be adopted – ballot language – a notice to the Board of Elections and a legal ad (to be run by the Board of Election” that once adopted by the Trustees the 1.1 mil levy for fire-rescue will be placed before the voters.
- vi) To be adopted at this session is **resolution 2015-10 “DECLARING IT NECESSARY TO LEVY AN ADDITIONAL 1.1-MIL TAX LEVY AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE DEFIANCE TOWNSHIP AND THE DOLLAR AMOUNT OF THE REVENUE THAT WOULD BE GENERATED BY THAT LEVY”..**

Chairman Bakle requested approval of resolution #2015-10 as noted above.

MOTION by: Mrs. Mayer

SECOND by: Mr Peck

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

Resolution #2015-10- was adopted.

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

a) There was none.

ORDER OF BUSINESS NO. 14 – New Business –

a) Personnel

- i) Trustees discussed the need to employ two additional part time operators. Trustees declared an emergency based on the fact that at the last snow event no Twp operators were available to plow snow and salt twp roads.
- ii) Trustees were informed that the latest hire, Paul Pixler had resigned as he had found full time employment.
- iii) Trustees had spoken with Scott Mckibben 15395 State Rte 66, Defiance, Ohio, and John Rivers 205 Bassard Dr., Defiance, Ohio. Both desired to be employed as part time operators for Def. Twp.

Mr. Peck moved to employ both Mr. Kckibben and Mr. Rivers at the probationary rate of \$11.60 per hour with the probationary period to end April 30th, 2015.

Mrs. Mayer seconded

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

The motion was approved. A hire-in resolution will be signed as soon as it is prepared.

The fiscal officer was instructed to sign up the new employees with OPERS.

ORDER OF BUSINESS NO. 15 – Next session:

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

Date: Tuesday January 27th, 2015 -

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 13th, 2015.

Motion: Mrs. Mayer

Second: Mr. Peck

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer