

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 14TH, 2014 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 14th, 2014 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 17th, 2013 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 2014:

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 2014.

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 -- 2014 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 12-31-13 was \$229,973.57
 - (ii) 12 was \$264,322.26
 - (iii) 11 was \$234,890.76
 - (iv) 10 was \$102,384.79
 - (v) 09 was \$72,038.35 -
 - (vi) 08 was \$164,001.29
 - (b) The money market account - 12-31-13
 - (i) 12 – was \$704,073.62
 - (ii) 11- was \$703,390.17
 - (iii) 10 – was \$702,478.94
 - (iv) 09 – was \$701,441.77
 - (v) 08 - was \$721,955.59
- (2) The increase in carryover is due to the Engineer posting debt obligations of road work to future opwc grant funds.
- (a) Trustee Peck noted he is uncomfortable with the Twp's current usage of \$90,000 plus dollars in future OPWC grants, given the Twp would be expected to repay those grants should the grant program cease in future year's prior to the Twp getting new grants.
- (i) Mr. Peck moved to limit the future OPWC grants to \$50,000. (Trustees expected to be given grants in 2014 – this money will be applied to the current \$90k total. No new project costs will be added if such posting would exceed the \$50 limit.).
- Mrs. Mayer seconded
The vote being 3 Yea(s) 0 Nea(s)
The motion to cap the use of future OPWC grant dollars for Def Twp Rd project at \$50,000 was approved.
- (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 2014 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) **\$1,243,337.93** for 2014
 - (2) \$1,281,462.88 for 2013
 - (3) \$1,235,447.93 for 2012
 - (4) \$1,117,788.52 for 2011
 - ii) exhibit 3-b-2 the “appropriation status report” - which is the proposed 2014 budget by object code was reviewed:

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

		14	13	12
i) General fund	(fund # 1000)	\$451,899.66	\$504,792.47	\$501,190.16
ii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$ 32,506.36	\$ 40,329.80	\$ 38,267.65
(2) Gasoline Tax	(fund # 2021)	\$220,284.76	\$279,336.83	\$214,779.28
(3) Road & Bridge	(fund # 2031)	\$272,337.43	\$237,545.86	\$275,463.70
(4) Permissive Tax	(fund # 2231)	\$ 56,018.21	\$ 50,699.27	\$ 46,809.28
(5) Fire levy	(fund # 2111)	\$149,991.51	\$168,758.65	\$158,937.86
TOTAL		\$1,243,337.93	\$1,281,462.88	\$1,235,447.93

d) A discussion followed:

- i) Trustees are concerned with impending meetings with the City of Defiance and neighboring Townships regarding the Fire – Rescue contracts the Twps have with the City of Defiance. As noted above the Twp's fire fund decreased significantly in 2013 based on rev generated from the levy being less than expenses. If the fire contract cost remains the same & revenues continue their trend the levy cannot support the costs beyond the next three years. As of the beginning of 2014 the General fund is in good fiscal condition. The road funds are being utilized as planned, however, if the Township has to pay the OPWC future grant funds back the road funds would be under duress. Rd accounts are projected to expend more than the revenue to be taken in during 2014 based on the assumption that the major construction projects under way and planned for 2014 (repave of Hammersmith) and normal annual expenditures will exceed revenue. It is difficult to assess given the Engineer's willingness to post expenses to future OPWC grant dollars. The projected budgets for 2014 are based on the Twp paying for all road work.
- ii) The OPWC issue was addressed by the motion noted above.

Chairman Bakle requested approval of resolution # 1 to adopt the 2014 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 as 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 2014 Township budget is adopted.

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

ORDER OF BUSINESS NO. 4 - Wages for 2014

a) Elected Officials pay for 2013 – Fiscal officer noted that:

i) Pay is set by the State Of Ohio by Ohio Revised Code

ii) The 2014 salaries remain frozen at the set rates in 2013. This was noted in the Ohio Twp Association's December newsletter - the state legislature froze pay of elected officials in 2009.

(1) The State rate remains --

(a) In 14 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 2013 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 Bakle requested approval of resolution #2014- 02 wages of the Township's elected officers for 2014.

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 then turned to address the Township employees pay for 2014

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 increasing concern with reductions from state funds and 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 90 day probationary period, after which Trustees will review and 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) Joe Kolb present \$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

(b) 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

(c) 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)

(d) 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

(e) Mike Daniel \$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

(f) 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

(g) 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

(h) 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

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 2014 to remain at \$500 per month.

(a) Posted to General fund –zoning - 1000-130-190

Chairman Bakle requested approval of resolution #2014-3 to set the wages of the Township's non elected employees for 2014 as noted above.

MOTION by: Mrs. Mayer
SECOND by: Mr Peck

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

The motion to approve resolution #2012-3 setting the non elected Twp employees pay for 2013 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 #2014-04 to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2014 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 #2014-4 setting the Township's Zoning Bd of Appeals and Zoning Commission for 2014 at \$20.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2014

- 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 a reimbursement rate for meals of \$36 per day with the proper documentation.

Chairman Bakle requested approval of resolution #2014-05 setting reimbursement allowance for meals in 2014 at \$36 per day.

MOTION by: Mrs. Mayer
SECOND by: Mr Peck

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

The motion to approve resolution #2014-05 setting reimbursement allowance for meals in 14 at \$36 per day was approved.

- b) The mileage reimbursement for 2014 was discussed.
 - i) Defiance Township has traditionally set reimbursement per the allowable IRS rate.
 - ii) the allowable IRS rate for 2014 as of this session is .56 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 #2014-06 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 #2014-06 setting mileage reimbursement was approved.

- c) Resolution #2014-07 addressing the use of the UAN traveling Clerk in 2014 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 2014

- 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 2013 the total was less than \$100.

Chairman Bakle requested approval of resolution #2014-07 authorizing the use of the UAN traveling clerk as necessary in 2014.

MOTION by: Mrs. Mayer
SECOND by: Mr Peck

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

Resolution #2014-07 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 12-31-13.

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

- (1) Larry Plummer - regular board member-new term commencing 1-01-14 through 12-31-16
 - (2) Thomas Rosendale - regular board member-new term commencing 1-01-14 through 12-31-16
 - (3) Serving as alternates:
 - (a) No alternates have terms that expired 12-31-13.

- ii) **Zoning Commission**

- (1) Randy Wilde -new term commencing 1-01-14 through 12-31-16
 - (2) Sam Box - new term commencing 1-01-14 through 12-31-16
 - (3) Serving as Alternate
 - (a) No alternates have terms that expired 12-31-13.

- (4) The chair asked if there was any other 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 #2014-08 reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-13.

MOTION by: Mr. Peck

SECOND by: Mrs. Mayer

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

ORDER OF BUSINESS NO. 7 – Purchase orders for 2014

- a) Trustees reviewed and signed the purchase orders. This action activates spending for calendar year 2014.

ORDER OF BUSINESS NO. 8 - Travel Training upcoming

- a) Trustees were reminded that the Co Twp Association and Engineer's annual meeting will be held ..1-16-14 – 6 p.m. co ema
 - i) Tjh called in all twp reservations
 - ii) Cost is at your expense at the door.\$8 per person.

ORDER OF BUSINESS NO. 9 – Handouts

- a) The Twp directory for 2014 – 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. 10 – Twp meeting date and times for 2014

- a) The Chair noted that currently the regular scheduled sessions are the fourth Tuesday of each month at 7:00 p.m.
- iii) 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. 11 – Old Business

- a) There was none.

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 28th, 2014 -
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 14th, 2014.

Motion: Mrs. Mayer
Second: Mr. Peck

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer