

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 14TH, 2020 RE-ORGANIZATIONAL
MEETING

The Defiance Township Trustees met in special session (2020 budget, re-organization of the Board and general Township items) at the Defiance County Commissioners building – 500 Court St., 2nd floor conference room, in Defiance Township, Defiance, Ohio, on Tuesday January 14th, 2020 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 Shaffer requested a motion for the approval of minutes from the December 17th, 2019 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. 2 Election of the Chair and Vice - Chair –

- a) Mr. Shaffer 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. Peck.
 - (2) Mr. Shaffer seconded.
 - (3) The fiscal officer then called for the vote on the question of electing Mr. Peck to the Chairman's position for 2020:

MOTION by: Mr. Shaffer
SECOND by: Mrs. Mayer

Mr. Peck-yea; Mrs. Mayer – yea Mr. Shaffer - 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) Mr. Peck nominated Mr. Shaffer
 - ii) Mrs. Mayer seconded and there were no further nominations.
- c) Chairman Peck then called for a vote to elect Mr. Shaffer Vice-Chair for 2020.

MOTION by: Mrs. Mayer
SECOND by: Mr. Peck

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

The vote being _3_ Yea(s) ___0___Nea(s)

Mr. Shaffer was elected Vice – Chair

ORDER OF BUSINESS NO. 3 - 2020 Twp budget – fiscal officer

- a) Bank Depository for township funds is presently the State Bank and Trust.
- i) There is an agreement with the Township
 - ii) Said agreement was renewed by the Trustees on January 23rd, 2018 and is in effect from November 24th, 2017 to November 25th, 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**
 - (1) Note – Township funds are invested in two accounts at the State Bank & Trust
 - (a) The primary checking account – as of 12-31-19 was \$273,908.10
 - (i) 18 was \$191,004.79
 - (ii) 17 was \$153,006.04
 - (iii) 16 was \$117,266.04
 - (iv) 15 was \$198,678.30
 - (b) The money market account - as of 12-31-19 was \$735,919.98
 - (i) 18- was \$718,881.87
 - (ii) 17- was \$705,885.26
 - (iii) 16- was \$705,533.38
 - (iv) 15- was \$705,180.70
 - (2) The fiscal officer notes that the increase is attributed to Trustee efforts to accumulate funding for the multi-year re-build of Bowman Rd. The anticipated work in 2019 was not done by the project Engineer (Def. Co. Eng.) The fiscal officer recommends that Trustees bear in mind that the checking funds will decrease extensively during the 3 or 4 year rebuild if the engineer's project estimate of expenses is realized.
 - (i) It is quite probable that Trustees will need to transfer funds from this account to the checking to pay for the Bowman Rd. project.
 - (a) Trustees are reminded that the ems rescue contract with the City of Defiance has expired as of 12-31-2019.
 - (i) Per Trustee Peck the City will/is preparing a new proposal for Trustee consideration. Mr. Peck does not expect a large increase.
 - (b) The general fund increased. (11k +/-).
 - (i) The general fund increased by 13k from 2017 to 2018.
 - (ii) Previously this fund had four straight years of decline.
 - (c) Trustees should refer to their appropriation status reports of the 2019 sessions for details.
 - (3) The increase in the money market is simply the earnings from the year on our money market account. Now paying, per the new agreement, a Star Ohio rate.
 - (4) Report – Cash Fund Summary start of 2019 fiscal year carry over funds - exhibit 3 –a-2
 - (a) This shows the Twp cash position as of the 1st, of January, 2020, prior to the approved 2020 amended certificate. The amended certificate includes anticipated revenue.
- b) Adoption of the 2020 township Appropriations & budget
- i) **Exhibits # 3-b-1** – “Approved Amended Certificate of Estimated Resources” from the County Auditor
 - (1) **\$1,417,778.08 for 2020**
 - (2) \$1,300,886.66 for 2019
 - (3) \$1,232,706.30 for 2018
 - (4) \$1,188,914.42 for 2017

(5) \$1,274,073.90 for 2016

ii) exhibit 3-b-2 “appropriation status report” - your 2020 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 1st amended certificate.

		20	19	18
i) General fund	(fund # 1000)	\$545,038.73	\$542,478.58	\$502,091.93
ii) Special funds				
(1) Motor Vehicle License	(fund # 2011)	\$ 47,362.95	\$ 36,611.12	\$ 33,358.90
(2) Gasoline Tax	(fund # 2021)	\$351,462.88	\$315,150.13	\$257,425.23
(3) Road & Bridge	(fund # 2031)	\$230,675.71	\$185,919.41	\$212,448.56
(4) Permissive Tax	(fund # 2231)	\$ 63,895.65	\$ 63,274.01	\$ 57,270.21
(5) Fire levy	(fund # 2111)	\$179,342.16	\$158,915.81	\$153,573.87
TOTAL		\$1,417,778.08	\$1,300,886.66	\$1,232,706.30

d) Discussion –

- i) As of the beginning of 2020 – 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 5 (2020-2024) year program average of \$25k per year, the Township is funded to continue its current road maintenance and repair program.
- iii) The proposed 2020 budget contains funding to:
 - (1) Increase the 2020 amount for Bowman rd from 140k to 170 or 180k.
 - (2) Continue the twp’s road maintenance program with the Co. Eng. at the past average of between 40 and 50k, and;
 - (3) allows for the continued normal twp annual road expenses of up to 100k.
 - (4) Funding has been designated for attorney’s fees & findings/settlements.

Chairman Peck requested approval of **resolution # 1** (01-2020) to adopt the 2020 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: Mr. Shaffer
SECOND by: Mrs. Mayer

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

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

The 2020 Township budget is adopted.

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

ORDER OF BUSINESS NO. 4 - Wages for 2020

a) Elected Officials

- i) Pay is set by the State of Ohio by the Ohio Revised Code. The pay schedule for 2020 is as noted in the Ohio Twp Association’s November 2019 newsletter. The ORC does not permit an increase in compensation in 2020 for Trustees in their current term.
 - (1) Those Trustees will continue to earn \$11,342.00 per annum. The Trustee term beginning January 1, 2020 will earn \$11,742.00. Trustee salaries will be divided over the twelve months of 2020 in equal portion.
- ii) The Fiscal Officer will remain at an amortized salary of \$18,717.00 until the term ends on March 31, 2020. The Fiscal Officer will then earn an amortized salary of \$19,378.00 per annum base 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 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.
- (2) Previously – in compliance with the State Audit of 07, all Trustee wages and benefits had been posted to the general fund.
- (3) Our 2020 budget continues to post all elected salaries to the general fund.
- (4) By law the fiscal officer's salary must be posted to the General fund –
 - (a) With the resolution is the pay schedule as published in the Ohio Township Association's newsletter "Grassroots" November issue.
 - (b) The called for discussion and or action....

Chairman Peck requested approval of **resolution #2** (02-2020) wages of the Township's elected officers.

MOTION by: Mr. Shaffer

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 – executive session for discussion....
 - i) Chairman Peck asked for a motion to go into executive session for the purpose of discussing salaries for Twp employees
 - (1) Trustees elected not to go into executive session.
 - (2) The fiscal officer reported that:
 - (a) Defiance Twp appointed employees are in three (3) pay classes.
 - (i) Operators
 - (ii) Scheduler
 - (iii) Zoning/nuisance inspector
 - ii) During the January 14th, 2020 Re-organizational session Trustees determined to increased pay for all positions except for the probationary position. It was determined that Township non-probationary operators who worked fifty (50) or more hours in 2019; demonstrated their reliability to work and would receive a larger hourly rate than those non-probationary operators that did not work fifty (50) or more hours in 2019.
 - (1) **Non probationary Operators are presently paid \$14.42 per hour**
 - (2) **Scheduler is at \$15.97**
 - (3) **Zoning/nuisance inspector \$560.50 monthly**
 - (4) **Probationary rate is \$11.60**
 - (5) Trustees determined to set the 2020 pay rate as follows:
 - (a) **Non probationary Operators that worked fifty or more hours: \$16.00 per hour.**
 - (b) **Non probationary Operators that worked less than fifty hours in 2019: \$15.00.**
 - (c) **Scheduler will be \$20.00**
 - (d) **Zoning/nuisance inspector \$600.00 monthly salary.**
 - (e) **Probationary rate will remain \$11.60**
 - iii) At present individual Twp staffing pay is as follows:
 - (1) Buchholtz, Steve \$14.42 w cdl (a) as of Jan. 14th, 2020 – to **\$16.00**
 - (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) Bulka, David w cdl - \$14.42 as of Jan. 14th, 2020 - to **15.00**
 - (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
 - (3) Diemer, John \$14.42 w cdl (a) as of Jan 14th, 2020 – to **\$15.00**
 - (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
- (4) Fisher, Doug w cdl (a)\$14.42 as of Jan 14th, 2020 to \$15.00
 - (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) Grant, Brian – scheduler - w/cdl \$15.97 as of January 14th, 2020- to \$20.00
 - (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
- (6) Hall, Mark - \$14.42 no cdl (a) as of January 14th, 2020 - to \$15.00
 - (a) Posted to Road & Bridge 2031-330-190
 - (b) Posted to Gas tax account 2021-330-190
 - (c) General fund – cemetery - 1000-410-190
- (7) McKibben, Micheal w cdl (a) \$14.42 as of Jan 14th, 2020 to \$15.00
 - (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
- (8) McKibben, Scott - \$14.42 w cdl (a) as of Jan 14th, 2020 - to \$15.00
 - (a) Posted to Road & Bridge 2031-330-190
 - (b) Posted to Gas tax account 2021-330-190
 - (c) General fund – cemetery - 1000-410-190
- (9) Railing, Harry –w/cdl \$14.42 as of January 14th, 2020- to \$16.00
 - (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
- (10) River, John w cdl (a) \$14.42 as of Jan 14th, 2020 to \$15.00
 - (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
- (11) Twp’s probationary period (hire in wage) is presently \$11.60 per hour established in 2010.
The Township currently has no one in the probationary period.
 - (a) Current rate \$11.60 to __remain the same in 2020.
- (12) Zoning Inspector (presently held by John Diemer) - (last increase to base rate in this position was Jan 10th, 2019)
 - (a) current salary is \$560.50.
 - (b) Salary for 2020 to \$600.00.
 - (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 2020.

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

MOTION by: Mr. Shaffer

SECOND by: Mrs. Mayer

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

The motion to approve resolution #03-2020 setting the non-elected Twp employees pay for 2020 was approved.

c) Zoning Board of Appeals and Zoning Commission

- i) Present pay is \$20 per item per meeting for each member in attendance – rate was established in in 2008 and had been raised from \$15.

- ii) Discussion
- iii) Trustee Mayer stated this rate should be increased. Mayer proposed \$25 per item.

Chairman Peck requested approval of the **resolution #4** to set the wages of the Township's Zoning Bd of Appeals and Zoning Commission for 2020 at \$25 per item per meeting.

MOTION by: Mr. Shaffer
 SECOND by: Mr Mayer

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

The motion to approve resolution #04-2020 setting the Township's Zoning Bd of Appeals and Zoning Commission for 2020 at \$25.00 per item per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2020

- 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 Peck requested approval of resolution #05-2020 setting reimbursement allowance for meals in 2020 at \$45 per day.

MOTION by: Mr. Shaffer
 SECOND by: Mrs. Mayer

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

The motion to approve resolution #05-2020 setting reimbursement allowance for meals in 2020 at \$45 per day was approved.

- b) mileage reimbursement during 2020
 - i) mileage is per allowable federal amount of .575 cents per mile – decreased .005 from 2019 rate of .58. (-.005 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 2020.
 - ii) discussion.....
 - (1) Trustees agreed to adopt the IRS rate for 2020.

Chairman Peck requested approval of resolution #06-2020 setting reimbursement for mileage @ .575 cents per mile.

MOTION by: Mr. Shaffer
 SECOND by: Mrs. Mayer

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

The motion to approve resolution #06-2020 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 \$22.00 per hour. This is the rate paid since 2014. There were no payments made in 2019 for this service.
 - i) Discussion...
 - (1) Trustees agreed to the fiscal officer's request.

Chairman Peck requested approval of resolution #07-2020 authorizing the use of the UAN traveling clerk as necessary in 2020.

MOTION by: Mr. Shaffer
 SECOND by: Mrs Mayer

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

Resolution #07-2020 was adopted.

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

- a) Review and approval of resolutions for the appointment of Zoning Board of Appeals and Zoning Commission members & alternates whose terms expired 12-31-19.
 - i) **Zoning Bd of Appeals.**
 - (1) Larry Plummer - regular board member-new term commencing 1-01-20 through 12-31-22.
 - (2) Thomas Rosendale – regular board member – new term commencing 1-01-20 through 12-31-22.
 - (3) Alternates –
 - (a) No alternate positions are open for renewal or replacement in 2020.
 - ii) **Zoning Commission**
 - (1) Randy Wilde – new term commencing 1-01-20 through 12-31-22.
 - (2) Sam Bok -- new term commencing 1-01-20 through 12-31-22.
 - (3) Alternates-
 - (a) No alternate positions are open for renewal or replacement in 2020.

Chairman Peck requested approval of resolution #08-2020 appointing/reappointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-19 as noted above.

MOTION by: Mr. Shaffer

SECOND by: Mrs. Mayer

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

Resolution #08-2020 was adopted.

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 2020.

- 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 Peck requested approval of resolution #09-2020 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 2020.

MOTION by: Mr. Shaffer

SECOND by: Mrs. Mayer

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

Resolution #09-2020 was adopted.

ORDER OF BUSINESS NO. 9 - Trustees reviewed and signed 4th qrt electronically posted tax bills –

ORDER OF BUSINESS NO. 10 - Purchase orders for 2020

- a) Trustees reviewed and signed –
- b) This activates twp spending for 2020.

ORDER OF BUSINESS NO. 11 - Travel Training upcoming

- a) Reminder - Co Twp Association and Engineer’s annual meeting..1-16-20 – 6 p.m. co ema
 - i) Tjh called in all twp reservations – 3 Trustees and the fiscal officer.
 - ii) Cost is at your expense at the door.\$10 per person.
- b) Reminder of the Annual Ohio Twp Association session in Columbus, Ohio, Feb. 5 through -Feb 8..

- i) Trustee Shaffer and the fiscal officer Tim Houck are registered to attend.
- ii) Room reservations have been made at the Drury Inn.
- iii) Trustees approved this travel at the November 2019 regular business session.

ORDER OF BUSINESS NO. 12 – Handouts

- a) Twp directory for 2020 – **exhibit 12a**
 - i) There were no changes made.
- b) **Exhibit 12-b** – notice from the Def. Co. Commissioners that a meeting for the 2020 Community Development Block Grant (CDBG) program will be held Jan 30th – 10 a.m. at the Commissioners offices in the Key Bank building.

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 Mayer
 Seconded by Trustee Shaffer

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) Trustee Shaffer stated that Twp. resident Andy Bok had complained to the Sherriff about May Road deterioration. Bok farms property in this area and uses May Rd in his farming operation.
 - (1) Shaffer stated he informed the Sheriff that the deterioration is from the heavy equipment the Bok’s run on May Rd. Shaffer noted the May Rd is a stone road and heavy equipment will cause some issues. Further, Shaffer noted that the Twp had just recently re-graded the road. Shaffer stated that the Twp will advise Bok that using heavy equipment or transporting heavy loads will continue to cause road issue.
- b) The Chair again asked if there was any other business to be brought forth.
 - 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 28th, 2020 -**
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 Peck requested a motion to adjourn this “budget/annual re-organizational” meeting of January 14th, 2020.

Motion: Mrs. Mayer
 Second: Mr. Shaffer

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

MEETING ADJOURNED

Respectfully Submitted

