

Minutes
DEFIANCE TOWNSHIP TRUSTEES
JANUARY 17TH, 2023 RE-
ORGANIZATIONAL/BUDGET AND REGULAR
MEETING

The Defiance Township Trustees met in special session (2023 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 17th, 2023 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 20th, 2022 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 BUSUNESS NO. 2 Election of the Chair and Vice - Chair for 2023–

- 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) Mr. Shaffer nominated Mr. Peck
 - (2) Mrs. Mayer seconded.
 - (3) The fiscal officer then called for the vote on the question of electing Mr. Peck to the Chairman's position for 2023:

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

c) Chairman Peck then called for a vote to elect Mr. Shaffer Vice-Chair for 2023.

MOTION by: Mr;s. 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 – review of 2022 carryover – analysis and proposed 2023 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 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.
 - (2) The agreement is due for renewal. The fiscal officer has contacted the bank (via email 1-16-23) and the process is begun.
 - 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 12-31-22 was \$291,299.73
 - (i) 21 was \$401,549.77
 - (ii) 20 was \$275,973.50
 - (iii) 19 was \$273,908.10
 - (iv) 18 was \$191,004.79
 - (b) The money market account - as of 12-31-22 was \$1,159,421.90
 - (i) 21 - was \$742,233.20
 - (ii) 20- was \$741,635.19
 - (iii) 19- was \$735,919.98
 - (iv) 18- was \$718,881.87
 - (2) The fiscal officer notes that the increase in available funds is attributed to the increase in revenues vs the anticipated revenue approved by the Budget Commission in our amended certificates (there was over 200k more income then the budget commission approved- a significant portion was also grant funds received or carried over in 2022. Grant dollars cannot be anticipated.
 - (a) Budget commission anticipated income from first amended certificate was \$539,702.77
 - (b) Actual revenue including grant awards was \$764,167.82 for 2022.
 - (c) 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.
 - (d) Current Twp commitments for 2023
 - (i) 175k to Ginter Rd rebuild with City in 2023 from grant – fund 2901
 - (ii) 140k +/- for rebuild of 4th and final mile of Bowman rd
 1. Minus the remainder of the American rescue plan grant – 32k +/-
 - (iii) 60k to road maintenance
 - (iv) 100k for general twp rd expenses
 - (e) The general fund increased slightly – less than \$8k. – data from cash fund summary report 12-31-22.
 - (f) The fire fund increased slightly – \$500 +/- . – data from cash fund summary report 12-31-22.
 - (3) The money market increased 417k +/- . The increase in the money market is simply the earnings from the year and a transfer of funds from checking to money market for increased interest return. The Twp get Star Ohio rates from the State Bank per agreement.
 - (4) Report – Cash Fund Summary start of 2023 fiscal year carry over funds - **exhibit 3 –a-2**

(a) This shows the Twp cash position as of the 1st, of January, 2023, prior to the approved 2023 amended certificate. The amended certificate includes anticipated revenue.

b) Adoption of the 2023 township Appropriations & budget

i) Exhibits # 3-b-1 – “Approved Amended Certificate of Estimated Resources” from the County Auditor

(1) \$1,914,521.63 for 2023

(2) 1,683,485.74 for 2022

(a) Increases are the 2021 grants the Twp posted to Twp fund lines in 22 and carried over to 23.

(b) Grant funded projects should be completed in 23 so future increases should be similar to those of 19 to 21.

(3) \$1,449,058.69 for 2021

(4) \$1,417,778.08 for 2020

(5) \$1,300,886.66 for 2019

ii) exhibit 3-b-2 “appropriation status report” - your 2023 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.

	23	22	21
i) General fund (fund # 1000)	\$563,986.32	\$545,954.41	\$548,107.50
ii) Special funds			
(1) Motor Vehicle License (fund # 2011)	\$ 67,110.65	\$ 58,521.24	\$ 55,954.73
(2) Gasoline Tax (fund # 2021)	\$515,831.20	\$412,316.90	\$396,737.30
(3) Road & Bridge (fund # 2031)	\$297,800.06	\$240,978.84	\$213,042.17
(4) Permissive Tax (fund # 2231)	\$ 79,654.40	\$ 73,331.29	\$ 67,107.20
(5) Fire levy (fund # 2111)	\$178,490.44	\$175,877.52	\$168,109.79
(6) American Rescue Plan(fund #2272)	\$ 32,611.06	\$176,505.54	\$ 88,252.77
TOTAL	\$1,914,521.63	\$1,683,485.74	\$1,449,058.69

d) Discussion –

i) As of the beginning of 2023 – for fiscal officer’s analysis refer to explanation under agenda item “township investment status”.

ii) The road funds are being utilized as planned. OPWC grant dollars, per the Co Engineer will be utilized for Co Eng exp for roughing out the widened area of Bowman rd and any other projects that the Trustees and the Co. Engineer agree to. (not to exceed the remaining 2 (2023-2024) year program average of \$25k per year grant to the Twp.

iii) The proposed 2023 budget contains funding to:

(1) Fund the 2023 amount for Bowman rd rebuild at \$140k- 1 mile section –

(a) Funds will be from both the American rescue plan grant and Twp road funds.

(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 2023 – (180K).

Chairman Peck requested approval of **resolution # 1** (01-2023) to adopt the 2023 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 2023 Township budget is adopted.

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

ORDER OF BUSINESS NO. 4 - Wages for 2023

a) Elected Officials

- i) Pay is set by the State of Ohio by the Ohio Revised Code. The pay schedule for 2023 is as noted in the Ohio Twp Association's July 2022 newsletter. The ORC has all Trustees paid the same, as all Trustees have been elected since the last legislation became effective on 12-27-18.
 - (1) In 2023 Trustees will earn \$13,608.00 per annum. Trustee salaries will be divided over the twelve months of 2023 in equal portion.
 - (2) The Fiscal Officer will earn a salary of \$23,816.00 beginning January 1, 202. The Fiscal Officer salary will be divided over the twelve months of 2023 in equal portion.
- ii) All salaries are based on an annual Township budget of between \$1,500,000.01 and \$3,500,000.00, per the ORC §§505.24 and 507.09 .
 - (1) Our 2023 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" July 2022 issue.
 - (b) Discussion....
- iii) Chairman Peck requested approval of resolution #2 (02-2023) 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) Wages Township appointed employees

- i) Defiance Twp appointed employees are in three (3) pay classes.
 - (1) Operators
 - (2) Scheduler
 - (3) Zoning/nuisance inspector
- ii) During the January 11th, 2022 Re-organizational session Trustees continued operators pay at \$17 per hour, and the scheduler's pay at \$25 per hour.
- iii) Trustees increased the zoning inspector's pay from \$625 to \$650 per month and the probation rate was increased from \$11.60 to \$13.00.
- iv) At present(Jan. 1, 2023) individual Twp staffing pay is as follows:
 - (1) Pay raises if approved would be retroactive to the end of the last pay period (Dec. 2022).
 - (2) Buchholtz, Steve – Scheduler - \$25.00 w cdl (a) no increase – remains **\$25.00**
 - (a) Posted to Road & Bridge 2031-330-190
 - (b) Posted to Gas tax account 2021-330-190
 - (c) General fund – cemetery - 1000-410-190
 - (3) Diemer, John \$17.00 w cdl (a) – no increase **\$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 03-2023
 - (4) Hall, Mark - \$17.00 no cdl (a) – no increase **\$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
 - (5) Railing, Harry –w/cdl \$17.00 - no increase **\$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

(6) Twp’s probationary period (hire in wage) is presently \$13.00 per hour established in 2022. The Township currently has one person in the probationary period.

- (a) Trustees determined to increase the probationary rate.
- (b) Current rate \$13.00 to \$15.00 in 2023.

(7) Zoning Inspector (presently held by John Diemer) - (last increase to base rate in this position was Jan 11th, 2022

- (a) current salary is \$650.00.
- (b) Salary for 2023 increased to \$700.00
- (c) Posted to General fund –zoning - 1000-130-190

v) Per the resolution, all salary rates adopted will be paid retroactively to end of the last pay period. (Dec 2022.)

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

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

The motion to approve resolution #03-2023 setting the non-elected Twp employees pay for 2023 was approved.

- c) Stipends - 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 2020 and had been raised from \$20.
 - (1) Trustees determined to maintain the stipends at \$25 per item per meeting.
 - ii) Trustees hired clerical support for the zoning boards of the Township at their September 2022 session and approved a stipends of \$100 per meeting for clerical support.
 - (1) Zoning Secretary (presently held by Patti Diemer) – last increased (established Sept. 2022) at \$100 per meeting.
 - (a) Stipends for 2023 per meeting to remain at \$100.00.
 - (b) Posted to General fund – zoning 1000-130-190

Chairman Peck requested approval of the **resolution #4** to set the wages of the members of the Township’s Zoning Bd of Appeals, Zoning Commission and secretarial position for 2023.

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

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

The motion to approve resolution #04-2023 setting the stipends for the Township’s Zoning Bd of Appeals and Zoning Commission for 2023 at the continued rate of \$25.00 per item per meeting and to continue the stipends of the secretarial position at \$100 per meeting was approved.

ORDER OF BUSINESS NO. 5 -- Expense reimbursements for 2023

- a) Allowance for meals (presently \$45 per day) while on assignment for the Twp
 - i) discussion...
 - (1) Trustees decided to match the County Commissioners approved rate.
 - (2) Trustees determined to increase the Twp’s reimbursement rate of \$45 per day to \$50.00 per day with documentation as defined in the resolution.

Chairman Peck requested approval of resolution #05-2023 setting reimbursement allowance for meals in 2023 at \$50 per day.

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

The motion to approve resolution #05-2023 setting reimbursement allowance for meals in 2023 at \$50 per day was approved.

- b) mileage reimbursement during 2023
 - i) mileage is per allowable federal amount of 65.5 cents per mile – increased 7.0 cents from 2022 beginning rate of 58.5 cents.
 - ii) With the resolution is an attachment printed new release from the IRS web page noting the current approved mileage reimbursement amount approved by the IRS for 2023.
 - iii) discussion.....
 - (1) Trustees agreed to adopt the IRS rate for 2023.

Chairman Peck requested approval of resolution #06-2023 setting reimbursement for mileage @ 65.5 cents per mile.

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

The motion to approve resolution #06-2023 setting mileage reimbursement was approved.

ORDER OF BUSINESS NO. 6 -- Use of UAN traveling Clerk in 2023

- i) The clerk requests 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 up with the accounting requirements as established by the ORC. This consultant's rate would be \$25.00 per hour for phone/on line assistance and \$35 per hour for on site assistance. There were no payments made in 2022 for this service.
- ii) Discussion...
 - (1) Trustees agreed to the fiscal officer's request.

Chairman Peck requested approval of resolution #07-2023 authorizing the use of the UAN traveling clerk as necessary in 2023.

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

Resolution #07-2023 was adopted.

Order of Business No. 7 – Zoning Boards appointments

- a) Review and approval of resolution 08-2023 for the appointment of Zoning Board of Appeals and Zoning Commission members & alternates whose terms expired 12-31-22
 - i) **Zoning Bd of Appeals.**
 - (1) Thomas Rosendale - regular board member-new term commencing 1-01-23 through 12-31-25.
 - (2) Alternates –
 - (a) No alternates up for renewal this year.
 - ii) **Zoning Commission**
 - (1) Randy Wilde regular commission member – new term commencing 1-01-23 through 12-31-25.
 - (2) Sam Bok regular commission member – new term commencing 1-01-23 through 12-31-25.
 - (3) Alternates-
 - (a) No alternates up for renewal this year.
- (4) Discussion: - refer to Township directory for listing of all Board members. Exhibit 13-A of this session.

Chairman Peck requested approval of **resolution #8** reappointing- appointing members of the Twp zoning board of appeal and commission whose terms expired 12-31-22.

MOTION by: Mrs Mayer

SECOND by: Mr. Shaffer

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

Resolution #08-2023 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 2023.

- a) Resolution 09-2023 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 #09-2023 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 2023.

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

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

Resolution #09-2023 was adopted.

ii) ORDER OF BUSINESS NO. 9 - Purchase orders for 2023

- a) Review and sign by Trustees (activates twp spending in 2023.)

iii) ORDER OF BUSINESS NO. 10 - Trustees review and sign 2022 bills processed after the 12-20-2022 meeting.

- a) 4th quarter taxes.

iv) ORDER OF BUSINESS NO. 11 - Travel Training upcoming

- a) Reminder - Co Twp Association and Engineer’s annual meeting..
 - i) Jan 19th @ Co. Senior Center 6 p.m.
- b) Reminder Annual Ohio Twp Association session in Columbus, Ohio, for 2023.
 - i) Jan 25th through 27th
 - ii) Trustee Shaffer and the fiscal officer are registered to attend.

v) ORDER OF BUSINESS NO. 12 - Handouts

- a) Twp directory for 2023 – **exhibit 13a**

vi) ORDER OF BUSINESS NO. 13. - Twp meeting date and times for 2023

- a) Currently regular schedule session is the fourth Tuesday of each month at 6:30 p.m.
 - i) All changes will be posted to the Twp web page <http://www.defiance-county.com/townships/defiance.php> or published in the Def. Crescent Newspaper.
 - ii) Discussion

Chairman Peck requested a motion to schedule of meetings on the **fourth** Tuesday of each month at 6:30 **p.m.** at the
Defiance County Commissioners building
2nd floor conference room
500 Court St.
Defiance, Ohio 43512

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

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

The motion was adopted.

vii) ORDER OF BUSINESS NO. 14. Other Business –

- a) The Chair asked if there is any other business to come before the Board?
 - i) Personnel – resignation of Twp Operator Nicholas Schlosser. Refer to minutes of 12-20-22 session for details.
 - (1) Schlosser has requested verbally to resign. The fiscal officer per Trustee direction has prepared a Twp resolution accepting the verbal resignation.
 - (2) See resolution 11-2023. **Exhibit 14-1** of this session.
 - (3) Discussion – adoption.

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

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

Resolution #11-2023 accepting the verbal resignation of Nicholas Schlosser was adopted.

- ii) Use of American Rescue Plan grant in 2023.
 - (1) Trustees had directed that a resolution be prepared to use American Rescue Plan remaining funds on the Bowman Rd rebuild section of 2023.
 - (2) **Exhibit 14-2** is resolution 10-2023 designating the Township’s available grant dollars of the American Rescue Plan for the 2023 Bowman Rd rebuild.
 - (3) Discussion-adoption.
 - (a) The Chair asked the Trustees wishes?

MOTION by: Mrs. Mayer to use the Twp’s remaining American Rescue Plan funds on the 2023 Bowman Rd rebuild project.
 SECOND by: Mr. Shaffer

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

Resolution #10-2023 was adopted.

viii) ORDER OF BUSINESS NO. 15. - NEXT regular scheduled MEETING:

Date: **Tuesday January 24th, 2023 -**
Time: 6:30 p.m.
Place: Defiance County Commissioners building - 2nd floor conference room-
 500 Court St.- Defiance, Ohio 43512

ix) ORDER OF BUSINESS NO. 16 – Adjournment:

Chairman Peck requested a motion to adjourn this “budget/annual re-organizational” meeting of January 17th, 2023.

Motion: Mr. Shaffer
 Second: Mrs. Mayer

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

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer