

RESOLUTION NO. 2021-__

SALARY METHOD OF COMPENSATION FOR TOWNSHIP TRUSTEES

The Board of Trustees of Franklin Township, Franklin County, Ohio met remotely via teleconference in a regular session on February 11, 2021, at 6:30 p.m., and the following Trustees were present:

() Ralph Horn () John Fleshman () Aryeh Alex

Trustee _____ moved for the adoption of the following Resolution:

WHEREAS, Section 505.24(C) Ohio Revised Code, requires by unanimous vote, a board of township trustees may adopt a method of compensation of township elected officer consisting of an annual salary to be paid in equal monthly payments; and

WHEREAS, If the office of trustee is held by more than one person during any calendar year, each person holding the office shall receive payments for only those months, and any fractions of those months, during which the person holds the office; and

WHEREAS, The amount of the annual salary approved by the board shall be no more than the maximum amount that could be received annually by a trustee if the trustee were paid on a per diem basis as specified in this division, and shall be paid from the township general fund or from other township funds in such proportions as the board may specify by resolution; and

WHEREAS, Each trustee shall certify the percentage of time spent working on matters to be paid from the township general fund and from other township funds in such proportions as the kinds of services performed; and

WHEREAS, A board of township trustees that has adopted a salary method of compensation may return to a method of compensation on a per diem basis as specified in this division by a majority vote; and

WHEREAS, Any change in the method of compensation shall be effective on the first day of January of the year during which the board has voted to change the method of compensation; and

WHEREAS, Township trustees' salaries are limited to two hundred (200) days annually and the amount of compensation varies with the township budget as per the Township Budget Compensation table as set forth in ORC 505.24; and

WHEREAS, The word "budget" means the request filed with the budget commission by the taxing authority, and interpreted as the amount of money that the budget commission certifies that the trustees of a township would have available for expenditures during the fiscal year, as shown on its latest amended official certificate of estimated resources and any amended certificates issued by the county budget commission (OAG 92-003; OAG 99-015); and

WHEREAS, The compensation of a township trustee would be controlled by a budget increase as amended and supplemented, and not the original budget adopted by the trustees,

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assuming that an amended certificate of estimated resources has been obtained from the budget commission recognizing this additional revenue (OAG 79-006; OAG 99-015); and

WHEREAS, The per diem of the trustee for the remainder of the year is that established by statute for the higher budgetary level and will receive the higher salary only from the date the County Auditor approved the amended certificate (OAG 79-006; OAG 92-003; OAG 99-015); and

WHEREAS, The annual salary will be increased on the effective date of the budget increase to the salary for the higher compensation bracket. This increase must be prorated for the portion of the year remaining after the effective date of the increase and would not result in a retroactive payment for the portion of the year already served (OAG 99-015); and

WHEREAS, Trustees on a per diem basis may be paid for work actually done in the service of the township and properly presented to the fiscal officer, therefore an ill trustee who could not work could not be paid, but Trustees compensated on a salary basis could receive salary payments despite an illness (ORC 505.24); and

WHEREAS, In the event that a trustee should die, resign, or otherwise vacate his/her office in the course of his/her term, the successor could draw his/her per diem to the full statutory limit; and

WHEREAS, If the salary method of payment is used, each person holding the office may receive payments for only those months, and any fractions thereof, during which he/she holds the office. For the trustee leaving office, any adjustment necessary as to his/her compensation may be made in his/her final payment.

NOW, THEREFORE, BE IT RESOLVED by the board of township trustees of Franklin Township, Franklin County:

SECTION 1, the Fiscal Officer is authorized to pay the township trustees on a salary basis effective January 1, 2021 forward.

Trustee _____ seconded the motion, the roll was called for its adoption and the vote was as follows:

YES/ NO: **Horn** YES/ NO: **Fleshman** YES/ NO: **Alex**

Trustee, Chairman, Ralph Horn

Trustee, Vice-Chairman, John Fleshman

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Trustee, Aryeh Alex

Attested to on this 11th day of February, 2021:

Fiscal Officer, Mary Rhinehart