

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***January 25<sup>th</sup>, 2011 MEETING***

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday January 25<sup>th</sup>, 2011 at 7:30 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: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, Ed Young - 23013 Watson Rd. eq operator, Joe Kolb 16492 Cullen rd. eq operator, Ruth Ann Schofield - 15968 Campbell Rd, Twp Zoning Commission & Roy Perez -812 Indian Bridge Lane, Twp Zoning Board of Appeals.

Visitors present: Tom Mick 21389 Hammersmith Rd, Dave Mick 14289 Hammersmith rd, Richard Ankney 19133 Hammersmith, Penny Bakle 1204 Wayne Ave, & JoEllen Houck 8 Deville Drive – all of Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the January 11<sup>th</sup>, 2011, re-organizational session.

Peck moved to approve.

Mayer seconded.

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

The MINUTE'S for the January 11<sup>th</sup>, re-organizational session were approved.

**ORDER OF BUSINESS NO. 2 - Citizen concerns:**

- a) The chair asked for citizen concerns from the floor.
  - i) Roy Perez was recognized and raised a concern that the city was dropping large volumes of salt at the entrance to Indian Bridge lane. The city crews apparently turn around at this point. The large volume of salt may cause damage to the road later.
  - ii) Trustees suggested that Mr. Perez contact the city street department.
  - iii) Mr. Perez also thanked the Twp road crew for their efforts to address the recent snow events. (the Twp crew is responsible for the maintenance of Indian Bridge lane).
  - iv) There were no other issues discussed.

**ORDER OF BUSINESS NO.3 - FINANCES –**

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for December – noted a primary checking reconciliation balance of \$103,764.58 balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
  - i) Receipts for January 2011 were \$8,344.44. Payments for January (bills & payroll) totaled \$12,550.16.
- c) The Cash fund summary through January 31<sup>st</sup> 2011, showed an “ending cash balance” of \$800,658.01.
- d) The unencumbered cash balance “cash available” was \$407,291.91 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through January 31<sup>st</sup>, 2011, 1.2% of the years' appropriations had been expended. All reports will be on file in the Fiscal Officer's office.
- f) The fund status report showed:
  - i) The money market investment fund balance as of 01-31-11 was \$702,478.94.
- g) Trustees reviewed and signed the January bills without comment.

- h) Trustees reviewed and signed the January payroll without comment.
- i) Mr. Bakle requested a motion to accept the January financial reports.  
 MOTION by: Dan Peck  
 SECOND by: Diana Mayer  
 YEA(s) 3      NAY(s) 0      Passed X      Failed

The January financial reports were approved.

- j) Exhibit 3-j was reviewed. This exhibit noted the 2010 Rescue runs provided under contract to Def Twp by the City of Defiance Fire Department. The exhibit listed all runs made in 2010 with a cost break out. The contract was signed by Trustees and effective as of 1-1-2010.
  - i) The City charged \$35,944 for this service in 2010.
  - ii) The Twp paid \$23,869.
  - iii) The City collected from the citizens insurance-- \$12,075.00 or 34% of the billable amount.
    - (1) Note: the expense paid by the twp was as projected. However, the projected cost counted on less runs and with no insurance collection. It is impossible to estimate the amount of insurance that will be collected. Therefore, the fire & rescue fund recently projected by the fiscal officer to have 7 to 10 years of funding reserve will have significantly less time if no insurance is collected. It will take several years to determine an insurance collection rate pattern.
- k) Trustees then reviewed exhibit 3-k which was a notice from the City of Defiance pertaining to the charges for the "Fire Combat" contract with the Twp for 2011.
  - i) The total charge in 2011 will be \$56,041 – the 2010 expense total was \$55,260.
  - ii) Quarterly payments of \$14,010.36 will be assessed. This compares to quarterly payment of \$13,815 in 2010.
  - iii) Trustees made no additional comments.
- l) The fiscal officer noted that the Township accounts will be audited in 2011. The State Auditor's office contacted the fiscal officer and noted that the Twp maybe eligible for an "Agreed Upon Procedure" audit.
  - i) Exhibit 3-l - an email from the State Auditor - asked if the Twp desires a "regular" audit or an "Agreed Upon Procedure" (AUP) audit. The fiscal officer explained:
    - (1) The regular audit is much more thorough and more expensive.
    - (2) The AUP is much less thorough and less expensive. With an AUP the entity being audited must have a regular audit every 2 or 3 years (per ORC). Fiscal officer is unsure of the years.
    - (3) The last reg audit was \$3,951. The auditor predicted a 30 to 40% reduction in cost or approximate cost for an AUP would be \$2,400.
    - (4) The chair asked for Board's wishes:

MOTION by: Dan Peck authorize the "Agreed Upon Procedure" audit for the 2009- 2010 Twp accounts.

SECOND by: Diana Mayer  
 YEA(s)      3      NAY(s)      0      Passed      X      Failed

The motion to have the State conduct an Agreed Upon Procedure audit was approved.

**ORDER OF BUSINESS NO. 4 – Zoning** - Status update on the following zoning Issues as of this session:

- a) The Chair asked for the Monthly Zoning report - Inspector's Report - Mr. Jason Shaffer provided the following electronic copy of this report.
  - i) January 2011
    - (1) Applications for permits were given to:
    - (2) Jim Wallace-22094 McCollister Rd. for a remodel project.
    - (3) Johaton Rath-923 Wilhelm St. for a pond that is to be dug at 20557 Power Dam Rd.
      - (a) Waiting on Defiance Water/Soil for Approval of construction.
  - ii) Checked on Zoning Ordinances for Brett Joost of Remax Reality, on a property that is for sale on

Power Dam Rd. I could not find any in the Zoning Regulations. I informed him of my findings.

- iii) Checked on Zoning permits on a house on Williams Rd. It is a Foreclosed residence.
  - iv) Checked on unlicensed vehicles at Charles Clemens at 20989 Co. Rd. #10. I will send a letter to the home owner and inform him of the regulations.
- b) The fiscal officer again reported that the Zoning Commission had completed its task of reviewing and editing the Twp's Zoning Plan. This effort included review and edits to the text, and to the Twp Zoning Map and the Twp land use (planning) map. The Plan was then reviewed by the County Prosecutor. The Prosecutor found the work of the Commission to be within their legal purview.
- i) Shaffer and Houck were working with Soil & Water to revise the Plan per the approved changes. Soil & Water made recommendations in a Nov 15<sup>th</sup> email. Houck is now working to make the changes in the Plan.
  - ii) All changes are effective as of Trustee approval on July 27<sup>th</sup> 2010.
- c) Mr. Bakle asked if there are any other zoning issues to come before the Board?
- i) There were none.

#### **ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) The Chair asked if there were any comments or concerns from Twp employees on current or proposed new eq.
- i) Township equipment operator Ed Young noted he is still looking for a battery charger. The purchase of a battery charger was approved by the Trustees in the November session.
    - (1) Young said he can not find one at the price approved by the Trustees.
    - (2) He said he had found one that is 80amp with a 250 amp jump for \$170. He requested permission to purchase.  
MOTION by: Dan Peck to approve this purchase  
SECOND by: Diana Mayer  
YEA(s)        3        NAY(s)        0        Passed        X        Failed
  - ii) Tom Mick was recognized and asked why the heater in the maintenance building was not working properly.
    - (1) Mr. Bakle stated he thought it was working properly.
    - (2) Ed Young was recognized and stated it seems to use a lot of electricity and is not heating up the area very well. The unit is a 440 volt heater.
    - (3) Mr. Peck suggested that a local electrician "Dave Stollstierner" should be called to assess the problem.
  - iii) Mrs. Mayer was recognized and asked about storing oil, anti-freeze and filters for the Twp trucks on site. This was an issue during the Township efforts to address recent snow events.
    - (1) Mr. Bakle suggested that there should be some hydraulic fluids on site as well.
    - (2) Trustees directed the crew to have back up filters & several gallons of oil and fluids on site so equipment could be topped off after use or as needed.
- b) The Chair asked if there were any other equipment issues to be discussed.
- i) There were none.

#### **ORDER OF BUSINESS NO. 6 - Trustee Report – Monthly Twp Rd inspection**

- a) The Trustee Monthly Twp Rd inspection report, exhibit 6-a as completed by Trustee Mayer was reviewed.
- i) Roads were mostly snow covered.
  - ii) Twp employees present were provided a copy of the monthly road report and instructed to use as a work order.
  - iii) The February - Rd review is to be done by Trustee Bakle.
- b) Project(s) review: – Up-date on existing projects:
- i) The 2011 Project list – exhibit 6-b-1 of work to be done for the Twp by the Co Engineer's office was

reviewed. (this list was a revised version distributed at 1-20-11 Twp Association meeting w Co Eng).  
Project list estimated cost is \$121,926.

- ii) The fiscal officer noted that in addition to the project list to be performed by the Co Engineer's on the Twp's behalf; the Twp's normal road maintenance expenses average between \$70,000 and \$100,000. This amount includes eq maintenance and purchases/payments on eq debt and work crew salary & benefits.

- (1) Exhibit 6-b-2 is the list of projects the Twp provided the Co Engineer at the 1-20-11 annual Co twp association – Co engineer meeting.

- (a) The list:

- (i) Hammersmith road – ditch work – estimated cost \$20k

- (ii) Lakeview Drive – with micro surfacing – \$29,284

- (iii) Indian Bridge lane:

- 1. Full project \$64k – Twp would be required to match any CDBG grant funds.

- 2. A partial project may also be possible:

- a. Full drainage portion only is estimated at \$18,000 – Twp pays half with CDBG or \$9k

- b. A 2/3<sup>rd</sup> drainage project on east side of road – full cost borne by Twp or \$9k

- c. Trustees agreed item 3 would be a minimum effort that would be done in 2011.

- d. Exhibit 6-b-3 was a notice from Maumee Valley Planning for the 2011 CDBG application deadlines. All Trustees determined they would attend this session.

- (b) Total for agreed upon projects by Co Engineer as of 1-24-11 was estimated to be \$52,000 more or less plus regular Twp road work expenses as noted above.

- (c) As of this session the Twp agrees to Co Engineer work totaling a minimum of \$58,284

- (d) Regular twp expenses were estimated at \$100,000

- (2) Total projected rd work expense in 2011 now stands at \$158,284

- (3) Anticipated revenues as noted in the 2011 amended certificate from the County Auditor for road work is \$159,345.00

- iii) Snow removal-plowing was discussed.

- (1) Trustees commended the operators for doing a good job.

- c) The chair asked if there were any other projects to be discussed.

- i) Tom Mick was recognized – he stated that the cement stabilization project by the Co Eng on Krouse road appeared to be breaking up. (described surface damage).

- (1) Trustees noted that the Co Engineer stated at the 1-24-11 Trustee Association – Elected Officials session that this was normal and a crack seal or similar repair maybe needed. Trustees will request the Co Engineer to review the road when weather permits.

- ii) Mr. Bakle then noted that Trustees had been discussing possible work to Cromley road. He suggested that the Trustees meet with the Engineer to acquire a plan of action and a cost estimate. There were none.

**ORDER OF BUSINESS NO. 7 – Handouts were distributed as noted below:**

- a) Monthly (January11) GrassRoots clippings – exhibit 7a
- b) Exhibit 7-b is a revised Def Twp Directory.

**ORDER OF BUSINESS NO. 8 – Old Business**

- a) The effort to acquire a new storage facility for Twp records was discussed.

- i) In the Oct 2010 Twp session, Trustees asked the fiscal officer to work with Twp crews to acquire a price for the unit which will be utilized to house Twp records.

- ii) Exhibit 8-a is a quote to acquire a Twp storage building for Twp records. See mins of Twp sessions from June 10 forward for a history of this effort.

- iii) The quote from Dave's Lawn Barns of Oakwood, Ohio was for \$3,575 set up. The building would be 12 x 16

MOTION by: Diana Mayer to approve this purchase

SECOND by: Dan Peck

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

The motion to purchase and set up a storage shed near the Twp maintenance building was approved.

- b) An up-date on "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance was presented by Mr. Peck represents Defiance Twp..... Mr. Peck noted that he attended the most recent meeting(s) and feels that there is little support to regionalize fire service. The next session will focus on rescue. The committee is getting financial reports on this service.
  - i) Exhibit 8-b of this Twp session is a request for information from the Twp for the city of Defiance. The request is mostly about Twp monetary information. (Twp's costs and budgets to provide fire and rescue service).
    - (1) The fiscal officer has completed the survey & submitted to the city – this is a records request and subject to reply.
    - (2) The Chair asks for discussion... there was none.
- c) The Chair ask if there was any other old business .....
  - i) There were none.

**ORDER OF BUSINESS NO. 9 New Business.**

- a) Exhibit 9 – was a notice from the Defiance county Environmental Services office which stated that the County has determined that this office will no longer provide dead deer pick up on Twp or County roads. This service will terminate as of Feb 1, 2011.
  - i) The chair asks for discussion...there was none.
- b) The annual State Twp (Ohio Twp Association) Winter conf will be Feb 9<sup>th</sup>, 10<sup>th</sup>, & 11<sup>th</sup> 2011.
  - i) Trustee Bakle and Mayer are registered as is the fiscal officer.
- c) The Twp liability and property insurance renewal for 2011 was then discussed. The Ohio Plan Insurance company are the current providers of this insurance for the Twp. Trustees reviewed exhibit 9-d - a proposed renewal agreement.
  - i) The 2011 premium remains the same as 2010's and \$155 less than 2009's.
  - ii) Twp continues to received premium discount for good record and safety discounts.
  - iii) Fiscal officer has provided the Ohio Plan with documentation for safety discounts which have again been applied.
  - iv) With Trustees approval and signature a 2011 premium invoice will be issued.
    - (1) Mr. Bakle noted that he had contacted the Ohio Twp Association's Insurance arm (OTARMA) and they stated they would not bid unless the Twp's current premium was being increased.
  - v) It was noted in the data from the Ohio Plan – that Trustees could lock in the rate at which the premium is calculated for up to two years.
- vi) The chair asked the Trustees for their wishes:

It was moved by Dan Peck – to accept the agreement and to lock in the rate factor for the two year period.

Seconded by Diana Mayer

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

The motion to purchase the insurance for 2011 and to lock in the rate factor for 2012 was approved.

- d) The Chair asked if there was any other new business to come before the board?
  - i) There was none.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

Date: Tuesday – February 22<sup>nd</sup>, 2011 – the annual re-organizational session.  
Time: 7:30 p.m.  
Place: 2<sup>nd</sup> floor of the Defiance County Commissioners building – conf room EMOC  
500 Court Street - Defiance, Ohio

**ORDER OF BUSINESS NO. 11 – Adjournment:**

Mr. Bakle requested a motion to adjourn the meeting of January 25<sup>th</sup>, 2011

It was moved by: Peck  
SECOND by: Mayer

The roll was called and the vote was:

YEA(s) 3      NAY(s) 0      The motion:    Passed X                      Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk