

Minutes
DEFIANCE TOWNSHIP TRUSTEES
March 22nd, 2016 MEETING

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2nd Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday, March 22nd, 2016 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Dan Peck, & Jason Shaffer, Diana Mayer was excused due to family travel. Also present was Tim Houck, Township fiscal officer. With all two of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance-Paulding Co Line Rd 10, Mike Daniels 21786 State Rte 637, Defiance, Ohio, and Jerimiah Marshall of 321 Upton Street, Holgate, Ohio.

Visitors present: Mick Procratsky 322 Antwerp Drive, Hicksville, Ohio, – candidate for Defiance County Commissioner – Monica Dickson 1201 East Ervin St, Van Wert, Ohio, Patti Diemer 23361 Defiance-County Line Rd 10, Rhonda Shaffer 13386 State Rte 15, & JoEllen Houck 8 Deville Dr. all of Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session(s).

Mr. Peck requested a motion for the approval of minutes from the February 23rd, regular session.

Mr. Shaffer moved to approve the minutes as presented.

Mr. Peck seconded.

The vote being 2 Yea(s) 0 Nea(s)

The minutes for the session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

1) The chair asked for citizen concerns from the floor.

a) There were none.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

a) The Reconciliation for February - noted a primary checking reconciliation balance of \$191,588.55-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.

b) Receipt report:

i) Receipts for March (UAN software-) were \$117,224.47

c) Payment reports:

i) Payments for March (UAN software-) were \$25,588.98.

d) The Cash fund summary through March 31st, 2016, (UAN software) showed an "ending fund balance" of \$984,187.55.

i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$453,266.51.

e) Appropriation Status showed that through March 21st, 2016 (UAN software), 5.1% of the years' appropriations had been expended. All reports will be on file in the Fiscal Officer's office.

f) The fund status report (money market) showed:

i) The money market investment fund balance as of 03-21-16 was \$705,238.66.

g) March bills – Trustees Reviewed – Discussed and Signed.

h) Payroll & the time cares of March (time cards provided trustees prior to session) – Trustees Reviewed – Discussed and Signed.

Mr. Peck requested a motion to accept the **March** financial reports.

MOTION by: Shaffer
SECOND by: Peck
YEA(s) 2 NAY(s) 0 Passed X Failed

The financial reports were approved.

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

- a) March report –
 - i) Issued permit for 20 x 20 Outbuilding for Gordie Miller on Bowman.
 - ii) Issued a permit for Aaron Davis for garage on Powers Road, previously burnt down.
 - iii) Waiting on soil and water for 2 site reviews for permits
 - iv) Talk to Janel Honick about a Bodynamic Community farm representative on Ball Road (wanting to lease few acres).
 - v) Talked to Scott Kaiser at Strategies about copy of permit for cell phone tower at camp Lakota

- b) Mr. Diemer, Twp Zoning inspector reported that the Zoning Commission may be called to meet on the possible request of a Jayme Price – 19850 Cromley rd – to re-zone this property from current Agricultural with a “conditional use permit” for residential w authority to operate a cottage business from the residence to “commercial”.
 - i) Diemer noted that he had recently received an application for a conditional use permit. This was then provided to the fiscal officer.
 - ii) The Zoning clerk – T Houck reported:
 - iii) History:
 - (1) In 2007 the conditional use permit was issued-
 - (2) There was a 2 year approval so that the residence could be constructed.
 - (3) In 2008 a conditional use permit was issued to allow for a business to be run on this property (cottage business per zoning plan). The home had not yet been started.
 - (4) The 2 years expired without residential construction.
 - (5) In 2011 – a permit was issued to allow the business building (which was constructed in 2007-2008) to be expanded with an addition.
 - (6) In 2016 Price desires to expand the building again.
 - iv) The process:
 - (1) The zoning commission meets to review the request for a commercial designation.
 - (2) The zoning commission recommends and the recommendation is forwarded to the Trustees.
 - (3) Trustees – vote to accept or reject the recommendation.
 - v) The Commission session requires that a notice be published in the local paper 10 days prior to the meeting and that all property owners within 500’ be notified by mail.
 - vi) On 3-17-16 the fiscal officer received an email from the prosecutor’s office. The lawyer for Mr. Price contacted the Prosecutor. Both attorneys agreed that a rezoning of this property (given location and surrounding zoning) is an unlikely prospect. Both attorneys agreed that a “conditional use permit” would be the most likely successful request. Mr. Price’s attorney will confer with his client.
 - vii) The zoning inspector informed the secretary of the Appeals Board (tjh) that he was called by Mr. Price and the request for a “conditional use permit” application is being filled out.
 - viii) Once this paper work is provided to the secretary a request for the Prosecutor to propose draft language for the “conditional use permit” will be made and an Appeals Board session will be scheduled.
 - ix) With the application the clerk will forward this onto the Prosecutor for review and draft language for the Appeals Bd to review and accept, reject or edit during the Appeals Bd session to be scheduled.

- c) The Chair asked if there were any Zoning issues to be discussed by the Trustees.
 - (1) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
 - i) The F550 was reported down due to a water pump failure. This is to be repaired by Daniels.
 - ii) The chair again asked if there were any other eq issues.
 - (1) There were none reported.

- a) the fiscal officer first reported to Trustees at the July 2015 session that a notice of a recall on the Twp’s 2013 Dodge 1500 (half ton) issue is air bags was received.

- i) Per the notice – Dodge will send another notice when parts for the repair are available to their dealers.
 - ii) As of this session (March) we await further contact from Dodge.
- b) Possible purchase of a tractor. A carryover issue from mid- 2015.
- iii) A Study session was held by Trustees and Twp operators on Jan 30th to discuss eq needs of the Twp. (a copy of the mins of that session is listed in the handout section of this agenda.)
 - iv) That session determined that Trustees would consider the purchase of a replacement tractor for the Twp's present 1997 John Deere 5400 and a new bat wing mower.
 - v) During the Feb. 2016 session:
 - (1) Trustees agreed to acquire a state bid price from the Kenn-Feld Group. This John Deere dealer is near the Twp with a store in Paulding County.
 - (2) Mr. Shaffer stated he had contacted the dealer at the recent Ohio Twp Association trade show in Columbus and was informed that a JD 5000 series tractor with front end bucket (unit has a least a 100 horse power motor) can be purchased through the State Bid process for \$56k more or less.
 - (3) Trustees then decided to acquire two quotes on the purchase of a 10' batwing style mower with blades not knives. Trustees will also determine if this style mower is available via the state bid system.
 - vi) Mr. Shaffer reported that he had contacted the Kenn-Feld group and had a John Deere tractor state bid quote of \$57k. the tractor was an 85 horse power unit. The unit quote includes a front loader bucket.
 - vii) Mr. Shaffer also stated he had acquired an informal quote on a batwing mower unit for the new tractor should the tractor be purchased.
 - (1) The mower would be a Wood's unit – rotary a 10' unit was cost \$15k, a John Deere 10' unit would be \$13k.
 - viii) Mr. Peck noted that previously it was suggested that a 100 horse power tractor for a similar amount was available from a dealer that Mr. Shaffer had contacted at the OTA winter conference.
 - (1) Mr. Shaffer concurred.
 - (2) It was agreed that Mr. Shaffer will contact that dealer.
 - (a) Mr. Joe Mitchell – JD Eq.- London, Ohio, 43140.
 - (3) Mr. Shaffer will report on his findings at the April session.
- c) Zoning computer – in the Jan regular session trustees determined to donate the zoning computer to a community group or non- profit.
- i) It was reported at the Feb. Twp session that no group has yet been found. The computer remains with the zoning inspector – Mr. Diemer.
 - ii) Trustees agreed to take this unit to the Path Center, 1939 E 2nd St, Defiance, OH 43512 (short term homeless shelter in Defiance under the Northwest Ohio Community Action Commission).
- d) The Chair asks if there are any other equipment issues to be discussed..
- i) There was no further discussion on equipment.

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

- e) Trustee Report (**exhibit 6-a**) – Monthly Twp Rd inspection by Trustee Peck.
- i) The chair reported:
 - (1) All April work items are noted on the report. Operator's should refer to the report for their assignments.
 - ii) The April Rd review is to be by Trustee Mayer.
 - iii) Mr. Shaffer reported that he was contacted by a Hammersmith rd resident – Christy Brown who had concerns with flooding from recent late winter rain events.
 - (1) Pictures were distributed (exhibit 6-4).
 - (2) Part of the issue is a raised drive pipe on the Tim Wiseman property which is holding back drainage of storm water. It was noted that Mr. Peck had previously contacted Mr. Wiseman who had agreed to lower the pipe. This has not yet occurred.
 - (3) Mr. Shaffer agreed to contact Defiance Co. soil and water to get their input on the drainage issue. Shaffer will report on his findings at the April session.
- f) **2016 Road projects:** see agendas from the January 13th, 2016 re-organizational session forward for a history. Trustees were provided a proposed list of projects for 2016 presented again at this session as exhibit 6-b – from the Engineer's office.
- i) Trustees determined to expended \$50k of Twp road funds on these projects in 2016 plus the Twp's OPWC 2016 grant of \$37,000 more or less.
 - (1) Trustees were provided a proposed project list by the County Engineer- proposed projects are as

follows- engineer's work is in bold – twp projects are not in bold. Trustees in February's session determined to do all chip and seal projects and those others as listed below:

- (a) **Bowman:** Campbell to Williams 5285'
 - (i) Chip seal – patch & stripe - estimated cost \$6,765.25
 - (b) **Bowman:** Williams to karnes – 2650'
 - (i) Chip seal – patch & stripe - estimated cost \$1,430
 - (c) **Bowman:** karnes to St. Rt 66- 2650'
 - (i) Chip seal – patch & stripe - estimated cost \$1,499
 - (d) **Bowman:** St Rt 66 to Twp line – 5345'
 - (i) Chip seal – stripe - estimated cost \$2,769
 - (e) **Carter:** Genter to St Rt 66 – 2640'
 - (i) Chip seal * patch– estimated cost \$11,073
 - (f) **Def. Paulding co line rd #10:** St rt 66 to east 1 mile – 5280'
 - (i) Chip seal & patch – estimated cost \$13,224
 - (g) **Def. Paulding Co line rd 10** – f twp line to Williams rd - 2640'
 - (i) Chip seal – patch- estimated cost \$8,926
 - (h) **Def. Paulding Co line rd 10** – f Williams rd to st rt 66- 5,280'
 - (i) Chip seal – patch- estimated cost \$15,637
 - (i) **Garman** – Harding to Wilhelm 1275'
 - (i) Chip seal – estimated cost \$2,800
 - (j) **Ginter** – f carter to north to city boundary – 1,320'
 - (i) Chipseal – estimated cost \$2,750
 - (k) **Kibble** – f canal to winn – 2,640'
 - (i) Chip seal & patch- estimated cost \$6,930
 - (l) **Kiser** – f krouse to keller – 5,280'
 - (i) Patch (1) –ESTIMATED COST \$432
 - (m) **Kiser** – f keller to canal - 5,280'
 - (i) Patch (3) –ESTIMATED COST \$1,823
 - (n) **Krouse** – f hammersmith south 1,550'
 - (i) Dura patch - ESTIMATED COST \$???
 - (o) **Mccollister** – f Wilhelm to east 2640'
 - (i) Chipseal – estimated cost \$5,500
 - (p) **Wilhelm** – f Watson to garman – 3,600'
 - (i) Chipseal & patch - \$12,666
 - (q) **Winn** – f kibble to west end 750'
 - (i) Chipseal – estimated cost \$1,750
- ii) **Total estimated expenses by Co Engineer for 2016 is \$83,434.66 reduced from original \$131,522**
- iii) Twp projects by Twp staff or other contractors for 2016:
- (i) In 2013 Trustees determined to insulate the maintenance building on Hammersmith rd.

- (ii) Trustees sought informal quotes in fall of 2015
- (iii) Only Richland const of defiance submitted a bid for this project - \$12,295
- (iv) Trustees determined to proceed with the project.
- (v) It was reported that no work on this project took place in March.

(2) A water supply for the Twp maintenance building on Hammersmith rd.

- (a) Trustees determined in the Sept 15 session that they would seek quotes to acquire a water supply for this building.
 - (i) During the November session Trustees are soliciting informal quotes from Y2K Plumbing and from Tressler Plumbing, Mr. Peck to acquire a 3rd informal quote.
 - (ii) In the March session it was reported that no bids or quotes had been acquired, however, Mr. Peck stated that he had contacted Tressler's Plumbing, Memmers Plumbing and Y2K plumbing of Def. All agree to provide quotes for review in the Twp's April session.

(3) Salt purchases for 2015-2016 winter season were reviewed:

- (a) Mixed \$57.80 purchase price
- (b) Pure \$72.66 purchase price
- (c) 500 tons are available for Def Twp.
- (d) Total salt exp to date: \$17,849.14 – thru Feb. 9th.

g) A financial impact review by the fiscal officer:

- i) As of this session total anticipated cost of all proposed and approved projects for 2016 are estimated to be \$156,000 to \$256,000 more or less.
 - (1) (includes 100k noted in ii below) plus
 - (2) (\$90,000 f eng report - plus
 - (3) twp item 1 & 3
 - (4) there is no estimate of expense on item 2 or 4 or for the purchase of a truck.)
 - (5) The proposed tractor and mower purchase is estimated at 56k for tractor & 8k for mower = \$66k.

ii) Trustees are reminded that:

- (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include projects 1, 3, on this agenda plus salaries, mowing, snow removal etc. This range does not include a truck purchase in 2016.

(2) Items 2 & 4 are also not accounted for in this estimate.

- (1) Anticipated 2016 revenues as noted in the 2016 amended certificate from the County Auditor for road work was \$167,515.00.

(2) Total road expenses year to date are **\$14,799.02**

(3) Total road fund revenues year date are **\$62,154.19**

(4) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer's Office is dated 11-18-2015** and was presented to Trustees at the November 2015 session as part of the "amended certificate" packet. The update includes expenditures from future OPWC grants that the Twp. might receive.

(a) (See minutes from 2011 forward thru December 2013 for history).

(b) Current status – the OPWC has utilized future grants in the amount of \$46,136.00.

(c) The Engineer has informed the Trustees that the grants are promised by law with the passage of issue 1 several years ago. The average annual grant for Def Twp is \$25k for the next 9 years or a total of \$225k remaining give or take.

(d) Trustees are anticipating the use of \$37k of OPWC grants on projects noted above in 2016.

h) Trustees noted that the April work assignments for the Twp. crew are noted in the March monthly road report.

i) Twp cemeteries –

- i) The Chair asked if there are any cemetery issues to be discussed.....
 - (1) There were no cemetery issues discussed.

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

- a) Monthly (March 16) GrassRoots clippings was distributed as exhibit 7a
- b) A revised road inspection report form. (exhibit 7-b) was distributed. This form has twp operator's assigned to specific roads. The form will be considered a monthly work order.

ORDER OF BUSINESS NO. 8- Old Business

- a) During the February session Trustees received notice from the County Commissioners Office of a 2016 County wide demolition program.
 - i) This is grant money from the Moving Ohio Forward prog that can be used to demolish abandoned or blighted residential structures.
 - ii) There is a limit of 1 project per political subdivision and entries must be provided to the Commissioner's Office by May 1, 2016.
 - iii) Trustees believe that a property on Parkview drive is a candidate for this effort.
 - iv) Trustees are attempting to locate the property owner and acquire their support which is necessary for the submittal to the County.
 - v) An update will be provided at the April session.
- b) The Chair asked if there was any old business to come before the Board.
 - i) There were none.

ORDER OF BUSINESS NO. 9 - New Business.

- a) The Chair asked if there is any new business to come before the board?
- b) Twp meeting location & time.
 - i) On 3-17 the fiscal officer received notice from the County Commissioners that the Twp will no longer have access to the meeting room in the Commissioner's building at 500 court street.
 - ii) The fiscal officer is currently a county employee and as of 1 April the fiscal officer will be retired from the Co. The Commissioners indicated in that email (forwarded to Trustees) that the Co. does not allow non County groups to meet after hours in County facilities.
 - iii) Trustees will need to acquire another location.
 - (1) Possibilities as noted in an email from the fiscal officer:
 - (a) A City of Def conference room, possibly at the Perry St. building above the Police Depart. (this building was recently remodeled and these room are presently not used.
 - (i) Note the Twp pays the City over \$120k per year for fire rescue.
 - (b) At the Northtown Mall – there is a community room.
 - (c) Any of the local civic organizations _ Elks, Eagles, VFW,
 - (d) The old American Legion building
 - (e) The YMCA
 - (2) Mr. Diemer stated that the offices of Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512 is available to the Twp. the owner is Beth Sigg. She has volunteered to allow the Twp to meet at her office – there will be no charge for the meeting space.
 - (3) Trustees graciously agreed to accept the offer.
 - (4) Twp meeting schedule will remain the same. Twp regular sessions will be held the 4th Tuesday of each month at 7p.m.
- c) The Chair again asked if there was any other new business to come before the Board.
 - i) There was no other new business discussed.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

- a) The next regular session.

Date: Tuesday – April 26th, 2016.
Time: 7:00 p.m.
Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

ORDER OF BUSINESS NO. 11 – Adjournment:

Mr. Peck requested a motion to adjourn the meeting of March 22nd, 2016

It was moved by: Shaffer

SECOND by: Peck

The roll was called and the vote was:

YEA(s) 2 NAY(s) 0 The motion: Passed X Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk