

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**October 27<sup>th</sup>, 2015 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, October 27<sup>th</sup>, 2015 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, Diana Mayer, & Charles A. Bakle Jr., also present was Tim Houck, Township fiscal officer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Mike Daniels 21786 State Rte 637, John Diemer 23361 Defiance-Paulding Co Line Rd 10 & Jason Shaffer 13386 State Rte 15, Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-County Line Rd 10, Rhonda Shaffer 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.

Mr. Bakle requested a motion for the approval of minutes from the September 22<sup>nd</sup>, regular Township session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

The vote being   3   Yea(s)   0   Nae(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 September - noted a primary checking reconciliation balance of \$233,182.99-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
  - i) Receipts for October (UAN software-) were \$31,903.52
- c) Payment reports:
  - i) Payments for October (UAN software-) were \$14,038.77.
- d) The Cash fund summary through October 26<sup>th</sup>, 2015, (UAN software) showed an "ending fund balance" of \$937,316.94.
  - i) The "cash available" for encumbrances (current reserve- UAN software) was \$288,892.80.
- e) Appropriation Status showed that through October 26<sup>th</sup>, 2015 (UAN software), 25.7% 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 10-26-15 was \$705,091.84.
- g) Trustees reviewed and signed the September bills.
- h) Payroll & October's time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.

Mr. Bakle requested a motion to accept the **October** financial reports.

MOTION by: Peck

SECOND by: Mayer  
YEA(s) 3      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) October report –
  - i) Building permits will be issued to the following:
    - (1) John Karnes @ 14751 SR 111 for a pole barn.
    - (2) Norma Thurau @ 20216 Kiser road for a pole barn.
    - (3) MaryAnn Thornburg @ 24747 Watson RD for an enclosure.
    - (4) Black Swamp Council @ Ginter RD for a Verizon cell tower.
  - ii) Building paperwork will be issued to:
    - (1) Cyndi Ensign @ 2169 Ginter RD for a pole barn. Pending Water and Soil approval.
  - iii) Charges have been filed on Charlene Grant on the property on SR 111 (DAV Hall). I have not been given a Court date at this time.

Jason Shaffer  
Defiance Township[ Zoning Inspector  
Defiance, Ohio 43512

- b) The Chair asked if there were any Zoning issues to be discussed by the Trustees.
  - i) It was noted that there was an Appeals Board hearing on October 13<sup>th</sup>, 7 p.m. 500 Court St., 2<sup>nd</sup> floor conf room.
  - ii) A setback variance was requested to construct a garage by John Karnes 14751 St Rte 111.
  - iii) Appeals Bd granted the variance with the stipulation that there be 36” set back from the property line to ensure property maintenance (mowing).
- c) Mr. Bakle asked if there are any other zoning/nuisance issues to come before the Board?
  - i) There were no other zoning issues reported.

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

- a) The Chair asked if there were any comments or concerns on current or proposed new eq.
  - i) Mike Daniels reported that the John Deere skid loader was repaired.
  - ii) Mr. Daniels also noted he is doing equipment checks (trucks and plows) and putting lights on theTwp'ssnow removal equipment for the upcoming snow season.
- b) John Diemer reported that Richland Twp had asked him if Def Twp was interested in selling the belly plow (from the 2004 international which is not used by Def Twp).
  - i) Trustees made no decision as to whether or not Def Twp would sell this plow.
- c) Jason Shaffer noted that the reclaimer's lifting eye is broken and needs repaired.
- d) the fiscal officer reported to Trustees at the July 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 (October) we await further contact from Dodge.
- e) Trustees in the May and June Twp regular sessions had instructed employees Shaffer and Daniels to check on a used tractor for roadside mowing –
  - i) It was reported that there was not sufficient time to pursue this effort in Oct.
- f) The Chair asked if there are any other equipment issues to be discussed..
  - i) The purchase of fuel was discussed:
    - (1) Trustees are to contact Ottawa Oil and ensure that winter fuel (additives to protect diesel from jelling) is added to the Twp's fuel purchases until the winter season is completed.

g) The Chair again asked 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**

- a) Trustee Report (**exhibit 6-a**) – Monthly Twp Rd inspection by Trustee Mayer.
- i) Trustees noted that berm stone should be placed on Ashwood & on Co Line Rd #8 (Twp section).
  - ii) Carter Rd has a washout that needs addressed.
    - (1) Trustees instructed operators present at this session to get 1 ton of hot mix – dig out and repair the washout on Carter.
  - iii) Trustees' rec'd a verbal request from Doug Layne 22584 Garman Rd for a reimbursement of \$605. Layne had contracted with Benedele Const to place a drain pipe to a catch basin on the south side of Garman to address storm water ponding which backed up onto his property.
    - (1) Trustees noted that Layne should have contacted them and therefore his request is denied.
  - iv) The November Rd review will be by Trustee Bakle.
- b) **2015 Road projects:** During the January 2015 session Trustees were provided a proposed list of projects for 2015 presented as exhibit 6-c – from the Engineer's office.
- i) As of the 10-27-15 Trustee session the proposed work list is as follows. Projects or portions of projects that have been completed are removed from this agenda. For a history see minutes of Twp sessions from January 2015 forward.
  - ii) Remaining proposed projects as of 10-27-15 are as follows- engineer's work is in bold – twp projects are not in bold:
    - (1) **Bowman Road:**
      - (a) **Pavement markings:** from Power Dam to Twp line - \$3,051
      - (b) Trustees noted a slight adjustment to this project at their March session:
        - (i) 1/3 of the road will have a fog sealant applied to the chip/seal, 1/3 a micro sealant, and 1/3 with just the chip/seal. – completed and billed in Oct. this item will be removed from future agendas.
        - (ii) This is to test the longevity of the various applications related to the cost per lane mile to determine the most cost efficient process.
        - (iii) The additional project cost was estimated by Mr. Bakle at \$5,000.
        - (iv) Mr. Bakle stated that this project is now completed.
        - (v) The Twp awaits final billing from the County Engineer's office.
    - (2) **Karnes Road:**
      - (a) **Pavement markings:** from Bowman to Watson - \$342.00
        - (i) Mr. Bakle reported this project is complete.
        - (ii) The Twp awaits final billing from the County Engineer's Office.
    - (3) **Def. Co. Line Rd 8 – in 2015 - asphalt**
      - (a) Via a grant per the Co. Engineer's Office as noted in the Sept Trustee's session.
      - (b) Mr. Bakle reported that this project will not be done until the construction season of 2016 or 2017 depending when the State releases the grant funds. Mr. Bakle suggested this item be removed from future agendas until the County Engineer places the project on the list of projects to be done for the Twp.
        - (i) Trustees concurred.
    - (4) *Pour cement floors in Twp salt bins at Hammersmith rd:*
      - (a) Trustees approved during their April 2013 session to add floors to the salt bins.
      - (b) See mins from April 2013 forward for details.
      - (c) The south side floor was completed Oct 25<sup>th</sup>, 2014.
        - (i) Trustees instructed that the project should be a priority in August.
        - (ii) In Sept. employees reported the project was started but could not be finished due to eq failure (skid-loader).
        - (iii) The chair asked for an update.....
          - 1. work to be done by John Diemer, Jason Shaffer and Mike Daniels.

2. Twp employees Diemer and Shaffer stated the project is complete.
  3. This project will be removed from future agendas.
- (5) In the March 2014 session Trustees approved the berming of Cromley Road to reduce or eliminate drop off.
    - (a) Trustees assigned this to staff as soon as possible.
    - (b) During the August/Sept sessions Mr. Diemer stated that most of the berming has been completed.
    - (c) Twp operator's present stated this project was not yet completed.
  - (6) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.
    - (a) Trustees had previously directed staff to address in November, December etc. with a not to exceed expense of \$3,000 for materials.
    - (b) In the Sept session employees noted that with their regular jobs and the mowing and other assignments from the Trustees – employees do not have enough time to carry out this project.
      - (i) Trustees determined to acquire quotes from a contractor.
      - (ii) Mr. Peck reported:
        1. He contacted three contractors
          - a. Barth Builders of Def
          - b. Hoffman Const of Def
          - c. Richland Const of Def.
        2. Only Richland submitted a bid for this project - \$12,295
        3. A copy (**exhibit 6-b-(6)**) of the Richland bid is on file in the Twp records.
      - (iii) Trustees determined to proceed with the project.
  - (7) Trustees noted that repairs to the ditch area of McCollister rd were not made in July. This damage was caused by Twp mowing efforts in June. (very wet conditions).
    - (a) Twp staff was to address this issue in August.
    - (b) In the August/Sept Trustee sessions, Trustees noted this issue has not yet been repaired and should be addressed in October.
      - (i) This work was not completed in Oct.
        1. Trustees instructed employees to address this issue in November.
  - (8) water supply for the Twp maintenance building on Hammersmith rd.
    - (a) Trustees determined in the Sept session that they would seek quotes to acquire a water supply for this building.
      - (i) There was no progress on this issue in Oct.
  - (9) Mr. Shaffer requested that a "porta-Potty" be rented from Black Swamp Eq of Defiance and placed at the Twp's maintenance building on Hammersmith Rd.

Mr. Bakle requested a motion to approve or deny the request for a rental of a porta – potty from Black Swamp Eq of Def. to be set at the Twp's maintenance building on Hammersmith Rd.

MOTION by: Peck to approve the request  
 SECOND by: Mayer

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

The request to rent and place a port a potty was approved.

**c) A financial impact review by the fiscal officer:**

- i) As of this session total anticipated cost of all proposed and approved projects for 2015 are estimated to be \$161,028 more or less (\$128,028 f eng report plus items 11, 12 and 13- estimated \$13,000 + estimated \$5k for various sealants on the Bowman rd project + \$15,000 (Twp portion of grant) for asphalt work through the OPWC grant prog. for the Def. Co. Line rd 8 project noted above.
- 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 6 through 9 on this agenda – salaries, mowing, snow removal etc. which are not part of the engineer's projects list.

iii) Total road expenses anticipated for 2015 would be \$161,028 plus an estimated \$87,000 (see note on regular twp expenses above) for an estimated total of \$248,028.

(1) Anticipated 2015 revenues as noted in the 2015 amended certificate from the County Auditor for road work was \$165,615.00.

(2) Total road expenses year to date are **\$152,965.42**

(3) Total road fund revenues year date are **\$157,984.34**

(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 6-02-2015** and was presented to Trustees at the June 2015 session as exhibit 6-b. 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) The Chair asked if there are any new proposed 2015 projects that are not now on the above project list:

i) None were offered.

e) Trustees noted that the November work assignments for the Twp. crew are noted in the October monthly road report.

i) Trustees verbally instructed operators present at this session to start to bring salt into the Twp's salt shed. The salt will be from the Co. Engineer's as per past practice.

f) Twp cemeteries –

i) The Chair asks if there are any cemetery issues to be discussed.....

(1) There were no cemetery issues discussed.

#### **ORDER OF BUSINESS NO. 7 – Personnel:**

a) Hiring of a part time equipment operator.

i) In the August 2015 twp session Trustees determined to seek applications for a part time eq operator.

(1) During the Sept Trustee meeting the fiscal office reported that – as instructed - he had scheduled the ad in the local paper requesting interested persons to submit an application and resume. The ad noted that the Twp will accept applications until 4:30p.m. on Oct 19<sup>th</sup>.

(2) Trustees will review the applications and discuss during their Oct regular scheduled session on the 27<sup>th</sup>.

(a) The fiscal officer reports that no applications were received.

b) In the June 2015 session – Trustees noted a concern with equipment breakdowns (repeated break downs – it was noted that age of equipment and or size of eq may contribute to this problem. Trustees also were concerned that operator error might be playing a roll)

(1) Trustees directed that Jason Shaffer and John Diemer conduct training for all part time Twp operators. (Shaffer and Diemer are ODOT employees and are fully trained by ODOT in equipment operations and maintenance).

(2) Trustees also directed that all Twp equipment operators should/must fill out pre-trip inspection forms. As Twp mechanic - Mike Daniel was assigned by Trustees to instruct the operators on the pre-trip inspection.

(3) During the Sept. Trustee meeting Daniels and Shaffer reported:

(a) that it had been impossible to get all the part time employees together (all twp operators hold full time position elsewhere)

(b) Trustees determined that Mr. Bakle will schedule the training....

(c) Mr. Bakle will schedule the training in November.

**ORDER OF BUSINESS NO. 8 - Handouts were distributed as noted below:**

- a) Monthly (October 15) GrassRoots clippings – **exhibit 8a**
- b) Exhibit 8-b – was a notice of a proposed cell tower construction site in Def. Twp.
  - i) The exhibit also contains a property review by Def. Co. soil and Water along with a comments form for the Trustees.
- c) Exhibit 8-c was a notice from the Shelly Company (Stoneco) of a 2016 increase on aggregate prices – 3 to 5%.
- d) Exhibit 8-d – was a notice from Maumee Valley Planning Organization of a meeting to be held Nov 2<sup>nd</sup> – 1p.m. at Def City Hall – community room – 631 Perry Street – Def.
  - i) The topic is –“technical assistance” from MVPO on “transportation Planning” for the region [Defiance, Fulton, Henry, Paulding and Williams Counties]
  - ii) MVPO has been designated by ODOT as a facilitator in the above noted region.
- e) Exhibit 8-e – was a notice from the County Prosecutor’s office of a Trustee Training seminar to be held on Saturday November 14, 2015 from 8a to 12noon in Delaware County.
- f) Exhibit 8-F was a notice that there will be a presentation on the “Community Environmental Defense Fund at the UAW Hall in Defiance (Baltimore Rd) on 11-1-15 at 1:30 p.m.

**ORDER OF BUSINESS NO. 9 – Old Business**

- a) The Chair asked if there was any old business to come before the Board.
  - i) There were none.

**ORDER OF BUSINESS NO. 10 - New Business.**

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

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**ORDER OF BUSINESS NO. 11 - NEXT MEETING:**

- a) Regular scheduled session.

**Date:** Tuesday – Novmeber 24<sup>th</sup>, 2015.  
**Time:** 7:00 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. 12 – Adjournment:**

Mr. Bakle requested a motion to adjourn the meeting of October 27<sup>th</sup>, 2015

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