

Minutes
DEFIANCE TOWNSHIP TRUSTEES
January 22nd, 2013 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, January 22nd, 2013 at 7:00 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. 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, Mike McKibben 28678 Steinmaier Rd, & Joe Kolb 16492 Cullen Rd., - Defiance, Ohio.

Visitors present: Penny Bakle 1204 Wayne Ave., & JoEllen Houck 8 Deville Dr.

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 8th, special reorganizational session.

Mr. Bakle noted that the minutes showed an approved 2013 mileage reimbursement at .555 cents per mile. The Trustees resolution #2013-06 was for the 2013 federally approved rate of .565 cents.

Mr. Peck moved to approve the minutes with the noted change.

Mayer seconded.

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

The minutes for the January 8th reorganizational 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 December – noted a primary checking reconciliation balance of \$264,322.26 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for January were \$10,432.59.
- c) Payment reports:
 - i) Payments for January 2013 were \$6,784.71.
- d) The Cash fund summary through January 31st, 2013, showed an “ending cash balance” of \$972,043.76.
 - i) The “cash available” for encumbrances was \$611,728.03.
- e) Appropriation Status showed that through January 31st, 2013, .5% 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 01-31-13 was \$704,073.62.
- g) Trustees reviewed the proposed renewal of the “Memorandum of Agreement for Deposit of Public Funds” with the State Bank and Trust Company of Defiance, Ohio.
 - i) This was presented as exhibit 3-g. It replaces the agreement that expired in November 2012. The fiscal officer reported that the proposed new agreement is exactly the same as the previous agreement – there is no limit on the amount of funds of the Twp that are protected. The new agreement is a change in timeframe only. The new agreement remains for a five year period and begins upon the fiscal officer’s

signature. Trustees are provided an opportunity to review and sign for ascent. The agreement is retroactive to the November date following the last day of the old agreement. The new agreement covers: (1) November 25th, 2012 through November 24th, 2017.

(2) There was no additional discussion....

(3) Trustees signed the document indicating assent.

h) Exhibit 3-h was then reviewed. This was a notice from Defiance City that the 2013 fire combat contract will be renewed at an annual charge based on the property valuation of the Twp covered by the agreement – precincts A and B. The charges for 2013 for the “fire combat contract” will be \$53,656.00 based on property valuation of \$35,770,630. (it is believed the valuation comes from the County Auditor). The quarter payments will be \$13,414 which will be invoiced on March 1, June 1, Sept. 1 and December 1.

(1) The fiscal officer noted that this is the 2012 contract with a different amount and date. The 2012 quarterly payment was \$13,727 per quarter

(2) There was no further discussion.

i) Trustees reviewed and signed the January bills.

j) Payroll & Januarys’ time cards (time cards provided trustees prior to session) were reviewed without comment and signed .

Mr. Bakle requested a motion to accept the January financial reports.

MOTION by: Peck

SECOND by: Mayer

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

The January financial reports were 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) report for January 2013.

(1) Building permit was issued to Jacci Moss on Power Dam Road, for a sunroom in the front, and a room addition in the back of the structure.

ii) Letters were mailed to the following after being advised by the Defiance County law Office, and given a date of 2/18/2013 to be resolved, or issued a summons to Defiance County Court.

(1) Laurie Garn, 21450 Parkview Dr, reference the burned shed/barn, that was not cleaned up.

(2) David Glick, 13444 Rita St. Paulding, Oh, reference the trailer on Hammersmith Rd.

(3) Juanita Fisher 21513 Parkview Dr, reference her property at 21338 Parkview Dr, reference junk vehicles/trash.

(4) Floyd Hamman, 1733 Sunshine Ln, reference the property at 13878 SR15, failed to clean up his property after the house fire.

(5) resident at 21345 Parkview Dr. reference junk vehicles/ trash.

iii) I am seeking permission to put an article in the Newspaper advising of High Grass/Junk Motor Vehicles in the Township, as well as a Building Permit advisement.

Jason A. Shaffer
Zoning Inspector
Defiance Township
Defiance, Ohio 43512

b) Mr. Bakle asked if Trustees had any objections to Shaffer’s proposal to place ads in the Crescent news as requested.

i) There were no objections

MOTION by: Peck to allow the Zoning ads to be written by Mr. Shaffer noting Def Twp requires permits and an ad noting Twp rules in Zoning code regarding owner obligation and liability on junk vehicles and trash on properties.

SECOND by: Mayer

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

- c) Chairman 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.
- b) The Township continues to seek informal quotes to purchase:
 - i) A replacement truck for the recently sold 95 Dodge – straight pick up;
 - ii) There was no progress reported on this acquisition since the October session.
 - (1) Trustee Peck stated he has asked local used car dealer Bruce Kunesh to attempt to locate a unit suitable to Twp needs.
- c) Trustees asked if Twp employees had any comments or concerns
 - i) Jason Shaffer noted that the strobe lights on the International were not working and as such the unit is not usable during snow events. Shaffer also stated the Mike Daniel (twp mechanic) wants to replace with LED lights.
 - ii) The Trustees approved the proposal.
 - iii) Shaffer also reported that in compliance with orders issued at the last Twp session, he has purchased chain saw chaps (PPE – safety item) for use by the Twp crews when they use the chain saw on Twp projects.
- d) There were no other equipment issues noted.

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

- a) Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Mayer.
 - i) Mrs. Mayer noted several minor pothole issues.
 - ii) Employees were instructed to follow the work order of November 2012-- if there was a need for snow removal in December.
 - iii) It was also noted that the bridge between Bowman and State Rte 66 appears to have at least the beginning of structural issues
 - (1) Trustee Bakle was designed the lead and will discuss the concern with the County Engineer (all bridges in the County are the responsibility of the Co Engineer).
 - iv) Trustee Bakle will be conducting the monthly road inspection for February.
- b) Trustee then reviewed the status of the proposed 2013 road projects as of this session.
 - i) The Trustees & the Co Engineer are working to confirm the project list for 2013. Those projects will be managed and constructed by either contractors or staff from the County Engineer's office.
 - ii) As of 01-22-13 this list (distributed as exhibit 6-b of this session) is as follows – and is based on carryover projects from 2012 and Trustee discussions during the December 2012 regular session.
 - (1) purchase orders of 2013 that will fund the projects listed are:
 - (a) P.O 8-2013, 9-2013, &
 - (b) B.C.36-2013, 45-2013
 - (c) P.o.s total \$179,500
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
 - (e) The exhibit 6-b engineer's project list and estimated prices for all projects listed was **\$178,649.**
 - (2) The remaining .7 mile of Hammersmith from Singer to State Route 111- Trustees are reminded to review the minutes from 2011 forward for history:
 - (a) County Engineer Warren Schlatter and the Trustees determined in the November 12 session to

address this .7 mile rebuild project over the next three year period anticipated to begin in 2013.

- (i) The entire .7 miles will be widened in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road and construct the ditch will be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
 - (ii) .7 mile will be initially constructed (widened) and rough paved in 2013
 1. Widening with rough paving - \$27,300.
 2. Right of way acquisition – \$10,000
 3. Drainage ditch construction - \$10,000
 - a. 2013 exp on this proj \$47,300
 - (iii) A smooth paving will be applied in 2014.
 - (iv) And a final smooth paving will be done in 2015.
- (3) Indian Bridge lane: -
- (a) A proposed future effort - on Indian Bridge lane:
 - (i) Pavement of the west side of the boulevard.
 - (ii) Trustees will apply for a 2013 CDBG grant for construction in 2014.
 - (iii) Exhibit 6-b proposed a lane paving estimated cost \$19,246
- (4) Cromley Road (not on 6-b of 2013)
- (a) A planned resurfacing is anticipated in 2013. Trustees are working with the County Engineer to determine material.
 - (b) There is no cost estimate as of this session.
 - (c) Based on past discussions the fiscal officer has assigned **\$5k** for this project.
- (5) Defiance-Paulding Co line road #10 – Twp portion. From the Sept 2012 session, Trustees noted a section of the road was failing probably due to the summer's drought. Trustees are working with the County Engineer's office to have the failed area repaired in 2013.
- (a) Paving with asphalt 2013 over 2150' estimated cost \$38,002.
 - (b) Repairs to road estimated in 6-b at \$2,641.
- (6) Bowman rd –
- (a) Trustees believe a full depth repair maybe necessary where the road was noted to be failing.
 - (b) Exhibit 6-b estimates repairs to cost \$31,700
 - (c) Also a chip seal is listed at \$37,566
- (7) Lakeview – repairs to surface and drainage. – not listed on 6-b for 2013.
- (a) There is no cost estimate as of this session.
 - (b) Based on past discussions the fiscal officer has assigned **\$5k** for this project.
- (8) Singer Rd-Hammersmith intersection – drainage project. Not listed on 6-b
- (a) First presented to Trustees by Co engineer at the November 2012 session.
 - (b) Re-cap:
 - (i) storm water backs up and flows over Singer and Hammersmith during heavy rain events. This is believed to be caused from a collapsed tile under a private farm field. The field is also impacted as it does not drain properly. This project has been on hold since the spring of 2011. The project requires acquisition of right of way along Hammersmith and Singer Rds.
 - (ii) the faulty tile is on private property and there is no history to document any agreement of maintenance or even how the tile came to be placed under this private farm field. The field is owned by George Newton 14309 Singer rd. The farm land is rented to Andy Schinninger 16158 Bostater Rd, Ney, Ohio. Mr. Shinninger proposed the plan which was prepared in part by Defiance County Soil and Water and was presented by the County Engineer.
 - (iii) The plan is based on the need for certain property owners along Hammersmith and Singer to give up some land for right of way in order to expand the ditch system. Property owners are the County Commissioners, Walter Nickerson, George Newton, Joe Wiseman and Scott Galbraith. Each property owner would be asked to donate the right of way land.
 - (iv) The Farm Service Agency (FSA) would provide a grant to construct a swale over the farm property.
 - (v) A 30" tile would be placed under Singer rd replacing the current 15" tile.
 - (vi) The drainage area into the tile would be enhanced.
 - (vii) The ditches would be widened and possibly a new tile would be placed under Hammersmith

near the Nickerson property.

(viii) As Hammersmith and Singer are Twp rds the Twp was asked to commit to expending **\$11,200.**

(ix) Mr. Schlatter noted that the Twp would need to place another tile along Hammersmith as well and that price was not part of this detail. Mr. Schlatter was asked by the Trustees what the total amount might be to the Twp. Mr. Schlatter responded that approximately \$20,000 to **\$22,000.**

(x) Trustees noted that the present 15" tile under Singer road appears to be draining properly and that the problem exists on the private field. Trustees asked if a swale were constructed wouldn't that address the problem?

(xi) Mr. Schlatter stated that there needed to be significant shaping & removal of soil from the east side drainage point of Singer rd. and a deeper swale in the field for the drainage to work properly. Also that FAS required a 30" tile. The FAS grant is not available without the 30" tile. That tile and the construction necessary to facilitate its proper drainage requires a cash outlay by the Twp.

(xii) Trustees determined to table the project for further study until their January 2013 session.

(xiii) The fiscal office was contacted by the Engineer and was asked to inform the Trustees that he and Mr. Schininger will be available to attend the Feb 26th Trustee session to discuss this project.

(c) 2013 work on Signer per 6-b

(i) Repair patching – cost \$2,194

iii) Total of all projects noted above is **\$221,649.**

2. A financial impact review was presented by the fiscal officer:

i) The total amount of expenditures proposed for 2013 special projects by the County Engineer's office as estimated by the fiscal officer is \$221,649.

(1) The fiscal officer is planning on all expenses to be posted to our cash road fund lines, given that OPWC future grant funds have been used per the Co Engineer in the amount of \$68k more or less. See section below for details.

(2) Trustees are reminded that:

(a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000

(b) Anticipated revenues as noted in the 2013 amended certificate from the County Auditor for road work was \$155,845.

(c) 2012's projections was 156,345.00

(3) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-30-12. There was no change since our last session. The update includes expenditures from future OPWC grants that the Twp might receive. If the Twp fails to receive such grants the twp road funds will be accountable. (see minutes from 2011 forward thru October 2012 for history).

(a) 2012 OPWC postings:

(i) Indian Bridge Lane – culverts	\$11,057.52
(ii) Hammersmith rd – widening contractor work	\$81,275.00
(iii) Hammersmith rd – widening (by county)	\$ 7,679.68
(iv) Hammersmith rd – (ditch contractor & pipe)	\$44,497.50
(v) Total OPWC grant posting in 2012	\$144,509.70

(b) Current status – the OPWC has utilized future grants in the amount of **\$(68,460.26)**

(i) See letter from Co Engineer dated 11-30-12 in amended certificate packet

(c) The Chair asked for discussion..... There was none.

c) The Chair asked if there were any other projects/issues???

i) There were none.

d) The February work assignments for the Twp crew – exhibit 6-e- was handed out to staff.

e) Twp cemeteries –

- i) No issues were noted.

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

- a) Monthly (January 12) GrassRoots clippings – exhibit 7a
- b) The 2013 Twp directory – exhibit 7-b
- c) A notice from Defiance County Soil and Water inviting Twp officials to attend review Twp work that is being provided by Soil and water – rsvp is requested. – exhibit 7-c.
- d) The 2013 certified mileage statement (exhibit 7-d) noting the number of miles of Twp roads was reviewed. This data is provided by the County engineer's office. The Twp has 23.087 miles of roads. Trustees signed and the report which will be returned to the Co Engineer. A copy will be on file in the Twp records.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Up-date on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp
 - i) Trustee Peck reported the Fire Rescue Regionalization Committee will meet in February.
 - ii) Mr. Peck said he will propose that all political subdivisions providing rescue services charge the hospital to which the patient is transported. (see past minutes for more details).
 - iii) Trustee Peck made a motion that Defiance Township support this proposal.

It was Seconded by Trustee Mayer

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

The motion was approved.

Trustees hope to set an example for others to follow.

- b) The fiscal officer noted that the 2013 Ohio Twp Winter Conf will be in Columbus, Ohio, January 30th, through Feb 1st.
 - i) Tjh has registered Trustee Bakle, Zoning Inspector Shaffer and the fiscal officer.
 - (1) Trustee Mayer’s registration was cancelled and the funds were re-deposited into the Twp accounts.
 - (2) Attendees to make their own room reservations.
- c) The Chair asks if there is any other old business
 - i) There was none.

ORDER OF BUSINESS NO. 9 - New Business.

- a) The Chair asks if there is any new business to come before the board?
 - i) A notice (exhibit 9-b) from Maumee Valley Planning Organization (MVPO) along with instructions for the filing of the 2013 CDBG grant was reviewed. The grant is due to the MVPO by April 19th at 4 p.m.
 - ii) The exhibit notes that potential grantees should attend a public hearing scheduled to be held in the Commissioner’s office on Feb 7, at 11 a.m. (refer to exhibit for details).
- b) Mckibben was recognized. Mckibben asked for permission to use water at the Ayersville Water Sewer building for cleaning Twp equipment, instead of installing a water tank at the Twp maintenance building. The cost would be \$15 per 1000 gallons used.
 - i) Trustees approved the proposal.
 - ii) The Chair asked if there was any other new business to come before the board?
 - i) there was none

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – February 26th, 2013.

Time: 7:00 p.m.

Place: 2nd floor of the Defiance County Commissioners building – conf room EMO
500 Court Street - Defiance, Ohio

ORDER OF BUSINESS NO. 11 – Adjournment:

Mr. Bakle requested a motion to adjourn the meeting of January 22nd, 2013

It was moved by: Mayer

SECOND by: Peck

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