

Minutes
DEFIANCE TOWNSHIP TRUSTEES
January 24th, 2012 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 24th, 2012 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 -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 & Mike Daniels 21786 St Rte 637.

Visitors present: Patty Edwards (address not provided), Penny Bakle 1204 Wayne Ave., & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the January 10th, 2012, re-organizational session.

Mayer moved to approve.

Bakle seconded.

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

The minute's for the January 10th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor.
 - i) 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 \$234,890.76 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for January 12 were \$8,379.01.
- c) Payment reports:
 - i) Payments for January 2012 were \$7,902.54.
- d) The Cash fund summary through January 24, 2012, showed an “ending cash balance” of \$938,757.40.
 - i) The unencumbered cash balance “cash available” was \$496,222.40 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through January 24, 2012, .6% 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 01-24-12 was \$703,390.17.
- g) Trustees reviewed and signed the January bills without comment
- h) Trustees, having prior to the meeting been provided with Twp employee's time cards had reviewed same and then, signed the January 2012 payroll without debate.
- i) Mr. Peck requested a motion to accept the January financial reports.

MOTION by: Bakle

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 2012.
 - (1) Received a building permit packet from Stephen L. Phillips at 15711 Sr 66 for an addition to his pole barn. Permit will be issued after Defiance Water/Soil has looked at the property.
 - (2) Received a complaint from Kelly Baumle on Haymaker Rd. reference Chuck Brandons entrance to his property. The entrance is close to Bowman Rd., and is on his property. I spoke to Defiance County Engineer Warren Slaughter, and he advised that Haymaker Rd., is not a Township Rd, nor a County Rd, but is a Private Drive. Therefore, it is a civil issue and that the matter is not our responsibility. I informed Kelly Baumle of my findings and he understood.
 - (3) I received a phone call from B/B Demolitions, of Cleveland, Ohio, reference the tear down of the old Landmark Grain silos, on Perry St, in the City of Defiance. I explained the differences of the City Zoning, and Township Zoning, and gave him the phone number for city Zoning. Demolitions will need to contract the City.
 - (4) Was advised that the New Court date for Tim Font of on the Edge Construction is February 27, 2012 at 1400 hrs. This will be a Final Jury Trial, if the property is not cleaned up to Township Codes.
- b) Mr. Shaffer then reviewed his proposed zoning advertisement regarding permit requirements for Def. Twp. This item was distributed to the Trustees at this time and will be noted as exhibit 4-b in the minutes, a copy being maintained with the meeting minutes.
 - i) Mr. Shaffer informed the Trustees that the notice had been reviewed by the County Prosecutor's office and was approved to run as written.
Mr. Bakle moved to approve the ad to be run in the Crescent News.
Mrs. Mayer seconded

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

The advertisement was approved.

- c) Mr. Peck 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) Daniels – reported that he has been working on the skid loader and the John Deere tractor (purchased used in 2010)
 - ii) Daniels also reported that the Dodge 1 ton truck needs a new radiator.
 - (1) Trustee Bakle asked what had caused the radiator issue.
 - (2) Daniels said the unit had not been washed after snow removal/salting events and that due to this the salt rusted out the radiator.
 - (3) Trustee Peck said his personnel vehicles are much newer than the 1995 Dodge truck and they have rust issues. Peck noted that some rust is to be expected and that the unit being as old as it is will require additional attention.
 - (4) Trustees then discussed the possibility of replacing the 1995 Dodge.
 - (a) Trustee Bakle suggested checking out the ODOT web page for units that they might be moving. Bakle noted that ODOT takes good care of their equipment.
 - (b) Daniel suggested that a 1 ton or 4900 series truck from ODOT would make a good truck for Twp roads as the truck is smaller and more maneuverable.
 - (c) Trustee Peck said he will also check for used trucks from local dealers.
 - (d) Trustees agreed to review all information at their next session February 28th.
- 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) The Trustees verbally instructed operators from the notes on the inspection report on work that was to be done.
 - (1) Pot holes to be filled when conditions allow.
 - (2) Trustees will call out for snow removal work.
 - (a) Per Trustee past direction – Ed Young reported he will be on vacation and unavailable for work from February 15th through the 22nd.
- b) Trustee reviewed the status of proposed 2012 Twp rd projects that are to be done by or managed by the County Engineer's office on the Township's behalf. This list was presented as exhibit 6-b which was handed out at the meeting. The fiscal officer reported he had received this notice on Monday the 23rd after the agenda's had been delivered to the Trustees. Therefore the data on these projects listed on the agenda will be adjusted to the engineer's list.
 - i) Exhibit is dated 1-23-2012 -- this list is as follows:
 - (1) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010
 - (a) For portion of ditch west of Singer rd
 - (b) Project was awarded to Webb Const of Defiance.
 - (c) The Co Engineer has stated this project will be done in spring of 2012 or just before this section of the road is rebuilt.
 - (i) There was no further discussion.
 - (2) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial – if work is performed by Co Eng crew \$10k
 - (a) The Co Engineer has stated that this project will be done by the Co when the road rebuild is done on this section of Hammersmith.
 - (b) The Co engineer's staff will be able to do the work for \$10k or less as estimated as of August 2011.
 - (3) Rebuild Hammersmith Rd from its west end Def Twp terminus -- easterly approximately to Singer Rd.
 - (a) The project will be bid by the Co Engineer – the project's new estimated cost is \$180,500. This figure includes pavement markings per the engineer's list:
 - (i) \$80k in OPWC grant dollars &;
 - (ii) \$100,500 from Twp road funds. This is up from the previous estimate of \$70.5k
 - (iii) The chair asked for discussion...
 1. Trustee Bakle said he would speak with the County Engineer to find out why the cost was increased.
 2. The fiscal officer opined that the OPWC funds pledged to this project exceed the remaining balance per the engineer's spread sheet detailing the status of these funds.
 3. Trustee Bakle said that the engineer had told him the grant dollars for this project were separate from the OPWC dollars noted in the report on these funds (exhibit 6-c-ii of this session). Bakle said the grant funds for this project were part of a separate grant application prepared by the County Engineer.
 - (iv) Trustee Peck asked if the Trustees would be interested in contacting the Co Engineer and asking if the County would want to take over Hammersmith road, given the high volume of traffic on this road and the fact that the road west of Krouse intersection is already a Co road. Peck would hope to trade the twp's portion for a similar number of miles of other less heavily traffic Co roads in Def Twp.
 1. Trustees approved Mr. Peck to raise this issue with the County Engineer.
 - (4) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200
 - (a) In August 2011 – Trustees voting 2-1 approved the use of Twp funds to pay the following:
 - (i) Drainage project – \$9k to \$12k
 1. Consists of 9 of 11 drainage pipes – to drain storm water on east side of the boulevard to the center of boulevard ditch.
 2. Work to be by county engineer over winter of 2011-2012
 3. Trustee noted that the engineer's office will now place all the drainage pipes during this

effort which include two additional pipes per the Engineer's plan on the west side of the boulevard. The anticipated additional cost is approximately \$3,000.

- (ii) Additional upgrades to Indian Bridge lane planned for 2012 were reviewed.
 - 1. In 2011 the Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds
 - 2. The Twp is pledged to provide \$5,200 towards paving

(b) Trustee Bakle has indicated he will support applying for a CDBG grant in 2012 for pavement of the west side of the boulevard. Those grant dollars if acquired would be used in a 2013 project.

(i) There was no further discussion..

(5) Ball Road

(a) Hot-mix patching - \$3,130

(b) A crack-seal - \$2,750

(c) A chip & seal- estimated cost per the Co Engineer's office - \$9564.

(d) Pavement markings - \$613

(e) Possible replacement of the culvert at Ball and Canal (this issue was patched in the fall of 2011) and may or may not need replaced. No cost estimated yet provided.

(6) Cromley Road

(a) A chip and seal on the portion from Krouse east for approximately 1450' - estimated cost \$3,278

(b) Pavement markings - \$310

(7) Kiser rd – new from past discussions – on the engineer's list –

(a) A hot-mix patching - \$6,032

ii) Total anticipated project costs using both OPWC and Twp funds for 2012 is \$226,908.

(1) Of this total grant money may account for \$135,000 – if the Hammersmith project is as thought an additional grant.

c) Financial impact review:

i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908.

(1) Trustees were reminded by the fiscal officer that:

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

(b) Anticipated total projected rd work to be posted to the Twp road funds in 2012 to date are at least - \$107,000 more or less (not including OPWC grant funds.)

(i) There are still projects noted above that are without cost estimates.

(c) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road work was \$156,345.00

(i) At present it is estimated that exp will exceed rev by about

1. \$40,000 to \$50,000

(d) The chair asked for discussion

(i) Trustee Bakle stated we have been saving funds for the Hammersmith project and these funds are available for this purpose.

(2) The Co Engineer's office had prepared a report on the status of the Township's OPWC grant funds. This was exhibit 6-c-ii in this session as provided by the Co Engineer to the Trustees at the annual Engineer/Twp Association session held Jan 19th, 2012.

(3) an accounting by the Co Eng office of the OPWC grant funds being expended on the Twp's projects was listed.

(4) The 2012 grant report update includes carryover funds from previous OPWC grants–

(a) The exhibit lists the projects from 2009 through 2011 and posted to the Twp's grants

(b) The expenditures from 09 through December 2011 were (\$20,679.48)

(c) The grant balance now stands at (no change from Sept 2011) \$55,275.01

(d) The report indicates that the Hammersmith project is to be posted at least in part to future grants from this program.

(e) The chair asked for discussion.

- (f) The fiscal officer noted that if there is not a special grant for the Hammersmith project then that project alone exceeds available grant funds to the Township.
 - (g) The fiscal officer will contact the engineer to get a status on grants for 2012 for Defiance Twp and will report to the Trustees at the February session.
- d) Other projects/issues???
- i) the annual project list form from the County Engineer's office which had been provided to Trustees at the Dec 2011 session was discussed.
 - (1) Trustees noted that the engineer has already presented the project list for 2012 to the Trustees so no further action is required.
 - ii) Trustee Mayer noted on her report that several trees need trimmed that appear to have a potential negative impact on Twp road traffic. Mayer notes the trees are on private property off road right of way but may impact traffic.
 - (1) Trustees asked the fiscal officer to prepare a sign off sheet which Trustees will present to the land owners and asked for permission for the Township to trim the trees as necessary.
 - (2) This issue involves property bordering on Brandt and Lowell roads.
 - (3) If property owners approve then the Trustees will contact the Co Engineer to have them address the issue on the Township's behalf.
 - (4) No cost estimate is yet available.
 - iii) Trustee Peck said there are also trees of concern on Sponseller and Bowman. It is believed these trees are on Twp road right of way. Mr. Peck will contact the Co. Engineer to have these trees trimmed and or removed as deemed necessary.
 - iv) Trustees then reviewed exhibit 6-d which was a notice from the Ohio Rail Development Commission (ORDC) that this group will be doing inspections of rail crossing of Twp roads. They will report to the Twp of deficiencies in approach markings.
 - (1) They suggest the Twp's review these issues and address in order to avoid the "non-compliance" designations which must be sent to the Federal Highway Administration (FHWA)
 - (2) The ORDC plans to complete their inspections by June 30th, 2012.
 - (3) The Trustees took the information under advisement and will review with the County Engineer.
- e) Salt purchases for 2011-2012 for snow removal efforts by the Twp were reviewed.
- i) The fiscal officer had prepared exhibit 6-e, a spreadsheet noting salt mix acquired by the Twp and stored in the Twp salt bins on Hammersmith road.
 - ii) The twp is acquiring mixed salt (2 parts salt 1 part grit) at \$55 per ton.
 - iii) As of this session the Twp had acquired 66.5 tons and the Twp salt bins at the Hammersmith maintenance building are stocked.
 - iv) There was no further discussion
- f) Trustees were then presented with exhibits 6-f- 1 and 6-f-2 – policies for a required ODOT road sign maintenance program. The fiscal officer noted that these exhibits were being passed out at the session as he was provided the exhibits after the agendas had been distributed to the Trustees. This program was noted in the January 20th County Engineer-Township meeting. It is the "Traffic Sign Retro-reflectivity Maintenance Program. The program is a requirement of both the Federal Highway system and ODOT.
- i) Road signage – including both traffic control and notice signage must be maintained with a minimum retro -reflectivity standard.
 - ii) The Co Engineer's office has the equipment to measure the retro- reflectivity of road signs.
 - iii) Exhibit 6-f-1 is a policy that authorizes the Co. Engineer's office to measure the retro- reflectivity of the Township's road signs and to replace those that fail to meet the minimum standard. This policy also charges the Co Engineer with the responsibility to maintain compliance for all Def Twp signage.
 - iv) Exhibit 6-f-2 is a policy that allows for a replacement program on a rotating basis.
 - (1) Trustees determined to pass a resolution adopting 6-f-1 as the Twp policy which authorizes the County Engineer to measure and maintain compliance with this program.

It was moved by Mr. Bakle to adopt resolution 2012-09 adopting the sign retro-reflectivity requirements outlined in Twp policy presented as exhibit 6-f-1.

Seconded by Mrs. Mayer

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

The resolution was approved.

The fiscal officer is to prepare the resolution of Trustee signatures and then provide to the County Engineer.

- g) Twp cemeteries –
 - i) The chair recognized Ed Young who noted that a small stone was down in Cromley cemetery.
 - (1) Trustees asked if Young could set it up and he responded yes, but per procedure he wanted direction.
 - (2) Trustees instructed him to set the stone when conditions permitted.
- h) The Chair asked if there are any other questions or concerns...
 - i) There were none.

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

- a) The Monthly (January 12) GrassRoots clippings – exhibit 7a was distributed without comment.

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) Mr. Peck stated that the next regionalization meeting will be February 7th.
- b) Exhibit 8-b was then reviewed. This exhibit notes charges by the city of defiance for the fire combat contract for 2012.
 - i) The exp is based on the 1.5 mil levy assessed on all twp property which is valued at 36.6 million more or less for a total of \$54,910 or \$13,727 per quarter
 - ii) This is a monthly payment slightly less than in 2011 due to property devaluations from the current economy.
 - iii) There was no additional discussion
- c) Trustees noted the Annual Ohio Twp Association session this year is Feb 8, 9, 10.
 - i) The fiscal officer has submitted registrations for Trustees Bakle and Mayer, Zoning Inspector Shaffer and himself.
 - ii) Rooms are the responsibility of each individual.
 - iii) It was stated by the fiscal officer that attendees need to acquire proper documentation per policy for reimbursements
- d) The Chair asked 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) The fiscal officer presented exhibit 9 to the Trustees for review. This exhibit also arrived in the Township’s office on Jan 23rd after the monthly agenda had been distributed to the Trustees. The exhibit is a copy of the Township’s property & vehicle insurance policy for 2012 along with the 2012 invoice & explanation of coverage and slight increase in the annual premium. The Township is insured by the Ohio Plan. Trustees had voted in January 2011 to authorize a two year commitment to the Ohio Plan if the rates remained the same.
 - ii) The exhibit explains that the rate is the same; however, the premium had increased by approximately \$40 for the annum do to the Plan’s 10% increase in the value of the property and equipment being insured.
 - (1) The premium for 2011 had been \$3,257
 - (2) The premium for 2012 is \$3,296.
 - (3) Trustees accepted the Plan renewal without further debate.
 - iii) Trustee Mayer requested that the March session be moved as she has a conflict with the present scheduled date.
 - iv) Mayer requested that the March session be held on the 3rd Tuesday of the month (March 20th) instead of the

regularly scheduled 4th Tuesday or March 27th.

Mayer moved that the March meeting date be changed to the 20th, same place and time.
Bakle seconded

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

The motion was approved.

The fiscal officer will, per Township policy regarding change of meeting, post the change on the public bulletin board in the main hallway of the Commissioners building.

- b) The Chair asked if there was any other new business
- i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – February 28th, 2012.
Time: 7:00 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
 500 Court Street - Defiance, Ohio

ORDER OF BUSINESS NO. 11 – Adjournment:

Mr. Peck requested a motion to adjourn the meeting of January 24th, 2012

It was moved by: Bakle
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