

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**January 24<sup>th</sup>, 2023 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 24<sup>th</sup>, 2023 at 6:30 p.m. Answering as present were Diana Mayer, Dan Peck, & Jason Shaffer. With three (3) of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Steve Buchholz 1615 South Clinton St., Harry Railing 14951 Power Dam Rd. & John Diemer 23361 Defiance-Paulding Line Rd. all of Defiance, Ohio.

Visitors present: Jeff Mayer 500 Harrison st., Bruce Standley 15779 St. Rt. 111, Matt Killion 14809 St. Rt. 111, & JoEllen Houck 8 DeVille Dr. of Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

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

The Chair requested a motion for the approval of minutes from the January 17<sup>th</sup>, 2023 re-organizational, budget and regular session.

Mr. Shaffer moved to approve the minutes as presented.

Mrs. Mayer seconded.

The vote being   3   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) Mr. Bruce Standley was recognized.

i) Standley stated he was concerned that a number of campers could be placed on property that is across the river from his residence. This would, in his opinion, be unsightly and cause a devaluation of his property. Further, he stated that he had researched the zoning rules and finds that there is nothing in place to limit the number of campers that can be placed on a property.

(1) Trustees noted that recreational campers must be moved after a period of time (per the zoning plan); and that there cannot be a public camp ground as that would be a commercial business. Non of the properties of concern are zoned for commercial use. (property owned by Ron Kuhn parcel b11 0009G00100 and the estate Don Benedele).

ii) Mr. Matt Killion was recognized.

(1) Killion stated he agreed with Standley and that there should be a limited number of campers-recreational units per parcel.

(2) Both Killion and Standley said they have been trying to contact the Twp's Zoning Commission but have been unable to do so. Killion and Standley would like the Zoning Commission to edit the current zoning plan to address their concerns.

(a) Trustees stated they will contact the Zoning Commission's secretary to have a Commission meeting to reorganize and to decide if they need to edit the existing plan.

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

1) The following financial reports provided to the Board were reviewed.

a) The Reconciliation for December - noted a primary checking reconciliation balance of \$296,634.36 - balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.

b) Receipt report:

i) Receipts for January (UAN software-) were \$14,258.06.

c) Payment reports:

i) Payments for January (UAN software-) were \$10,024.01.

d) The Cash fund summary through- January 23<sup>rd</sup>, 2023 (UAN software) showed an "ending fund balance" of

\$1,454,955.68.

- i) The “cash available” for encumbrances (unencumbered fund balance- UAN software) was \$836,058.70.
- e) Appropriation Status showed that through January 23<sup>rd</sup>, 2023 (UAN software), .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 01-23-2023 was \$1,159,421.90.
- g) American Rescue Plan Act – Def. Twp – refer to mins of Twp sessions from July 2021 forward for details.
  - i) The Ohio Office of Budget Management (OBM) is managing the grants for many of Ohio’s political subdivisions.
    - (1) As of this session the Def. Twp award is for \$176,505.54 + \$353.32 from OBM received in March 2022.
      - (a) Total expended to date is \$158,703.95. per resolution 10-2022 on the Bowman Rd rebuild 3<sup>rd</sup> mile segment.
      - (2) In the January 17<sup>th</sup>, 2023, Twp session Trustees approved resolution 10-2023 which designates use of the remaining grant funds on the 2023 Bowman Rd rebuild project – 4<sup>th</sup> mile segment.
        - (a) Remaining funds in this fund line is \$32,154.00.
      - (3) The chair asked if there were any questions?
        - (a) The fiscal officer noted that once the funds have been expended the grant will be closed out.
  - h) ODOT grant “Twp Stimulus Program”. Funding provided by Federal government – part of covid relief to states. See mins of sessions from August 2021 forward for details.
    - i) On November 23<sup>rd</sup>, 2021, the County engineer prepared grant applications:
      - (1) The Twp was awarded a grant of \$175k for the reconstruction of Ginter Rd. (joint project with the City of Defiance).
        - (a) The fund line in the UAN system has been set up and the award/grant has been posted to the fund.
    - ii) As of this session:
      - (1) The money is appropriated as the project is to take place in 2023.
      - (2) The Trustees are utilizing the County Engineer as project coordinator.
      - (3) The County Engineer is working with the City of Defiance preparing bid specs.
      - (4) The chair asked for any discussion?
        - (a) There was none.
  - i) Arps Hardware – billing issues: see Dec 2022 meeting mins for details.
    - i) As of this session,
      - (1) Arps hardware has emailed (on 12-2022) the fiscal officer that the re-issued checks have been posted to the Twp’s account and there is no balance due.
      - (2) The fiscal officer has asked Arps to provide a completed W-9 form for Twp records. The Township awaits the form for processing.
      - (3) The fiscal officer recommends that the Twp does not do any additional business with Arps until Arps provides the form, as it is necessary to determine if a 1099 is to be issued.
    - ii) Discussion?
      - (1) Trustees agreed that the Twp will not make any new purchases until the w9 form has been properly filled out and returned to the fiscal officer.
      - (2) Once the Twp gets the completed form the operators are free to use this vendor.
  - j) Bank Depository for township funds is presently the State Bank and Trust.
    - i) Said agreement was renewed by the Trustees on January 23<sup>rd</sup>, 2018 and is in effect from November 24<sup>th</sup>, 2017 to November 25<sup>th</sup>, 2022.
      - (1) The agreement pledges the bank’s assets to cover the Twp funds which are on deposit at this institution.
      - (2) The bank per agreement – is matching the Star Ohio interest rate on the money market account (investment account).
      - (3) The agreement is due for renewal.
      - (4) **Exhibit 3-j** is the draft agreement.
        - (a) The agreement is being reviewed by the prosecutor for his approval to adopt.
  - k) Fiscal officer reported he has posted the Twp’s 2022 fiscal records to the State Auditor’s Ohio checkbook program. This is done annually and allows public scrutiny of the Twp’s funds.

- l) January bills through the 20th, – Trustees Review – Discussion and Signature.
- m) Payroll & January time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.
- n) Mr. Peck requested a motion to accept the January financial reports.

MOTION by: Mayer

SECOND by: Shaffer

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) January monthly Zoning report -
  - i) permits issued:
    - (1) none
  - ii) Zoning issues:
    - (1) Talk to Dennis Collins about property on Defiance Paulding Co. LN on zoning
  - iii) Nuisance violations:
    - (1) None in January
  - iv) Site reviews:
    - (1) None
  - v) Misc :
    - (1) Andy Bok waiting for a site review from Soil and Water for const of barn – May rd
    - (2) Talked to Mrs Feeney Parkview Dr- about someone possibly running a business in a building

Respectfully submitted

John Diemer, Twp. Zoning Inspector

- b) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
  - (1) There were none.

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

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
  - i) Possible new truck to replace 2005 F550 – refer to mins from July 2022 Twp session forward for details.
    - (1) January Update –
    - (2) The fiscal officer was contacted by Stykemain’s Paulding store in December.
      - (a) 1255 N. Williams St
      - (b) Paulding, Ohio 45879
      - (c) 419-399-2031
    - (3) The sales rep is Brian Davis – [brian@stykemainchevy.com](mailto:brian@stykemainchevy.com)
    - (4) Davis said he was instructed to call me by Steve Buchholz
    - (5) We confirmed:
      - (a) Stykemain’s is not part of the DAS system.
        - (i) The fiscal officer provided contact information for Stykemain’s and they will see if they can become a DAS dealer.
      - (b) Stykemain’s will also provide a bid spec document in word formatting to the Township. Said specs must be modified to allow for other brands to bid.
      - (c) The fiscal officer informed Stykemain’s that we would like to begin the public bid process as soon as possible in the new year.
      - (d) As of this session we await the bid specs.
      - (e) Discussion
        - (i) Shaffer stated he had spoken with Kalida Truck rep Jeremy –
          - 1. Kalida truck is a DAS vendor.
          - 2. Kalida Truck can order a truck for the Twp ( expect long delays at this time) or Kalida Truck could put a bed and salt and plow equipment on a truck cab and chassis from another vendor.
        - (ii) Trustees are studying their options.

- ii) The Chair asked if there were any other eq issues for discussion?
  - (1) There were none offered.

**ORDER OF BUSINESS NO. 6 - Trustee Report – Monthly Twp. Rd inspection and road projects.**

- a) Trustee Report (**exhibit 6-a**) – Monthly Twp Rd inspection by Trustee Peck.
  - i) It was noted that a pothole should be addressed – located at entrance to Parkview.
  - ii) There were no other issues noted.
  - iii) The February review is to be by Trustee Shaffer.
- b) 2023 Road projects:
  - i) Trustees refer to **exhibit 6-b** an email dated 1-20-23 from the Co. Engineer presented at the Jan 24<sup>th</sup>, 2023 session. This is the 2023 list of proposed projects for the Co. Engineer. This does not include estimates of expenses for the 2023 4<sup>th</sup> mile of the Bowman Rd rebuild project.
  - ii) The road maintenance program is tracked separately in this agenda from the Bowman Rd rebuild or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(1) Co. Engineer road maintenance proposals as follows for 2023:

	<b>Est.</b>	<b>Actual cost</b>
(a) <b>Paving:</b> - no paving projects for 2023 per the 1-24-23 session.		
(i) <del>ParkView Drive 2,560'</del>	<del>\$24,225.79</del>	<del>\$</del>
(ii) <del>Schroeder Rd 1,182'</del>	<del>\$10,897.85</del>	
(iii) Total paving	<b>\$35,123.64</b>	
(iv) Trustees agreed to chipseal and not pave for 2023. Both roads are under the chipseal proposal.		
 (b) <b>Chipseal:</b>		
(i) Kiser Road – from Krouse to Keller - 5325'	\$12,072.86	\$
(ii) Kiser Road – from Keller to Canal – 5,316'	\$12,053.83	\$
(iii) Parkview Drive – 2,560'	\$ 3,102.99	
(iv) <u>Schroeder Street – 1,182'</u>	<u>\$ 1,433.13</u>	
(v) Estimated total exp. of chip seals	<b>\$28,662.81</b>	<b>\$</b>
 (c) <b>Patching:</b> for 2023 –		
(i) none proposed.		
 (d) <b>Crack Seal-</b>		
(i) None in 2023		
(e) <b>Pavement Markings:</b>		
(i) Kiser rd – Krouse to Canal – 10,641;	<b>\$5,694.94</b>	
(f) <b>Total est and final expenses for 2023-</b>	<b>\$34,357.75</b>	

- iii) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
  - (a) There was no construction work done in 2019 due to scheduling issues.
  - (b) Approximately 1 mile of the 4 mile project was completed in 2020:
  - (c) Approximately 1 mile of the 4 mile project was completed in 2021.
  - (d) Approximately 1 mile of the 4 mile project was completed in 2022.
  - (e) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2023 is \$156,746.50
  - (f) Mike Weihrauch of the Co Eng Office provided this est in a 1-23-23 email.
  - (g) Proposed 2023 effort is the final mile of this project - **5448'** or approximately the 4<sup>th</sup> mile.- Campbell to Power Dam
    - (i) **PAVING:** -
      - a. **Est. cost** **Actual cost**
        - i. \$112,195.92
      - (ii) **Pavement Markings:** - **Actual cost**
        - i. \$2,910.58
      - (iii) **WIDENING:** -
        - a. **Estimate** **Actual cost**

i. \$41,640 \$  
(iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2023 is \$156,746.50

1. Trustees have determined to dedicate the Twp's remaining American Rescue Plan grant to this project. Refer to item 3-g above.

(2) **2023 section (final mile of proj)**

(a) prep by co engineer to be billed to OPWC grant in 2023.

(i) Estimated owed per Co Eng Office – Jeff Timbrook - is 80k plus or minus this may include some tree trimming projects the Trustees had requested.

(3) Per past practice, the County Engineer's Office will coordinate all activity.

iv) Twp projects by Twp staff or other contractors for 2023:

(1) The Chair asked if there are any proposed or in progress projects for the Twp staff or private contractors for 2023?

(2) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to Carter Rd - see mins from Jan 2020 forward for details.

(a) Trustees and the City agreed to a rebuild project. An agreement is on file and prints out a summary of the work to be performed.

(i) Estimated project cost is: \$162,296.49.

(ii) this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.

(iii) As of 03-29-22 an ODOT stimulus grant written by Co. Eng. Schlatter on the Twp's behalf was approved for funding this project.

1. The grant award is for \$175k

(iv) This grant has been posted to Twp fund lines as of this session.

(b) This project is scheduled for 2023.

(c) The County Engineer and the City of Def are working on a bid spec packet as of this session.

(d) Discussion:

(i) There was none.

(3) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.

(a) Trustees to determine timeframe based on available road dollars in the Twp road funds:

(b) Discussion:

(i) none

c) **2023 financial impact review by the fiscal officer:**

i) The fiscal officer reported:

(1) Total road fund revenues year date are \$ 11,115.78

(2) Total road fund expenses year to date are \$ 983.73

(a) These figures are tracking road tax revenues regularly received and expended by the Twp.

(b) **These figures do not include the grant money- American Rescue Plan or ODOT stimulus.**

(c) Road salt purchased - 2023– total \$0

ii) Anticipated road funds revenue (tax receipts) for 2023 – based on the January 7th, 2022 1st Twp amended certificate was:

(1) \$227,400 more or less

iii) Anticipated expenses for 2023 – as of this session:

(1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2023 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects estimated or completed so far this year.:

(2) 35k +/- Road maintenance program by Co. Engineer - has been estimated by Co Engineer refer to item 6-b of this agenda - proposal from Co. engineer.

(3) \$160k – estimated for Bowman Rd rebuild in 2023 – refer to exhibit 6-B of this session.

(a) To be funded in part by American Rescue Plan grant per Trustee resolution 10-2023.

(4) 40k savings towards Carter rd rebuild - project - unless Trustees determine another project.

(a) 40k was earmark in the 2022 budget so at end of 2023 80k should be available.

iv) Discussion;

(1) There was none.

- d) **A recap of the OPWC grants (LTIP & Issue 2)**– see minutes of previous sessions for history. An update was last received from the Co Engineer’s Office dated 11-07-2022.(exhibit 6-f of the Nov. 22<sup>nd</sup>, session).
  - i) Current status as reported by the fiscal officer
    - (1) The Engineer had previously informed the Trustees that with the passage of issue 1 several years ago the law promises the grants. The average annual grant for Def Twp. is \$25k for the next 2 years (2023 & 24) or a total of \$50k remaining give or take.
    - (2) The 2022 grant of \$48,700.00 is posted to Twp grant as of 1-6-22.
      - (a) Grant fund balance as of 11-07-22 is \$73,444.92.
    - (3) –OPWC grant work anticipated for 2023
    - (4) Exp for co eng crews to prep for widening of bowman rd rebuild sections – 80k +/-
      - (a) Trustees are reminded that there is no longer a discount in effect from the Co. Engineer for work done on the Twp’s behalf by Engineer staff.. Use of funds is 100%.
    - (5) Discussion:
      - (a) There was none.
- e) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?
  - i) There was none.

**ORDER OF BUSINESS NO. 7 - Cemetery issues for discussion.**

- a) The Chair asked if there are any cemetery issues for discussion?
  - i) **Exhibit 7-i** is an email dated 1-11-23 from the County Commissioners office and provides contact information for Trustees to discuss possible support programs via the state government for indigent burial and cremation.
    - (1) Trustees accepted the information without comment.
  - ii) The asked if there were any other issues.
    - (1) None were offered.

**ORDER OF BUSINESS NO. 8 – PERSONNEL**

- a) The Chair asked if there are any personnel issues for discussion.
  - i) There were none.

**ORDER OF BUSINESS NO. 9 - Handouts.**

- a) Monthly (January 22) GrassRoots clippings – **exhibit 9-a**
- b) **Exhibit 9-b** – is a notice from Maumee Valley Planning of government grant funded demolition projects in Def. Co. – note there are none in Def. Twp.
  - i) Maumee Valley Planning is asking if there are any other locations for future projects.
  - ii) Discussion
    - (1) There was none.
- c) **Exhibit 9-c** – is notice from the City of Defiance of the 2023 fire combat contract charges.
  - i) \$17,903.90 per quarter.
  - ii) Quarterly payments in 2022 were \$17,903.90 – no increase.
- d) **Exhibit 9-d** – is a copy of the authorized user list of def twp for use of the Twp charge account at Menards. Prepared per Trustees direction at the 1-17-23 budget session.
  - i) Trustees had no additions or deletions.

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

- 1) The Chair asked if there was any old business to come before the Board?
  - i) OTARMA conducted its annual “risk management” review on 11-02.
  - ii) The Twp us working on the response to recommendations – as of this session:
    - (1) A draft has been started by Trustee Peck
      - (a) **Exhibit 10-1** for review
      - (b) There were no additions or edits.
    - (2) One of the recommendations was to update the Twp policy for operator’s/passengers in Twp vehicles, policy 013. The fiscal officer prepared a draft update for Trustee review. Refer to **exhibit 10-2** of this session.
      - (a) Emailed to Trustees 1-23-23
      - (b) Trustees approved the updated policy 013 and signed the policy to take effect immediately.

- (3) a draft "sexual harassment" policy #016 (**exhibit 10-3**) of this session has been submitted to Co Persecutor for review – per recommendation of OTARMA.
- (4) Emailed to Trustees 1-23-23
- (5) Discussion?
  - (a) There was none.

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

**ORDER OF BUSINESS NO. 11 - New Business.**

- c) The Chair asked if there was any new business to be discussed....
  - i) OTARMA – Twp insurance company, provided the 2023 renewal packet (**exhibit 11-1**) – emailed to Trustees on 1-19-23.
  - ii) the premium increased from \$3,491 2022 to \$3,832 an increase of \$341. The Trustees to determine whether or not to add additional coverages.
    - (1) Trustees decided to not add any additional coverage.
    - (2) Discussion?
      - (a) Trustees agreed to the renewal at the quoted \$3,491 premium for 2023.
- b) Defiance Twp is to host the 3<sup>rd</sup> quarter Defiance Co. Township Association meeting.
  - i) This was noted at the 1st qrt session which was part of the Annual Elected Officials meeting hosted by the Co. Engineer on January 19th, 2023.
  - ii) 3rd qrt session – location?
  - iii) Food?
  - iv) Trustees should coordinate with Association President Ted Penner – 419-576-9726 – email noble43512@yahoo.com.
  - v) Discussion?
    - i) Trustee Peck is to find a location.
      - (1) There was no further discussion.

**ORDER OF BUSINESS NO. 12 - NEXT MEETING:**

- 1) The next regular session.
  - a) The next session.

**Date:** Tuesday, February 28<sup>th</sup>, 2023 regular business session.  
**Time:** 6:30 p.m.  
**Place:** Defiance County Commissioners building  
 2nd floor conference room  
 500 Court St.  
 Defiance, Ohio 43512

**ORDER OF BUSINESS NO. 13 – Adjournment:**

- 1) Mr. Peck requested a motion to adjourn this meeting of – January 24<sup>th</sup>, 2023.
  - It was moved by: Mayer
  - SECOND by: Shaffer

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