

Minutes
DEFIANCE TOWNSHIP TRUSTEES
January 27th, 2009 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 December 30th, 2008 at 7:30 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 Richard Ankney; 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 present.

Township employees present: Joe Kolb 16492 Cullen Rd, and James Schlegel (equipment operator and zoning inspector) – 220 Pinewood.

Other(s) present were: Ruth Ann Schofield 15968 Campbell Rd, Penny Bakle 1204 Washington Ave, Carl & Augusta Wagner 24815 Watson Rd, Roy Perez 812 Indian Bridge Lane, Jim Taylor 917 Indian Bridge Lane, Darrell McNeel 806 Indian Bridge Lane, Dennis Bott 15816 Williams road, Conrad Beck of Beck's Ins, Archbold, Ohio, representative of the Ohio Plan & JoEllen Houck of 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

- a) Chairman Peck requested a motion for the approval of minutes from the January 13th re-organizational session.

MOTION: Richard Ankney

SECOND: Dan Peck

YEA(s) 2 NAY(s) 0 Passed X Failed

The MINUTE'S for the January 13th, re-organizational session were approved.

ORDER OF BUSINESS NO. 2 - Review and approval of minutes of the January 20th, 2009 – “special session for opening of bids for the construction of the rebuild of Kiser road from Keller to Canal in 2009”.

- a) Chairman Peck requested a motion for the approval of minutes from the January 20th special session – Kiser Rd bid opening.

MOTION: Richard Ankney

SECOND: Charles Bakle

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

The MINUTE'S for the January 20th – special session – bid opening for Kiser Rd project were approved.

ORDER OF BUSINESS NO. 3 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor.
- i) The citizen group present (Ruth Ann Schofield, Roy Perez, Jim Taylor, Darrell McNeel & Dennis Bott) questioned the Twp's snow removal efforts this winter. They questioned why the 04 international dump truck was not being used with its belly plow. They also questioned the lack of salt being used.
- ii) Trustee Peck replied that the trustees have spent time in reviewing the use of its eq for snow removal. Trustees Peck and Ankney feel that the international is just to large a unit for the twp sized roads and that the belly plow is not designed for use on the crowned twp rds. Trustees Peck and Ankney had questioned the twp drivers. These drivers said they did not think the international was the right truck for the job.

- iii) Mr. Ankney added that the belly plow on such narrow roads has caused the truck to be thrown into a ditch twice and this had cost the Twp over \$600 to have it pulled out.
- iv) Both Trustee Ankney and Peck continued that they have researched this issue with the Co Engineer and other Twp Bd of Trustees and others and have come to the conclusion that the Truck is not effective on twp roads due to narrow lanes and crowns. Several Twp residents have requested that the international not be used on roads on which they live as the road requires the truck to use their property to turn around and in so doing the property had been damaged.
- v) Trustees last fall (08) voted 2 – 1 to remove the belly plow and instructed Twp operators to not use the international on roads where citizens have complained.
- vi) Trustee Bakle – said – he completely disagrees with Peck and Ankney. That the international with the belly plow is the best piece of equipment for the job. He noted that the State uses this type of unit as do Twps in Indiana, Michigan and in Ohio Counties bordering along Lake Eire.
 - (1) Misters Bott and McNeel agreed that they have observed large dump trucks with belly plows in Indiana and Michigan Twps.
 - (2) Mrs. Schofield said that Twp operator Diemer wasn't trained on the international in 07 but afterwards he liked the unit with the belly plow.
 - (3) Citizens commented that Twp operators were not trained on this equipment.
 - (4) Trustee Peck replied that operator skill level was not an issue.
- vii) Twp eq operator Schlegel said that the 1 ton is much more maneuverable which is why he likes to use that piece of equipment.
- viii) The citizen group then asked why salt and or grit wasn't being put down on the roads.
- ix) Trustees Peck and Ankney responded that this is due to the high price of salt this year and the Trustees have adopted the Co Engineer's policy which is to salt the intersections and on other sections that are extremely icy. The Trustees noted that they recently have purchased salt through ODOT and will be able to spread more in the future this winter. Grit, however, comes from the quarry and at present the grit is wet when loaded and this freezes in the truck. Thusly, grit is not a good option at present.
- x) The citizens of Indian Bridge Lane then said that the storm water drainage issues remain. They would like the Trustees to address this problem. They also asked that the cross over areas on this road be plowed so that residents on the west side do not have to drive completely around the road to get to their homes.
 - (1) Trustees instructed two operators to address the cross-overs.

ORDER OF BUSINESS NO.4 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The December monthly Reconciliation – noted a primary checking reconciliation balance of \$164,001.29 as of December 31st, 2009.... balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for January 2009 were \$12,192.53. Payments for January (bills & payroll) totaled \$11,677.76.
- c) The Cash fund summary through January 31st, 2009, showed an “ending cash balance” of \$886,471.65.
- d) The unencumbered cash balance “cash available” was \$575,962.26 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through January 31st, 2009, 1% of the years' appropriations had been expended. The budget is in line with the goals set by the Trustees to put aside a cash reserve to be applied to the 2nd half of the Kiser Road re-build project which is scheduled for the 2009 construction season. All reports will be on file in the Fiscal Officer's office.
- f) The fund status report showed:
 - i) The money market investment fund balance as of 01-31-09 was \$721,955.59.
- g) Trustees then reviewed Exhibit 4-g a notice from State Bank surety co announcing the cancellation of Deposit Guaranty Bonds.
 - i) The fiscal officer stated that the State Bank had previously notified the Township that this was taking place and the exhibit is the announcement from the surety company. The State Bank has confirmed that the Twp funds are secured against loss and provides the Fiscal Officer with a monthly “Public Deposits Collateral Verification Report” which documents this guaranteed protection.
- h) Exhibit 4-h was reviewed. This was a notice from the State Auditor's Office – noting required electronic filing for certain financial reports for audits of our Twp funds.
 - i) The fiscal officer explained that in future audits certain reports that previously were filed by mail are now required to be filed electronically. The fiscal officer is prepared to comply with this new requirement.

- i) The Trustees reviewed and signed the bills for the month.
- j) payroll for January was then reviewed and checks signed by the Trustees.

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

MOTION by: Charles Bakle

SECOND by: Richard Ankney

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

The January financial reports were approved.

ORDER OF BUSINESS NO. 5 – Zoning - Status update on the following zoning Issues as of this session:

- 1) The Chair asked for the Monthly Zoning report - Inspector's Report - Mr. Jim Schlegel
 - a) January 2009
 - i) Submitted Annual Zoning Report to Census Bureau
 - ii) Still Working with Soil & Water with Solly drainage complaint. S&W sent a letter asking Scribners to improve the inlet to Krouse Rd Ditch
 - iii) Request by Gary Butler for township to clean up a pile of debris on Ball Rd. This is left from when Twp widened rd. Location would be between Woodring & Butler N Side.
 - iv) Site Review two separate locations on Powers Rd for construction of an out building at each location. Permit issued for each structure. Rick Baden & Chris Baden
 - v) Dennis Bott Williams Rd site review for pond approved by S&W Permit Issued
 - b) Chairman Peck asked if there is any other zoning issues to come before the Board.
 - i) There were none.

ORDER OF BUSINESS NO. 6 -- Equipment;

- a) The Chair asked if there were any comments or concerns from Twp employees on current or proposed new eq.
 - i) Mr. Schlegel requested permission to purchase a propane torch est price \$50 to \$60 for purpose of applying heat to grindings when filling in pot holes. This piece of eq would have other uses as well.

MOTION by: Charles Bakle

SECOND by: Richard Ankney

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

Trustees approved the purchase of the propane torch & propane.

- ii) There were no other issues noted.

ORDER OF BUSINESS NO. 7 - Trustee Report – Monthly Twp Rd inspection

- a) The Trustee Monthly Twp Rd inspection report, exhibit 7-a as completed by Trustee Ankney was reviewed.
 - i) Mr. Ankney advised:
 - (1) That he had contacted Delaware Twp in regards to shared maintenance of Ashwood Rd which is split – one side being Delaware and the other Def Twp.
 - (2) He had proposed a shared maintenance program
 - (a) In 09 10 Def Twp plows and Del mows-correction made per 1-27 session
 - (b) In 10 09 Del plows and Def mows and the rotation continues-correction made per 1-27 session
 - (c) This agreement saves fuel and eq wear.

Mr. Peck asked for a motion to consummate the agreement with Delaware Twp

Mr. Ankney moved

Mr. Bakle seconded

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

The Ashwood road maintenance agreement was passed.

- b) The February - Rd review will be by Trustee Bakle

- c) Project(s) review: –
 - i) Up-date on existing road projects – there is presently one major planned project for 09:
 - (1) **Kiser Rd project** (1 full mile from Keller to Canal) – to be done in 2009.
 - (a) See minutes forward from the Jan 07 session for project details.
 - (b) As of 01-27-09:
 - (i) The County Engineer – serving the Twp as Project engineer completed his review of bids opened at 1-20-09 bid opening special session. Exhibit 7-c-I a review of the bids by Co Engineer Warren Schlatter & his recommendation was reviewed.
 - (ii) There were seven bids received:
 - 1. engineer’s report recommended the bid be given to the low bidder – R.G. Zachrich Construction, Inc. of Defiance, Ohio, bid in the amount of \$250,775.50.
 - 2. The engineer’s estimate was \$266,268.47
 - 3. the bid includes all work as described in the engineer’s review which is on file in the fiscal officers Kiser rd rebuild – keller to canal project file.

Mr. Peck asked for discussion and a motion. Trustees agreed to accepted the recommendation.

Mr. Bakle moved to accept the engineer’s recommendation to accept the bid of R. G. Zachrich.

Mr. Ankney seconded

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

The project was awarded.

(c) This item will remain on the agenda until the project is completed

- ii) Trustees then reviewed **Resolution 2009-09** to approve the purchase of Road Salt from ODOT – @ \$78.92 per ton.
 - (1) ODOT requested the Twp to adopt this resolution and an attached agreement (**exhibit 7-c-ii-1**) provided by ODOT to consummate the salt purchase.
 - (2) trustees had instructed the fiscal officer to contact ODOT and to coordinate a purchase of road salt.
 - (a) This salt was transported to the Twp salt bins and to the Co Hwy depart on Jan 21st.
 - (b) The twp has 28 of its approved 100 tons. (a copy of an email from co engineer’s office – **exhibit 7-c-ii-2** detailed the transportation tonnages.
 - (c) The Co eng has 70 of these tons – stored for the Twp’s future use at the Co garage.
 - (3) The Twp has an agreement with Co Hwy (see minutes of special session dated 1-20-09 Kiser rd bid opening 2nd mile – during which this item was discussed) to reacquire this salt during the winter of 09 – 10;
 - (a) (the twp had made arrangements with odot to purchase salt through a state program to ensure that the Twp had salt for the remaining winter of 09 and to start the winter of 09-2010).
 - (b) the Co Engineer’s department agreed to hold the salt for the Twp with the understanding that the Co Eng Highway department would use this salt as needed on co roads during the remainder of this winter (08 – 09).
 - (i) The Twp has a “salt bank” with the Co hwy department.
 - 1. The Twp fills its salt bins with salt from ODOT and the remainder can be stationed at the Co Engineer’s salt barn. The Co may use what salt it needs this winter and the Twp will get its remaining tonnages next winter. It will simply be a matter of tracking the amount of salt taken to the Co salt barn and track the Twp usage next winter. There will be no exchange of money between the Twp and the County.

Mr. Peck asked for a motion to adopt resolution 2009-09 and the ODOT salt purchase program agreement.

Mr. Ankney moved to approve the resolution and agreement.

Mr. Peck – seconded

YEA(s) 2 NAY(s) 0 1 ABSTAINION Passed X Failed
 (Mr. Bakle is an ODOT employee & must abstain in issues involving his employer.)

The resolution was adopted.

- d) The Chair asked if there were other possible road projects or comments.
 - i) The Board discussed a rebuild of Krouse road south of Hammersmith. It was determined that this project is a candidate for the county engineer's proposal to rebuild a road with a cement-soil-aggregate mixture. This is a new process which was detailed at the Jan Twp Association- county engineer – elected official session.
 - (1) This process was described as building a road of good strength and at a much reduced cost when compared to a traditional re-build process such as being done on Kiser rd in 09.
 - (2) The engineer's office would contract with a company to bring in a specialized machine used in this process and in so doing needs several miles of road to rebuild in order to make the rental cost effective. It is believed that Krouse rd could be reconstructed in this new process during 2010 or 2011.
 - (a) This will allow the twp to put funds aside for this project.
 - (b) The twp will also place the grindings it has from ODOT on Krouse road in 09 to assist in building up the aggregate base.
 - ii) Mr. Bakle proposed to asphalt Indian Bridge lane in 2010. He suggested such a project would be CDBG eligible due to the income levels of this area. He thinks the Twp should review this possibility with Dennis Miller of Maumee Valley Planning.
 - iii) The Chair asked if there were other possible road projects or comments. There was no other project discussion.
 - iv) Mr. Peck asked if there were any comments on the **Twp cemeteries** –
 - (a) Mr. Bakle noted that in the Spring - cemeteries will need some work.

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

- a) Monthly (January 09) GrassRoots clippings – exhibit 8a
- b) 2009 Township Directory – exhibit 8-b

ORDER OF BUSINESS NO. 9 - Old Business

- a) Def Twp Trustees discussed the process of their position to have Def Twp represented on the Ayersville Water & Sewer Bd. This position was taken at the Nov 08 session.
 - i) Mr. Peck stated he would like to have the Co Prosecutor's Russ Herman represent Def Twp in working with Highland Twp to amend the AWSB's charter to allow Def Twp to appoint one Def Twp representative to the AWSB.
- Mr. Peck moved to support the proposal

Mr. Bakle seconded

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

The motion was adopted.

- b) Trustees were reminded that the Ohio Township Association's 2009 Winter conference is scheduled for Feb. 4, 5 & 6 – 2009.
 - i) Travel packets were distributed at the re-organization session.
 - ii) Trustee Ankney & the fiscal officer are to attend.
 - (1) Trustee & fiscal officer are to pay all expenses other than registration. They will be reimbursed for those expenses which are allowed per the Twp's travel policy.
 - (2) Twp covers exp for the Twp employee only – and per resolution meals are covered to \$36 per day. Attendees pay any overages. A complete computer generated itemized bill per meal is required. (per state auditors)
 - (3) Mileage reimbursement is .585 cents per mile
- c) Trustees then reviewed the Twp Property Insurance bids presented for 2009 – **exhibit 9-c** was by the Ohio Plan program and cost - \$3,584
 - i) The fiscal officer also passed out a proposal from OTARMA which was provided just prior to this session. There bid was for \$3,421.
 - ii) Mr. Conrad Beck represented the Ohio Plan and pointed out that his bid includes a premium to cover years when the Twp was previously with the OTARMA. He noted that when a Twp moves from OTARMA to another company the years that were under OTARMA are not covered by OTARMA. When the Twp is

insured by the OHIO Plan coverage for the years under the Ohio Plan is permanent. Mr. Beck also noted that the Twp will be ineligible for a greater percentage reduction next year if the Twp does not incur an experience.

iii) The Trustees after discussion said they would approve the Ohio Plan but only if it meets the low bid amount before the Trustees.

iv) Mr. Beck said he would confer with the underwriter and inform the fiscal officer.

Mr. Peck asked for a motion to approve the purchase of property insurance from the OHIO Plan in the amount not to exceed \$3,421 for 2009.

It was moved by Mr. Peck

Seconded by Mr. Bakle

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

The motion was adopted.

c) The chair asked if there was any other old business? There was none.

ORDER OF BUSINESS NO. 10 - New Business

a) The Chair asked if there was any new business to come before the Board?

i) There was none.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: Tuesday February 24th, 2009.

Time: 7:30 p.m.

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

Mr. Peck then requested a motion to adjourn the meeting of January 27th, 2009.

It was moved by: Mr. Bakle

SECOND by: Mr. Ankney

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