

Minutes
DEFIANCE TOWNSHIP TRUSTEES
January 28th, 2014 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 28th, 2014 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Diana Mayer, Daniel Peck, & Charles A. Bakle Jr., 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: Mike Daniels 21786 St Rte 637(Twp mechanic), Joe Kolb 16492 Cullen Rd, and Ed Young 23013 Watson Rd., Defiance, Ohio.

Visitors present: Harry Railing 14951 Power Dam Rd., Russell Herman ESQ. Assistant County Prosecutor, & JoEllen Houck 8 Deville Drive, - Defiance, Ohio.

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 14th, 2014 special /re-organizational Township session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

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

The minutes for the special/re-organizational 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 \$234,456.48-- 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- through 01-26-14) were \$12,193.06.
- c) Payment reports:
 - i) Payments for January (UAN software- through 01-26-14) were \$29,324.04.
- d) The Cash fund summary through January 26, 2014, (UAN software) showed an "ending fund balance" of \$919,314.95.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$555,993.66.
- e) Appropriation Status showed that through January 26th, 2014 (UAN software), 2.4% 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 01-26-14 was \$704,475.90.
- g) Trustees reviewed and signed the January bills.
- h) Exhibit 3-h was reviewed. This was a notice from the City of Defiance informing the Twp that the 2014 fire combat contract will be \$54,383.54. The assessment is per the contract based on Defiance Twp property values in precincts A and B. These are the precincts covered by the Twp's levy to fund this service.
 - i) The fiscal officer noted that in addition to the fire combat contract the levy also supports the rescue

service that is contracted with the City of Defiance. The Twp is charged an annual \$30,000 standby fee for rescue services. Also, the City collects a fee per incident from the insurance of the person or persons served. This collection is forwarded to the Twp and is reimbursed to the city dollar for dollar. This is – per the Prosecutor’s office – required to document the expenditures of the pass through money.

- ii) See “Old Business –section 8 for discussion regarding the fire contract which took place with the Prosecutor’s Office Representative – Assistant Prosecutor Russell Herman, ESQ. at this time.
- i) Trustees then reviewed exhibit 3-i – which was a notice from the Co Commissioners Office of an increase in tax assessments for the maintenance of the Frost Ditch in Defiance Twp. The base assessment was \$22.60 and will now become \$116.16
- j) Exhibit 3-j was another notice from the Co Commissioners Office of an increase in tax assessments for the maintenance of the Carpenter Ditch in Defiance Twp. The base assessment was \$121.10 and will now become \$506.63
- i) There was no additional discussion regarding either items i or j.
- k) Payroll & December’s time cards (time cards provided trustees prior to session) were reviewed without comment.

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

MOTION by: Mayer

SECOND by: Peck

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 was not present but had informed the fiscal officer that there was no activity and no report for January 2014.

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 Daniel noted the International is down (plow needs welding) but should be fixed by end of week.
 - ii) Daniel also stated that the F550 one ton had blown tires which he believes was caused by overweight loads of salt.
 - (1) Operators will be instructed not to exceed the load limit capacity of the one ton.
 - (2) Operators Young and Kolb were present and were informed as of this session.
- b) The Chair asked if there were any other equipment issues or concerns.
 - i) None were offered.

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

- a) The monthly road review was to be reviewed. Mrs. Mayer noted that all Twp roads were snow covered and work is dedicated to clearing and salting at this time.
 - i) Trustees reported that they were informed by County Commissioner Otto Nicely that he had rec’d a complaint that Twp crews were piling snow from clearing efforts on Radio Drive in the middle of Westwood ave.
 - ii) Operators Young and Kolb responded that they have been clearing roads for years and they know where the middle of Westwood Ave is and they have been pushing snow to the right of way area at the corner as they always have.
 - iii) Trustees stated they were informed of an issue and wanted to address it, operators should be clear where they are piling snow from the removal effort.
 - iv) The February Rd review will be by Trustee Bakle.
- b) Trustees review of the proposed 2014 projects as of this session.
 - i) The proposed project list was prepared by the Defiance County Engineer’s Office for the Trustees.

The project list was presented as exhibit 6-b 2014 Def Twp preliminary proposals.

ii) purchase orders of 2014 that will fund the projects listed are:

- (a) P.O.'s 9-2014, &
- (b) B.C.'s 36-2014
- (c) P.o.s total \$225,000
- (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s

iii) As of 01-28-14 this list is as follows:

(1) **Resurfacing:**

- (a) A .7 mile rebuild of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
 - (i) This rebuild project was designed to be financed over a three year period starting in 2012.
 - (ii) In 2014 – resurface Hammersmith from Singer to State rt 111 with asphalt – estimated cost \$83,686.
 - (iii) Trustees noted the proposed resurfacing calls for 2” of asphalt. Mr. Bakle suggested 1 or 1.5” would be sufficient.
 - (iv) Trustees will have Mr. Bakle address this option with the Co. Engineer. Such a reduction will significantly reduce the cost.
 - 1. Mr. Bakle will report back on this discussion at the February Trustee meeting.

- (b) Defiance-Paulding Co line rd #8 – south of Hammersmith 4540’ – with asphalt resurface – estimated cost \$37,766.

iv) Trustees then noted it was their intent to keep 2014 project costs close to anticipated revenues for 2014. The Trustees will study the remaining (following) projects and prepare a priority list at their February session.

(2) **Chip seal projects:**

- (a) Bowman from Power dam to Twp line – estimated cost \$41,498.
- (b) Defiance. Paulding Co line #10 from State Rt 66 to east 1 mile – estimated cost \$8,626.
- (c) Kibble Rd from Canal to Winn – estimated cost \$5,413.
- (d) Link Rd from Power Dam to Power Dam – estimated cost \$1,923
- (e) Winn Rd from Kibble to West end of Winn – estimated cost \$1,656

(3) **Hot Mix Patching:**

- (a) Bowman – from State Rt 66 to Twp line – estimated cost \$3,537
- (b) Def. Paulding Co line rd #10 from State Rt 66 easterly for 1 mile – estimated cost \$8,290
- (c) Sponseller rd from Co. line to Bowman – estimated cost \$8,922
- (d) Indian Bridge Lane exit drive – estimated cost \$1,275
 - (i) This project would be accomplished with a CDBG grant. Trustees also noted that the City of Defiance may be annexing this road in 2014 or 2015.
 - (ii) Trustees determined to table any effort in 2014.

(4) **Crackseal:**

- (a) Bowman – from Power Dam to Twp line – estimated cost \$6,600
- (b) Link Rd – from Power Dam to power dam – estimated cost \$825.

(5) **Durapatch:**

- (a) Bowman Rd – from Power Dam to Twp line – estimated cost \$3,600

(b) Link Rd – from Power Dam to Power Dam – estimated cost \$300

(6) Total proposed expenditures for 2014 by the Co Engineer is \$213,917.00

v) Trustees approved during their April 2013 session to add floors to the salt bins.

(1) Work to be in 2014 – see mins from June forward of 2013 for details.

c) Trustees then reviewed exhibit 6-c is from the Co Engineer's Office. This exhibit was a history and a projection of road projects for the Twp. All 23 miles of Twp roads are included and work is detailed from 2012 and projected for 2014 and 2015. This exhibit was distributed to Trustees at the annual Engineer's –Twp – Elected Officials session on January 16th.

i) There was no additional discussion.

d) A notice – exhibit 6-d- from the Maumee Valley Planning Organization that the 2014 CDBG grant application process is ready to begin.

ii) A public hearing is scheduled at 10:30a.m. Feb 6th in the Commissioners Chambers – 500 Court St. Defiance to note program thresholds and eligibility requirements.

iii) Trustees determined not to apply in 2014.

e) A financial impact review by the fiscal officer was heard:

i) As of this session total anticipated cost of all projects for 2014 per exhibit 6-b is \$213,917.

(1) Trustees are reminded that:

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

(b) Anticipated 2014 revenues as noted in the 2014 amended certificate from the County Auditor for road work was \$159,092.00.

(c) Total road expenses year to date are **\$16,970.75**

(d) Total road fund revenues year date are **\$ 8,664.81**

(i) Expenses for snow removal this winter season has been extraordinary due to the extreme winter. It was noted by Mr. Bakle that the area is within 6" of new snow fall from breaking the all-time snow fall record and the forecast for February is more of the same.

(ii) Expenses exceeding income utilize Twp road carry over funds.

(2) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-22-13. 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 December 2013 for history).

(a) 2013 OPWC postings –

(i) *Hammersmith rd const (ditch work) posted 9-10* \$23,271.02

(ii) *Singer Road drainage project – 30" tile posted 10-9* \$ 3,536.22

(iii) *Total grant dollars posted in 2013* \$26,807.24

(iv) *Actual value posted to Twp fund lines in 2013 was \$33,509.05*

1. *The engineer reduces amount charged to grant per agreement by an applicable percentage.*

2. *The full amount (\$33,509.05) must be posted to the Twp accounts by law.*

(b) Current status – the OPWC has utilized future grants in the amount of **\$(95,267.50)**

(i) *Trustees determined in their 2014 Re-organizational session to not post any addition future grant funds to this amount.*

(ii) *Trustees will apply future grants to reduce the amount (\$95k).*

(iii) *Trustees set a max cap on the use of future grant funds at \$50k. This is to reduce the Twp's liability against future road tax revenue should the OPWC grant program end and the Engineer calls for payment of the posted future grant dollars.*

f) The Chair asked for any proposed 2014 projects that are not now on the above project list:

i) There was none.

- g) Trustees again noted the January work assignments for the Twp crew – are noted in the monthly road report.
 - i) Trustees instruct Twp operators to use the monthly road inspection report as their work assignments. Each operator's name is assigned to a Twp road and work that needs done is noted on the report.
- h) Twp cemeteries –
 - i) No issues were reported.

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

- a) Monthly (February 14) GrassRoots clippings – exhibit 7a was distributed.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Fire – Rescue service contract for Def. Twp was discussed:
 - i) Mr. Peck reported that the City will be submitting a new “rescue” contract to the Township. The current \$30,000 standby fee is to be increased by \$24,000 to a total of \$54,000 per year.
 - (1) It was noted that the Twp also pays \$56,000 more or less (based on property valuation) for its fire combat contract with the City.
 - ii) Trustees expect to have 2014 expenses for fire and rescue of \$110,000.
 - iii) The fiscal officer reported that in 2013 the Twp rec'd revenue of \$79,809.31 from its levy and other sources for fire and rescue services..
 - iv) The fiscal analysis suggests that the fire fund - as presently funded - will be unable to support the new contract beyond fiscal year 2017. To accomplish that the Twp must utilize all its carryover funds in the fire fund line.
 - v) Trustees believe the Twp must either find another provider or place a new levy before the electors in precincts A and B. (it is these two precincts that receive coverage for fire – rescue from the City).
 - vi) Trustees asked Assistant County Prosecutor Russell Herman to assist in preparing ballot language for a November 2014 issue.
 - (1) Mr. Herman noted there are several options for the Twp to consider.
 - (a) Trustees could put a replacement levy before voters or write a new additional levy. An additional levy if passed would augment the current levy in place.
 - vii) Trustees will study the issue and are to inform Mr. Herman if the Twp desires a replacement levy or a new additional levy. Trustees must also direct whether the levy is to be permanent or renewable levy.
 - (1) A renewal levy allows for inflationary increases, but must be renewed via a ballot by the citizens, while a permanent has a fixed non-inflationary rate.
 - (a) The current fire-rescue levy is permanent.
 - (b) Permanent levies once passed are permanent and do not go before voters again.
 - viii) Trustees informed Mr. Herman that the proposed new levy would be written to fund both fire and rescue services with the City just as the present permanent levy does.
 - ix) Trustees then discussed how many mills would be needed to cover the proposed contract with the City and to account for some small increase in the future.
 - x) Mr. Herman suggested Trustees meet with City Officials to better understand the City's position on future rate increases. In the recent past the City has made major increases to the Twp for this service annually. The Trustees stated it was their desire to place before Twp voters a levy that would not need to be increased for a significant length of time.
 - xi) Mr. Peck stated he had spoken with the County Auditor and believes a 1.4 mill additional levy will meet the Twp's needs. A 1.4 mill additional levy should generate approximately \$24,000 annually. This amount combined with the current permanent levy revenue of \$79,000 more or less will fund the new contract amount.
 - xii) Again, Mr. Herman suggested that Trustees meet with the City and get a commitment in the contract regarding any new increases.
 - xiii) Trustees determined to make these decisions in time for the levy to be placed on the November 2014 ballot.
 - xiv) Mr. Herman also reminded Trustees that they have an obligation to provide fire protection but not rescue services.
 - xv) This issue will be discussed again in upcoming Twp sessions.
- b) The Chair asked if there is any other additional old business to come before the Board?
 - 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) Mrs. Mayer asked Mr. Herman if he was aware of any law that allows a Twp to keep some of the property taxes from parcels that are annexed by a City.
 - ii) Mr. Herman said he would need to research the law. He asked the Trustees if the Twp has any such agreement in writing at this time.
 - (1) Trustees replied there was not.
 - (2) Mr. Bakle thought such language did exist and he would speak with the State Auditor's Office to see if they new of code sections that pertained to this issue.
- b) Trustees then reviewed exhibit 9-a which was a notice of an annexation of Twp parcels into the City of Defiance.
 - i) This is the Tri-State Transland business located at 20308 Co Rd 424. The exhibit included an aerial photo which Trustees reviewed. The parcel (#B1100-290-01-100) is approximately 7.71 acres.
 - ii) There was no discussion.
- c) Defiance Twp property-liability insurance renewal with the Ohio Plan for 2014 was then discussed.
 - i) Exhibit 9-b was the notice of renewal.
 - ii) Trustees were asked to place an insurance value on two vehicles which are to be added to the inventory. These additions will likely increase the premium slightly.
 - (1) The 2014 premium will be approximately \$3,321 plus the cost of covering the two recently purchased units:
 - (a) A 1986 Ford Backhoe purchased thru a gov't auction program from ODOT for \$2,878.00 and;
 - (b) A 2003 Dodge half ton purchased from a local dealer for \$7,250.00
 - iii) Trustees determined to cover the backhoe for \$5,000 and the truck for \$10,000.
 - (1) The 2013 premium was \$3,184.
- d) The Chair asks if there is any other new business to come before the board?
 - i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – February 22nd, 2014, - Regular scheduled session
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. Bakle requested a motion to adjourn the meeting of January 28th, 2014

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