

Minutes
DEFIANCE TOWNSHIP TRUSTEES
FEBRUARY 23RD, 2010 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 26th, 2010 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 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 present.

Township employees present were: James Schlegel (equipment operator and zoning inspector) – 220 Pinewood Ave., Ed Young - 23013 Watson Rd., Joe Kolb- 16492 Cullen Rd, Jason Shaffer -13386 St Rte 15, & Ed Young 23013 Watson Rd.

Visitors present: Penny Bakle 1204 Wayne Ave., Ruth Ann Schofield 15968 Campbell Rd, Roy Perez 812 Indian Bridge Lane, Mary Mick 21389 Hammersmith rd, Don Brown 20472 Kiser Rd & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the January 26th, 2010 session.

Peck moved to approve.
Mayer seconded.

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

The MINUTE'S for the January 26th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) There were none.

ORDER OF BUSINESS NO.3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for January – noted a primary checking reconciliation balance of \$68,625.27 balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for February 2010 were \$11,113.38. Payments for February (bills & payroll) totaled \$9,043.10.
- c) The Cash fund summary through February 28th, 2010, showed an “ending cash balance” of \$770,908.40.
- d) The unencumbered cash balance “cash available” was \$389,380.89 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through February 28th, 2010, 2% of the years' appropriations had been expended. 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 02-28-10 was \$701,528.37.
- g) Trustees reviewed and signed the February bills without comment.
- h) Trustees reviewed and signed the February payroll without comment.

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

MOTION by: Dan Peck

SECOND by: Diana Mayer

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

The February 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. Jim Schlegel provided the following electronic copy of this report.
 - i) February 2010
 - (1) Paper work finished and turned in for Frost Variance. Appeals Bd met on 2-23-10 just prior to the Trustee's session and approved both variances. One for set back and one for lot size. See minutes of Appeals Bd session.
 - (2) Site review pond on Powers Rd ok from S&W permit issued.
 - (3) Discussed zoning issues with Russ Herman. Some possible recommendations could be rescinded. What are the trustee's feelings on proceeding with possible zoning changes as proposed. This would have the Zoning Commission Seated to review. I believe you received this info last month.
 - (a) Trustees instructed that the process continue see item 4-b of this minute.
 - (4) Proposed update of Township Zoning Map is complete S&W will set up a meeting this week.
 - (5) I spoke with Rick Bender an inspector with Ohio Manufactured Home Commission on 2/8/10. Rick advised only Manufactured Homes bearing a Hud Label need inspection. Modular Homes & Mobile Homes do not require an inspection from OMHC only by the local building inspection department, of which Defiance Township has none.
- b) The Zoning Inspector and the fiscal officer are working with the prosecutor's office to prepare a request for the Zoning commission to address certain possible amendments to the Twp Zoning codes. Exhibit 4 –b is an email prepared by the fiscal officer which contains notes on the verbal comments from the Prosecutor's Office on those questions.
 - i) Trustees directed that the Zoning Commission be seated to review the exhibit in order to determine what if any of the items are to be addressed. The fiscal officer will set up the Commission session just prior to the March 23rd regular Township Trustee meeting in the regular Twp meeting chambers.

Peck moved to seat the Zoning Commission to review the proposed changes to the Twp's Zoning rules/code.

Mayer seconded.

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

The motion passed.

- c) In the January session Trustees filled a resignation from the Appeals Bd with an alternate – Roy Perez. Trustees spent February searching for a replacement. The Chair asked for any discussion.
 - i) Mayer said she wished to nominate Sherry Shock of 21171 Bowman rd to the alternate position previously held by Roy Perez.
 - ii) Peck stated he did not know Sherry but was glad she volunteered for this service.
 - iii) There was no other discussion.
 - iv) The chair asked if there was a motion to appoint.

Mayer moved to appoint Sherry Shock 21171 Bowman Rd. to the unexpired term of Roy Perez in the alternate's position on the Bd of Appeals.

Peck seconded.

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

The appointment of Shock to the Appeals Bd was approved.

- d) Mr. 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.
 - i) Jason Shaffer spoke and said that the staff has acquired about half the tools they had been approved to purchase in the Jan session. The Twp staff will continue to work on acquiring the remainder as soon as possible.
 - (1) They are buying several rakes of varying types, shovels, axe, a generator, a saws all, portable torch, portable flash lights (one for each truck) & a disposal camera for each truck and pad locks (which are to be keyed the same) for the Twp maintenance building and fuel tanks.
 - (2) The staff is authorized to purchase this equipment with a cap of \$750 in total.
 - ii) Shaffer said that the staff plans on continuing to use Defiance Truck Sales and Service to do service/maintenance on the International dump truck and the F550 will be worked on by Moats Ford where it had been purchased from.
- b) The status of the Twp Trustee's efforts to purchase a replacement mower and tractor for the Twp. was reviewed.
 - i) In the August 09 session the Trustees authorized the purchase through a State Bid (department of administrative services) of a new tractor and boom type mower for the Twp. The units were ordered in September.
 - (1) In the November 09 session Trustees voted to cancel both orders due to economic constraints.
 - (2) Trustees moved to seek used equipment and all Trustees were to solicit such information and report at a future Twp session.
 - (3) In the January 2010 session Trustees were to continue their search.
 - (4) During this session Trustees reviewed Exhibit 5-b which contained informal bids acquired by Mr. Peck and Mr. Bakle on used tractors.
 - (5) Mr. Bakle asked for discussion.
 - (a) Peck noted that Trustees had looked at many of the units on the list presented at this session. Informal quotes were from Homier & sons, Leichty's in Archbold, and He (Peck) had looked at many on the internet. Peck thought the 1996 John Deere from Homier & sons in Continental, Ohio, was the best buy. The price was \$15,000.

Mayer moved to purchase the 1996 John Deere 5400 tractor from Homier and sons, Continental, Ohio, for the price of \$15,000.

Peck seconded

The Chair called for a vote.

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

The motion to purchase was approved.

- (6) Trustees then discussed the possible purchase of a mower that would be compatible with the John Deere 5400.
 - (a) Peck said he supports buying a new mower through the Ohio Department of Administrative Services bid program. Peck recommend the state bid purchase of a New Holland mower with a 7'10" cut for a state bid price of \$6188. The mower would be purchased through Homier and Sons.
 - (b) It was noted that Kalida Truck of Kalida, Ohio, also provided an informal bid for a "Diamond flair pull behind mower". The DAS state bid price was for \$8,500.

Peck moved to purchase through the DAS state purchase program the New Holland flair pull behind mower at the state bid price of \$6,188.

Mayer seconded.

The Chair called for a vote.

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

The mower purchase was approve.

- ii) Peck was again recognized and suggested that the Twp sell or trade in the current **JD Ford** mower and tractor so as not to build old equipment inventory which in his opinion leads to additional maintenance expenses. – **edit made when Trustees reviewed the mins for approval in the March session.**
 - (1) Trustees agreed in principle to move these items from the Twp's inventory, however, it was determined it would be better to wait until the Twp had possession of the newly approved for purchase pieces of equipment (tractor and mower). Trustees will again review the issue of selling the Twp's current tractor and mower. (1988 Ford 4610 serial #BB-35479 and its pull behind flair mower. Both units were purchased in 2000 for \$12,000).
- c) The Chair asked if there was any other equipment discussion....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 Bakle was reviewed.
 - i) Bakle noted that he has received several favorable comments on the recent Twp snow removal efforts and thanked the crew for doing a good job.
 - ii) Twp employees present were provided a copy of the report and instructed to work on the items noted.
 - iii) The March - Rd review is to be done by Trustee Peck.
- b) Twp Project(s) were then reviewed: –
 - i) Trustees continued to review and modify the road repair-rebuild-maintenance plan as proposed by the County Engineer's Office. In November 09 the Co Engineer presented a priority (exhibit 6-b of that session) list of road projects as requested by the Trustees. (see agendas from Feb 09 through Nov 09 for details)
 - ii) Co engineer Warren Schlatter in Dec 09 continued that project discussion with the Trustees and Trustees voted to approve the project list.
 - (1) Trustees were informed by the fiscal officer that normal road maintenance expenses averaged between \$70,000 and \$100,000 annually. This amount includes eq maintenance and purchases/payments on eq, stone, signs, culverts etc. and work crew salary & benefits.
 - (2) Estimated rd revs for 2010 are approx \$235,000.
 - iii) The 2010 Co Engineer road project list was revised in Jan (exhibit 6-b). that proj list cost was raised slightly to \$197,141.86 from the initial projection of \$194,000.
 - (1) This project list does not include cross-overs, catch basins etc recently discussed and authorized by the Trustees.
 - (2) Exhibit 6-b-i of this meeting (Feb 2010) is a further revised project list which lowers the total number of projects and costs. The new estimated costs is \$186,751.00. This occurred after additional discussions between the Co Engineer's office and the Trustees.
 - (3) The Chair asked for any additional comments.....
 - (a) Trustees determined a need to revisit with the county engineer. Bakle noted he had spoken with the Engineer and reviewed the effort to take place on hammersmith rd during 2010. Bakle proposed to modify the engineer's proposal by:
 - 1. Buying the right of way in 2010 to widen this road, and;
 - 2. Have the Co engineer design and contract the construction of the ditches (in 2010) for the rebuilding of this road.
 - 3. Bakle – said paving could then be bid in 2011.
 - 4. This proposed plan change adds approximately \$20,000 to the 2010 project exp for Hammersmith.
 - a. Bakle thought that the Twp could possibly delete the chip seal expense estimated at \$15,000.
 - b. Peck thought that the proposed chip seal might be needed to save the patch work that is to be done 2010 for a year. Peck thought it might be more expensive to not chip-seal.
 - c. Bakle was to review this possibility with the County Engineer.

- d. Fiscal officer noted that cost to pave in 2011 may not be affordable. 1
- e. Trustees also agreed that the chair (Bakle) will discuss with the Engineer whether or not the County's planned sewer project will be built in 2010 or 2011 through the Lakeview addition. In the proposed 2010 Twp road project list this road (Lakeview) is scheduled to be resurfaced at a cost of \$70,000. Trustees do not wish to invest that amount and have the road destroyed when the sewer construction project takes place. All agreed that taxpayer's money would be better expended if the resurface project is scheduled after the sewer lines are constructed.
- f. The fiscal officer reported that the Co Engineer's office had contacted him and he was to present to the Trustees for their consideration the possibility of using gravel instead of limestone in the chip-seal mix for Ashwood rd. This substitute material proposal was presented by the County Engineer's at the Def Twp Association meeting in Jan 2010. It would save approx \$250 to \$500 per mile on the cost to chip-seal.
 - i. Trustees agreed to have the Co Engineer's chip-seal Ashwood with the gravel mix.

(4) Trustees agreed to accept the proposed Twp rd work presented at this session as exhibit 6-b-l by the Co Engineer's office with the exception of a need to finalize the Hammersmith project and the Lakeview project.

iv) Noted in the Sept 09 Trustee session – trimming of overhanging tree branches along McCollister rd. This project was to be completed by the Boy Scout Camp Lakota maintenance dept on a volunteer basis when the equipment is next sent to the Defiance Camp Lakota.

- 1. The chair asked for comments – there were none.

c) Other possible projects???

- i) Mr. Bakle is pursuing a CDBG grant through Maumee Valley Planning for road work to Indian bridge Lane – this could be a 2010 project.....
 - (1) Maumee Valley Planning provided the Township with the 2010 grant application which was provided to Mr. Bakle. The application must be submitted to Maumee Valley Planning's Niki Warncke no later than May 12th, 2010.
 - (a) Trustees are planning to hold a project public hearing at the March Twp session.
 - (b) The chair noted that the Co Engineer will be in attendance at this session to review his proposed project with the property owners.
 - (c) Trustees reminded the fiscal officer to mail out letter announcing the session to all residents on Indian Bridge lane.
 - (d) The session will take place within the regular scheduled Twp Trustees meeting which is scheduled to be held March 23rd @ 7:30 p.m. in the Twp meeting chambers at 500 Court Street.
 - (e) There was no other discussion on this item.
- ii) Trustees next reviewed Exhibit 6-c-ii which detailed work performed by the Co Engineer's office on behalf of the Twp, the expenses to be posted to a future Ohio Public Works grant. This letter notes dollars being tracked by the County Engineer's office. This work's cost will be posted to a future Def Twp grant but must be posted to our current (2010) Twp budget; an amended certificate will be prepared in November for the Trustees to approve. There was no further discussion.
- iii) Exhibit 6-c-iii was then reviewed. This item was an update on the salt owned by the Twp, but stored at the Co engineer's salt barn. This salt was purchased through ODOT in 2008. The email noted that there were 44.21 tons of salt remaining from the 100 tons purchased in Feb 2009 from ODOT.
 - (1) There was no further discussion of this issue.

1 editorial note: - original plan was for co engineer to patch- repair Hammersmith in 2010 which was to acquire the Twp about 4 or 5 years of service before a complete rebuild was necessary. This plan was to allow for the Twp to save for the rebuild which was projected to cost approximately \$400,000 for the approx 1.5 miles of Hammersmith that is Twp road. It is not anticipated that Twp road acc'ts will have sufficient funds to do the Hammersmith rebuild in 2010 and 2011 and be able to maintain the \$70,000 to \$100,000 annual road expense the Twp now posts to road work.

iv) Trustees reviewed Exhibit 6-c-iv. The exhibit is an email noting the Trustee's desire (per discussion at the special Feb 17th session) to purchase salt through the Co Engineer during the next bid round which is set for the summer of 2010. Salt would be stored at the Co Engineer's salt barn and re-staged to the Twp's smaller salt barn by Twp staff as needed.

(1) The chair asked for discussion.

- (a) It was noted that the Twp could purchase 100 tons of salt through the Eng office when the engineer's bid their 2010 salt purchase in the summer of 2010.
- (b) The Twp could then store the salt at the Co Engineer's salt barn and transport it to the Twp salt barn (a much smaller storage unit) as needed.
- (c) The salt could be picked up from the Engineer's either as pure or with a 2:1 mix (2 parts salt 1 part gravel). The engineer's office would bill the Twp approximately \$15 per ton to mix the salt.
- (d) The Twp would then get 150 tons of material.

Peck moved to purchase the 100 tons as part of the Co Engineer's salt bid in 2010 and to acquire the salt mixed at 2:1 which will garner the Twp 150 tons of material.

Mayer seconded.

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

The motion to purchase salt from the Co Engineer in 2010 was approved.

v) Hammersmith rd – culvert – weight limit sign – was discussed.

(1) Peck stated he had spoken with the Co Engineer and a "No Through Truck" sign could be placed. Peck will speak with the Sherriff's office to discuss weight limit enforcement.

- (a) It was noted that Ohio Law allows up to 80,000 lbs on the roadways of Ohio. Trucks weighing up to that amount have a legal right to run on any road.
- (b) Due to the construction of US 24 in this area Trustees believe some trucks on the Twp roads exceed the 80,000lb limits. Therefore, the S.O. will be requested to enforce the weight limit.
- (c) Trustees believe that the culvert which is scheduled to be replaced may need to be posted for fear it could collapse under weight approaching the 80,000 lbs. Trustees agreed to discuss this with the County Engineer and if the Engineer agrees they will post a weight limit based on the Engineer's assessment.

vi) Mr. Bakle asked if there were any other possible road projects to be discussed.

(1) There was no further project discussion

d) **Twp cemeteries –**

i) The chair asked for discussion.

(1) Peck said that he had been contacted by a citizen who said that during mowing in the past grass clippings were left on the tombstones. The complainant has relatives buried at Cromley and wishes the Twp to be more respectful.

(2) Twp staff responded they do the best they can with the mowers, however, to keep all the clippings off they would need a blower and do not have one.

It was moved by Peck to purchase a gas powered back pack blower locally.

Seconded by Mayer.

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

The motion to purchase a blower was approve.

The Chair asked if there were any other cemetery issues to be discussed. No other issues were brought forth.

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

a) Monthly (February 10) GrassRoots clippings was distributed as exhibit 7a

b) Exhibit 7-b was then reviewed. This was a notice from the County Health Department of their annual District Advisory Council session to which all Trustees are invited. The exhibit also includes a meeting agenda. The session is march 9th @ 7p.m. Defiance Co East – 1300 east second street.

i) The chair asked if any trustees or fiscal officer will be attending?

- ii) All Trustees decided to attend and the fiscal officer will make the RSVP's –
- c) The fiscal officer reported that the 2010 Defiance Twp Directory – will be updated as the Trustees at this session fill the alternate position that had been open on the appeals bd. The directory will be disbursed at the March session and will be posted to the Twp web page.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Mr. Bakle asked if there is any old business?? There was no old business brought forth.

ORDER OF BUSINESS NO. 9 -- New Business.

- a) The Chair asked if there is any new business to come before the board?
 - i) Twp employee Ed Young was recognized and said that Don Bendele of 13775 Wilhelm Rd had asked him to present to the Trustees that he (Bendele) would grade out and push back branches away from the side of Wilhelm rd and create a berm. Bendele wanted to know if the Twp would place stone on the earth berm he would create.
 - (1) Trustees approved the work and the stone instructing the Twp crew to place the stone once Bendele finished the earth work.
 - ii) Exhibit 9a – was then reviewed. This was a notice for the annual Auditor of State's Local government Officials conf. Meeting is April 7 & 8.
 - (1) This is an annual training conf for local gov't officials focusing on fiscal management and associated rules. It also includes segments relative to updates of the acc't program managed by UAN, which is utilized by the Township. The fiscal officer requests permission to attend.
 - (2) Mr. Bakle asks if there is a motion to send the fiscal officer to this annual conf.

It was moved by Mayer to send the fiscal officer to this annual training

Seconded by Peck

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

The request of the fiscal officer to attend the 2010 local gov't conf was approved.

- iii) Trustees then reviewed Exhibit 9-b which was information from the 2010 OTA conference on "Township Sourcebooks" presented by Trustee Mayer.
 - (1) Mayer said she saw these books at the OTA conference. They were presented in one of the sessions she attended. She noted that these books are a good resource guide for the duties of Twp gov't. She requested that the Trustees approve the purchase of a complete set from the OTA. The six book set would cost \$100 plus \$5 for shipping.
 - (2) The chair asked if there was a motion to purchase the Twp Source Books from the OTA.

Peck moved to purchase the "Source Books"

Mayer seconded

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

The motion to purchase was approve.

- b) The Chair asked if there was any other new business to come before the board.
 - i) Mayer was recognized. Mayer said that during the OTA conference she sat in a session regarding long range planning. Dr. Philip Russo, PhD of the Department of Political Science Miami University, Oxford, Ohio, was the presenter. Mayer said she believes there are grants available to pay for a long range plan for Defiance Twp and she is seeking approval from the Trustees to secure the grant to conduct this planning for Def Twp.
 - (1) Trustees agreed to approve Mayer to secure the grant to do the 5 year plan for Defiance Twp.
 - ii) Mayer then asked that Trustees instruct the fiscal officer to have up to 12 copies of agendas with the monthly expenditure report attached for distribution to those citizens who attend the regular scheduled Twp sessions.
 - (1) The chair asked if there was a motion to this effect.

Mayer moved to have up to 12 copies of the monthly meeting agenda with a monthly twp expense report for distribution to citizens who attend the monthly sessions without charge.

Peck seconded.

YEA(s) 3 NAY(s) 0 Passed X Failed
The motion was approve.

- c) **Mayer suggested that a news release be prepared and submitted to the local paper (Crescent-News) as soon as possible after each Trustee session. (this notation was added when Trustees reviewed the mins for approval in the March session.)**
- d) There was no other new business brought forth.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: **Tuesday March 23, 2010**
Time: 7:30 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOOC
 500 Court Street - Defiance, Ohio

Mr. Bakle then requested a motion to adjourn the meeting of January 25th, 2010.

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