

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**February 24<sup>th</sup>, 2015 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, February 24<sup>th</sup>, 2015 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 State Rte 637, from Defiance, Ohio.

Visitors present: Warren Schlatter, Defiance County Engineer, Tim Herbst, sales representative – Strawser Construction, Inc. of Columbus, Ohio, & 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 27<sup>th</sup>, 2015, regular 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 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 January - noted a primary checking reconciliation balance of \$241,398.36-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
  - i) Receipts for February (UAN software-) were \$22,872.94
- c) Payment reports:
  - i) Payments for February (UAN software-) were \$39,302.27.
- d) The Cash fund summary through February 22<sup>nd</sup>, 2015, (UAN software) showed an "ending fund balance" of \$912,278.02.
  - i) The "cash available" for encumbrances (current reserve- UAN software) was \$506,576.79.
- e) Appropriation Status showed that through February 22<sup>nd</sup>, 2015 (UAN software), 3.7% 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 02-22-15 was \$704,857.18.
- g) Trustees reviewed and signed the February bills.
- h) Exhibit 3-h was the Twp's 2015 notification from the City of Defiance Fire Department dated January 27<sup>th</sup>, 2015, of the "fire combat contract" cost for service in 2015. The contract (1996) was prepared based on a 1.5 mil property evaluation.
  - i) Cost for 2015 will be \$58,361.52 or \$14,590.38 per quarter.
  - ii) There was no additional discussion.
- i) Exhibit 3-I –was then reviewed. This exhibit contained two letters from the Auditor of State regarding the audit of the Twp's accounts of 2013 and 2014 that will be done in 2015.

- i) The first letter detailed the audit schedule and auditors.
  - ii) The second letter details the items needed for the audit.
  - iii) As of 2-24 – all items have been provided by the fiscal officer to the auditors.
  - iv) It is anticipated that a letter of agreement will be issued by the State Auditors shortly. This will contain the estimated cost.
  - v) The audit of 2015 is a full audit per the ORC as the Twp has had two successive “Agreed Upon Procedure” audits.
  - vi) There was no further discussion of this issue.
- j) Payroll & February’s time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.
  - k) Mr. Bakle then requested a motion to accept the February financial reports.

MOTION by: Peck  
 SECOND by: Mayer  
 YEA(s) 3      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) February Zoning report –
  - i) Jason Shaffer had prior to the session contacted the fiscal officer and noted he had no report for Feb. Shaffer was working his regular position as an ODOT snow plow driver and was unable to attend this session.
- b) The Chair asked if there were any Zoning issues to be discussed by the Trustees.
  - i) There were none.

**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 Daniels noted that the 2004 International was down.
    - (1) This unit broke down during snow removal operations. To facilitate repairs Trustee Peck conferred with Trustee Mayer and in the interest of returning the unit to service for possible snow removal in the quickest possible time – they had the unit moved to Defiance Trucking for repairs.
      - (a) Mr. Peck will do follow up with Defiance Trucking over the next several days.
    - (2) There were no other eq issues noted.

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

- a) The monthly road inspection report –for February was presented by Trustee Bakle.
  - i) Mr. Bakle noted there were pot holes on various roads as noted due to the winter conditions.
    - (1) Crews are expected to address when/if conditions allow.
    - (2) Berming is necessary on Co Line rd #10 & Cromley.
  - ii) The March Rd review will be by Trustee Peck.
- b) 2015 Road projects were reviewed: During the January session Trustees were provided with exhibit 6-c – from the Engineer’s office. At this session a revised list dated 2-15-15 was distributed by Mr. Bakle. The Engineer’s Office conducts an annual review of Twp roads and recommends maintenance-replacement. Trustees review and provide the engineer with direction. The following is the revised proposed list of road project work on Def Twp roads from the Co Engineer’s Office.
  - i) Total proposed expenditures for 2015 by the Engineers were \$85,436.00
  - ii) The Jan 15<sup>th</sup> initial proposal was for \$104,983.00
  - iii) 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
- iv) Proposed projects as of 02-24-15 are as follows:
  - (1) Bowman Road:**
    - (a) **Chipseal:** from Power Dam to Twp line - \$40,818
    - (b) **Hot mix patch:** from Power Dam to Twp line - \$16,776
    - (c) **Pavement markings:** from Power Dam to Twp line - \$3,051
  - (2) Karnes Road:**
    - (a) **Chipseal:** from Bowman to Watson- \$11,044
    - (b) **Hot mix patch:** from Bowman to Watson - \$1,432
    - (c) **Pavement markings:** from Bowman to Watson - \$342.00
  - (3) Defiance – Paulding Co Line Rd #10**
    - (a) **Hot mix patch:** from State Rte 66 west to Twp line - \$4,910.00
  - (4) Defiance – Paulding Co Line Rd #8**
    - (a) **Hot mix patch:** from S. of Hammersmith for 2,025'- \$6,245.00
- v) Trustees debated the listing changes. The January 15, 2015 list was as follows:
  - (1) Bowman Road:**
    - (a) **Chipseal:** from Power Dam to Twp line - \$40,818
    - (b) **Hot mix patch:** from Power Dam to Twp line - \$16,776
    - (c) **Pavement markings:** from Power Dam to Twp line - \$3,051
  - (2) Karnes Road:**
    - (a) **Chipseal:** from Bowman to Watson- \$11,044
    - (b) **Hot mix patch:** from Bowman to Watson - \$1,432
    - (c) **Pavement markings:** from Bowman to Watson - \$342.00
  - (3) Keller:**
    - (a) **Chipseal:** from Powers to Kiser- \$4,252.00
    - (b) **Hot mix patch:** from Powers to Kiser - \$767.00
  - (4) Kibble: item was removed from new list.**
    - (a) **Chipseal:** from Canal to Winn- \$5,366-
  - (5) Singer:**
    - (a) **Chipseal:** from State Rte 111 to Hammersmith - \$4,806
  - (6) Sponseller:**
    - (a) **Chipseal:** from Paulding Co Line rd to Bowman – \$9,722.00
  - (7) Winn Rd: item was removed from new list.**
    - (a) **Chipseal:** from Kibble to dead end – \$1,584
  - (8) Defiance – Paulding Co Line Rd #10**
    - (a) **Hot mix patch:** from State Rte 66 west to Twp line - \$4,910.00
  - (9) Defiance – Paulding Co Line Rd #8**
    - (a) **Hot mix patch:** from S. of Hammersmith for 2,025'- \$6,245.00
  - (10) Defiance – Paulding Co Line Rd #8**
    - (a) **Hot mix patch:** from Hammersmith to Powers - \$818.00
  - (11) Trustees approved during their April 2013 session to add floors to the salt bins.
    - (a) see mins from April 2013 forward for details.
    - (b) the south side floor was completed Oct 25<sup>th</sup>, 2014.
      - (i) Trustees approved the Twp staff to do the north side in spring of 2015 due to winter weather.
  - (12) In the March 2014 session Trustees approved the berming of Cromley Road to reduce or

eliminate drop off.

(a) Trustees assigned this to staff as soon as possible.

(13) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.

(a) Trustees directed staff to address in November with a not to exceed expense of \$3,000 for materials.

(i) Crew was unable to address this task in November.

(ii) Trustees directed that this be a priority in December.

(iii) Trustees instructed crew to address when time permits – due to snow removal needs at the present time.

c) During the January 2015 regular Twp session Trustees determined to study the use of chip/seal vs a micro-surface.

i) Trustee Bakle was to contact a micro surface vendor and request their attendance at the Feb. Trustee session.

(1) Mr. Bakle introduced sales rep Tim Herbst of Strawser Construction Columbus, Ohio.

(2) Also present was Def. Co Engineer Warren Schlatter..

(3) Discussion..

(a) Mr. Herbst stated that his company has had good success with micro-surface material. The cost is 17 to 18k per lane mile. The surface lasts approximately 9 yrs.

(i) Trustees asked for a cost estimate for the Bowman rd project listed on this year's projects.

(ii) Mr. Herbst concurred with Co Engineer that a mirco surface would cost approximately \$110.

(iii) The Co Engineer's project list proposes chip and seal – cost for the Bowman road project is estimated at \$40k. Mr. Schlatter pointed out that his is over a 50% savings.

(b) The Co Engineer was asked for a projected life expectancy. He responded that 5 to 7 years is likely and the present chip seal has lasted 10 years, but the road is overdue for a resurfacing.

(c) The Co engineer stated that his office has had good success with chipseals and the cost savings is significant. He again recommended to the Trustees a chip and seal application as proposed in his office's list.

(i) The Engineer said that the most important thing was that the Trustees choose to do something as greater delays will only increase the expense as the road(s) deteriorate if nothing is done.

(d) Mr. Herbst asked Mr. Schlatter what the cost was for a cubic yard of chip and seal - The engineer responded about \$1.

(i) Both agreed this was a good price.

(ii) Both agreed that the Trustees should do something on the roads listed for work in 2015, as a surface project is overdue.

(e) Trustees discussed the proposal

(i) Mr. Bakle supported the micro-surfacing.

(ii) Mr. Peck moved:

1. To approve the Co. Engineer's proposed list of projects issued January 15<sup>th</sup>, 2015, noted above under subsection v, using material as proposed by the Co Engineer (chip and seals) and to remove the Kibble and Winn Rd projects from the 2015 list due to the overall project list costs.

2. The motion was then amended to include a sealant of the chip and seal on the Bowman road project with a not to exceed cost for the sealant of \$15k.

(iii) SECOND by: Mayer

1. A roll call vote was taken.

Mr. Peck – yea, Mrs. Mayer – yea, Mr. Bakle – nay

The motion to approve the list of projects as issued along with the addition of a sealant on Bowman road was approved.

i) Trustees to provide the County Engineer with their approved list of 2015 projects.

d) A financial impact review by the fiscal officer:

i) As of this session total anticipated cost of all proposed and approved projects for 2015 are estimated to

be \$115,000 more or less (\$104,983 f eng report plus items 11, 12 and 13).

- ii) Trustees are reminded that:
  - (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include projects 11,12, 13 – salaries, mowing, snow removal etc. which are not part of the engineer’s projects list.
- iii) Total road expenses anticipated for 2015 would be \$115,000 plus \$87,000 or \$202,000.
  - (1) Anticipated 2015 revenues as noted in the 2015 amended certificate from the County Auditor for road work was \$165,615.00.
  - (2) Total road expenses year to date are **\$14,236.59**
  - (3) Total road fund revenues year date are **\$13,520.27**
  - (4) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer’s Office is dated 11-18-2014** and was presented to Trustees at the November session. The update includes expenditures from future OPWC grants that the Twp. might receive.
    - (a) (See minutes from 2011 forward thru December 2013 for history).
    - (b) Current status – the OPWC has utilized future grants in the amount of \$61,483.00
    - (c) The Engineer has informed the Trustees that the grants are promised by law with the passage of issue 1 several years ago. The average annual grant for Def Twp is \$25k for the next 10 years or a total of \$250k give or take.
- i) The Chair asks if there are any new proposed 2015 projects that are not now on the above project list:
  - (1) There was none proposed as this time.
- e) Trustees again noted the March work assignments for the Twp. crew are noted in the monthly road report.
- b) 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.
- b) Exhibit 7-b – was an invitation from the Def. Co. Health dept to Trustees to attend the Annual Meeting of the Health Dept’s Advisory Council.
  - i) The session will be held March 10<sup>th</sup>, 7p.m. at Defiance County East – 1300 East Second Street.
  - ii) No rsvp is necessary the agenda is part of the exhibit.

**ORDER OF BUSINESS NO. 8 –Old Business**

- a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was modified per the City and Trustees as required approved the modification during the Twp’s July 2014 meeting. The cost for rescue services was increased by \$24k.
  - i) In response the Twp Trustees placed a ballot issue before the voters (November 2014) of Twp precincts A & B where that service is rendered.
  - ii) See minutes from January 2014 forward to review history of a 2014 proposed fire-rescue service levy to be placed on the November 2014 ballot to cover the proposed City increase.
- iii) As of February 24<sup>th</sup>:
  - (1) The ballot issue was defeated in November 2014.
    - (a) 276 votes for – 318 against.
  - (2) Trustee’s in November 2014 voted to place the issue before the voters again in the May 2015 primary.
  - (3) All required resolutions have been adopted and the required documents have been provided to the Defiance County Board of Election.

- (4) Exhibit 8-4 of the 2-24-15 Trustee session was an email report from the Board of Elections documenting that they have the paper work necessary to place the levy issue on the May primary ballot.
- (5) Exhibit 8-5 – of the 2-24-15 Trustee session was a proposed amendment to the current Fire/rescue contracts to freeze the current charges of \$110,000 per year for a five year period. (the fire contract is automatically adjusted based on the Twp’s property evaluations. 1.5 mils times the evaluation of the twp property in precincts A & B based on the County Auditor’s annual assessment.
  - (a) Refer to the exhibit’s 1996 (current) fire combat contract with the City.
  - (b) Exhibit 8-5 contains several emails between the fiscal officer and the County Prosecutor regarding the language of the contract.
    - (i) It is the fiscal officers opinion that there should be an out clause for the Twp should the levy fail in the May 2015 primary. The Twp should have the option of terminating the contract during any year of the contract. It appears that the contract currently does not offer an out until Oct. 31, 2019.
    - (ii) The fiscal officer, at present, is requested to certify funds for calendar year 2015. The fiscal officer cannot certify that funds are available for the contact under the present anticipated revenue projections unless there is a commitment of general funds.
      - 1. The Chair called for discussion...
        - a. The fiscal officer was recognized and stated that this afternoon the City Law Director explained that the City is willing to wait for the Twp’s levy result from the May primary. In addition he noted that Ohio law does not allow a political subdivision to certify money it does not have and therefore the contract would be void should that circumstance occur.
        - b. Trustees agreed to wait until the primary results are known before signing the new proposed contract.
- b) The Chair asked if there was any other additional old business to come before the Board?
  - i) There was none.

**ORDER OF BUSINESS NO. 9 – New Business.**

- a) Exhibit 9-a was a ballot from District 5 – Ohio Public Works Commission to vote on Twp representatives to this committee from Defiance County.
  - i) Trustees voting completed their ballot and provided it to the fiscal officer for mailing.
- b) Exhibit 9-b –was a letter from the Ohio Dept of Public Safety regarding the gratis plates on Twp vehicles.
  - i) Trustees confirmed the existing list by attaching their signatures to the document. The fiscal officer will mail the list back as directed.
- c) Exhibit 9-C –was documentation of required ceu’s for fiscal officers relative to ORC 507.12.
  - i) House bill 10 was signed by Governor Kasich on December 19, 2014 and is effective as of March 23, 2015. See exhibit attachment for details.
  - ii) Re-elected or current fiscal officers must complete 12 hrs of ceu’s for their term.
  - iii) The auditor of state’s office is currently setting up additional training opportunities. The Auditor of State will establish training requirements for future years.
- d) The Chair asked if there was any other new business to come before the board?
  - i) There was none.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

- c) Regular scheduled session.

**Date:** Tuesday – March 24, 2015.  
**Time:** 7:00 p.m.  
**Place:** 2<sup>nd</sup> 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 February 24<sup>th</sup>, 2015

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